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Abortion doctor plays race card as murder trial begins

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POSTED: March 19, 2013

KERMIT GOSNELL, the former West Philly abortion doctor charged with eight counts of murder, was portrayed by his defense attorney Monday as the victim of a "prosecutorial lynching" by an "elitist, racist prosecution."

The attorney, Jack McMahon, told the jury in his opening statement that the prosecution would call expert witnesses who would unfairly apply Mayo Clinic standards to a clinic for poor women in a "nitty-gritty" neighborhood.

"They don't run an urban clinic; a low-cost, urban, poverty-stricken clinic," McMahon said of the experts.

"They want to put Mayo Clinic standards on a West Philadelphia clinic. If you want Mayo Clinic standards, go to the Mayo Clinic," he said, referring to the famous hospital with locations in Minnesota, Florida and Arizona.

Gosnell, 72, ran his clinic for 31 years without the government trying to close it down and had many repeat patients who often recommended his services to relatives and friends, McMahon said on the first day of the capital-murder trial.

"This is nothing more than an elitist, racist prosecution," insisted McMahon, who said his African-American client was a good doctor with a clean record of serving poor women in the neighborhood where he was raised.

By contrast, Assistant District Attorney Joanne Pescatore told the jury that Gosnell preyed on those women and their unborn babies - seven of whom he murdered by "snipping" their spinal cords after they were born, she said.

"What those women and babies suffered through at the hands of that man is inexcusable; it's unconscionable and it's also criminal," an emotional Pescatore said.

Regarding racism, Pescatore told the jury that it was Gosnell who practiced racism at his Women's Medical Society clinic, on Lancaster Avenue near 38th Street.

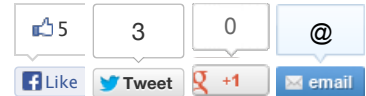
He treated white female patients better than women of color, she said, by placing whites in different rooms, personally meeting with each and ordering his staff to keep him apprised of every aspect of their treatment.

"It's the way of the world," Gosnell would respond when his employees questioned him about those practices, Pescatore said.

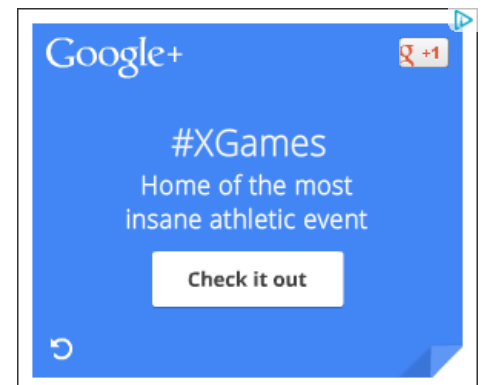
"This so-called doctor didn't treat all the women the same. He treated the white women differently," the prosecutor said.

To maximize profits, Gosnell performed a high number of abortions, including illegal ones on women beyond the 24th week of pregnancy, Pescatore said.

"That baby is big enough to walk me to the bus stop," Gosnell is



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alleged to have joked about one of the seven babies he is accused of murdering, Pescatore told the jury.

He employed two "doctors" who lacked medical licenses, the jury was told. One, Eileen O'Neill, 56, is being tried with Gosnell.

Eight other former clinic employees have pleaded guilty, and some will testify against Gosnell.

Gosnell, who could receive the death penalty if convicted, also is charged with third-degree murder in the death of Karnamaya Mongar, 41. The Bhutanese refugee died in November 2009 of an overdose of Demerol prescribed by Gosnell after an abortion. The FBI raided the clinic three months later.

McMahon said that Mongar's death was an accident since she failed to tell Gosnell that she had taken three other medications in an attempt to self-abort and that she had not disclosed a bronchial condition. Had she done so, he said, Gosnell would not have prescribed Demerol.

McMahon noted that the city Medical Examiner's Office first ruled Mongar's death an accident but months later changed the cause of death to homicide.

"The accident became a homicide because they wanted it to be a homicide to fit their elitist, racist prosecution," McMahon told the jury.

Of the seven babies, McMahon said, abortion medication killed two in utero. He said that no evidence links the doctor to the deaths of the five others.

Gosnell, wearing a dark suit, at times appeared miffed at Pescatore's harsh words, and at other times grinned while jotting notes on a yellow legal pad.

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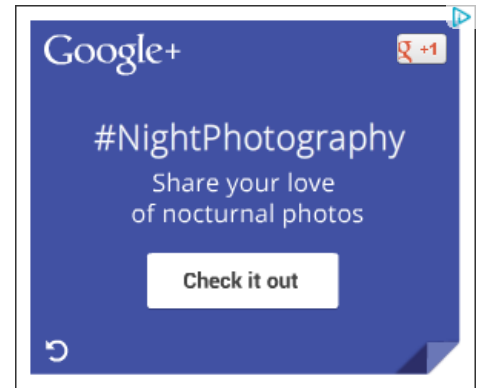
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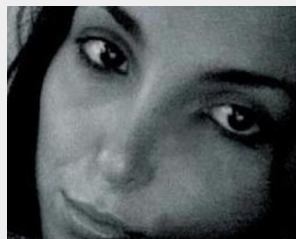
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