



Written by [Dave Bohon](#) on March 9, 2012

Murder Charges Dropped Against Abortionists in Maryland

“We know what the doctors did,” Rollins told the [Baltimore Sun](#). “We just don’t know where they did it.” He emphasized that the charges could be reinstated if evidence emerges that the two killed the pre-born babies in Maryland.



The *Sun* reported that in his grisly practice, Brigham “routinely began abortion procedures at his offices in New Jersey and completed them in Maryland, according to a 2010 New Jersey order suspending his medical license there.” Riley, who was from Utah, had been hired to help Brigham extract the deceased infants from the mothers’ wombs at his Maryland office.

As reported by [The New American](#) when the story broke in January, the two doctors were indicted after a lengthy investigation that began following a botched abortion at Brigham’s clinic in Elkton, Maryland. According to documents from medical investigators, “an 18-year-old woman who was 21-weeks pregnant suffered a ruptured uterus and other internal injuries while under the care of the two doctors,” reported *The New American*. But rather than call an ambulance, continued the report, “Riley drove the woman to a local hospital, where, according to documents, both she and Brigham refused to cooperate with medical personnel. Investigators searching Brigham’s clinic found a freezer containing 35 late-term, pre-born babies, including one estimated to have been aborted at 36 weeks — or nine months.”

The 55-year-old Brigham was ultimately charged with five counts of first-degree murder, five counts of second-degree murder, and one count of conspiracy, while Riley, 46, was indicted on one count each of first- and second-degree murder, and one count of conspiracy.

Under Maryland’s fetal homicide measure, abortionists can legally kill pre-born babies up to 23 weeks into a pregnancy — when medical experts say most “fetuses” are considered viable. Abortions can be done after that time only to protect the mother’s health, or if a doctor determines the baby suffers from “genetic abnormalities.” Legal experts said that a murder conviction for the pair could have impacted the interpretation of fetal-homicide laws in the other 37 states that have them.

Thus far the 2005 Maryland law has been used only to prosecute individuals accused of assaulting or killing pregnant women. “While the law allows a person who intended to kill a pre-born baby, or who wantonly disregarded its safety, to be charged with murder or manslaughter,” reported *The New American*, “the statute does not apply to doctors lawfully administering medical care, nor does it disallow a woman to abort her baby.”

Rollins decided to drop the case against the abortionists after a medical expert who had said the killing of the babies and removal from the wombs most likely happened in one place later changed his opinion, speculating that the killings and removals could have occurred in different places. “We’ve got an expert whose testimony is useless to us because he’s said two different things now,” Rollins complained. As a



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result, his office lost its ability to prove that the abortionists had committed the murders of the babies in Maryland, resulting in the dropped charges.

Early news reports of the case had said that the babies were likely killed in New Jersey before the mothers were transported to Maryland for the extraction of the fetuses. "However," reported [LifeSiteNews.com](#), "according to Operation Rescue, [records obtained](#) by the pro-life organization indicated that at least one of the babies was alive at the time of the abortion in Maryland, giving Maryland jurisdiction over the murder."

"The State simply cannot let these abortionists get away with the murder," said Operation Rescue's Troy Newman after the charges were dropped. Newman added that "questions remains. One, was anybody really at fault? And I believe the answer is yes; there was a murder taking place. And secondly, will New Jersey take up these charges and act on these five counts of murder?" He called on Rollins to do his best to re-file the murder charges in Maryland "for the sake of justice and for the safety of the community."

LifeSiteNews added that Rollins stated, "The investigation into Brigham's and Riley's abortion practices in Maryland will continue. Disciplinary actions in three states to revoke Brigham and/or Riley's medical licenses continue to proceed."



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