



Written by [Dave Bohon](#) on September 9, 2017

Pro-Life Investigator Fined \$200K for Releasing Undercover Videos of Abortionists

A U.S. District Court judge has ordered pro-life investigator David Daleiden (shown) and his attorneys to pay the National Abortion Federation (NAF) nearly \$200,000 for releasing videos Daleiden filmed undercover during the abortion trade organization's annual meetings in 2014 and 2015. Daleiden was under court order not to publicize the videos.



The troubling footage, released through the pro-life organization Center for Medical Progress (CMP), for which Daleiden serves as an investigator, shows Planned Parenthood functionaries and assorted abortionists discussing their trade in grisly detail, including discussions about the sale of body parts from aborted babies.

The NAF filed suit against Daleiden in July 2015 in an effort to prevent the release of the damning footage, claiming that publication of videos could put its members in danger. U.S. District Court Judge William Orrick agreed, issuing a preliminary injunction in February 2016 banning Daleiden from releasing any videos recorded at the NAF's annual conventions.

But in May 2017, as reported by [The New American](#), Daleiden released a "preview" video from a longer investigative piece showing Planned Parenthood officials and abortionists joking and making lighthearted conversation about the killing of babies.

In July, Orrick ruled that Daleiden had violated his injunction in releasing the footage, finding him and his defense attorneys in contempt of the order.

In his latest move, made on August 31, Orrick fined Daleiden and his attorneys \$195,359.04 in civil penalties for the NAF's security and personnel costs, along with legal fees in the abortion group's efforts to have the undercover video removed from the YouTube and elsewhere.

"In setting this amount, I have considered the magnitude of 'the harm threatened by continued contumacy, and the probable effectiveness of any suggested sanction in bringing about the result desired,'" Orrick wrote in his ruling. "CMP, Daleiden, Cooley, and Ferreria are jointly and severally liable for this amount to be paid to NAF."

In his ruling Orrick wrote that the NAF's right to privacy and safety trumped any public interest in the videos. "Weighed against that public interest are NAF's and its members' legitimate interests in their rights to privacy, security, and association by maintaining the confidentiality of their presentations and conversations at NAF Annual Meetings," he ruled. "The balance is strongly in NAF's favor."

Daleiden's attorneys have appealed to the U.S. Supreme Court to lift Orrick's sanctions against the



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release of the undercover videos. Tom Brejcha of the Thomas More Society, which is representing Daleiden in the NAF's civil suit, said that "what is ultimately at stake here is whether those who 'blow the whistle' on illegal or inhumane misbehavior in any industry may be silenced and even punished for telling the truth to the public at large and to those charged with enforcing criminal and regulatory bans on nefarious practices."

Brejcha added that "whether America will remain an open or closed society hangs in the balance. We trust that the justices will stand by our traditional disapproval of 'prior restraints on free speech,' hear Daleiden's appeal, vindicate his First Amendment rights, and reverse the lower courts' egregious mistakes."

As reported previously by *The New American*, undercover video shot by Daleiden and the Center for Medical Progress, includes:

- [Dr. Deborah Nucatola](#), Planned Parenthood's senior director of medical services, saying that "we've been very good at getting heart, lung, liver, because we know that, so I'm not gonna crush that part, I'm gonna basically crush below, I'm gonna crush above, and I'm gonna see if I can get it all intact."
- Planned Parenthood's [Dr. Mary Gatter](#) joking that "I want a Lamborghini" as she negotiates the sale of baby parts.
- Planned Parenthood's [Dr. Savita Ginde](#) stating that "we don't want to do just a flat-fee [per baby] of like, \$200. A per-item thing works a little better, just because we can see how much we can get out of it."
- A [Planned Parenthood medical director](#) conceding that babies born alive during an abortion are sometimes killed.

Photo of David Daleiden: AP Images



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