

Former Louisiana Senator A.G. Crowe Asks Legislative Auditor and Attorney General to Investigate Alleged Destruction of Possible Evidence in Sex Abuse Cases

PEARL RIVER, LA. – Former State Senator and candidate for Louisiana Secretary of State A.G. Crowe, in a letter to the Legislative Auditor and Attorney General today, called for an investigation into whether non-identifying records from abortion facilities and certain state agencies containing possible evidence of suspected child abuse have been destroyed.

In his letter, Crowe noted, "I have recently been shown disturbing information from citizen activist Richard Mahoney that gives me reason to believe that possible evidence of suspected child sex abuse may have been destroyed by the Louisiana Department of Health without LDH having received permission from the Secretary of State to legally destroy and dispose of such records." Crowe identified the records as Induced Termination of Pregnancy records from 1999 to 2010 that should have required an SS ARC 930 permission to destroy form from the Secretary of State. Those records are required by state law to be kept permanently.

LDH is required by law to submit an SS ARC 930 records destruction approval form to the SOS and receive it back approved from them for every "Report of Induced Termination of Pregnancy (ITOP Report)" before any ITOP Report can be destroyed legally. Abortionists are required by law to submit a properly and legally completed ITOP Report to LDH on every abortion performed. The data helps determine statistics on abortions and patients are identified by a code number, not by name. Mahoney, a leading activist against abortions, noted that SS ARC 930 forms would show how many minors are receiving abortions and how many procedures lead to complications which would likely result in the closure of some abortion clinics throughout Louisiana.

This is not the first time these records have been spotlighted. Local anti-abortion activists filed a lawsuit in 2014 to gain access to mandatory reports detailing each pregnancy termination performed in Baton Rouge. At that time, Department of Health and Hospital officials argued that law specifically forbids disclosures of patient information gathered by physicians. In 2013, Congressman Charles Boustany called for a Congressional probe into the Louisiana Department of Health and Hospitals' Vital Records Registry to review documents that were alleged to be falsified by doctors performing abortions. Boustany, a doctor himself, noted then that incomplete reporting by clinics that perform abortions could protect statutory rapists. Wrote Boustany, "These physician-signed forms potentially shielded statutory rapists by listing the father's age and state of residence as 'unk' or unknown in advance."

"No abused child in Louisiana should be abused twice – first by the abuser, then by a state agency that would destroy her ITOP Report, forever depriving her of such indispensable corroborating evidence of her abuse in future litigation, Crowe said.

Said Crowe, "Change is needed in the records management, retention and disposal policies in the Secretary of State's office. The retention schedule of all public records needs to be thoroughly reviewed and updated. The retention schedule for child sex abuse crimes in particular must be extended for the life of the victim," Crowe continued. "I will apply a high level of scrutiny to the protection of all records, especially those that may be used in an evidentiary manner."

Crowe, a pro-life advocate during his 16 years in the Louisiana legislature, said he will use the office of Secretary of State to require rigorous compliance of state law by every state agency and political sub-division as well as abortion clinics to protect the women and unborn children of Louisiana.

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A.G. Crowe
SECRETARY OF STATE
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October 16, 2018

R. Kyle Ardoin
Secretary of State
8585 Archives Avenue
Baton Rouge, LA 70809

Dear Secretary Ardoin:

I have been shown even more information that then-Congressman Jeff Landry was shown--which he described as "compelling evidence" in a news article in The Advocate (dated 10/11/12 pg. 8-A)--regarding ITOP reports from abortion clinics in Louisiana to Louisiana Department of Health for abortions performed between 1999-2010, more than a few of which were performed on minors during that timeframe.

As you well know, state law mandates that in order for any government record to be destroyed and disposed of legally, the state agency seeking to destroy such records must first obtain an SS ARC 930 permission-to-destroy records form from the Secretary of State's office, complete it, submit it to the Secretary of State's Office, and obtain from the Secretary of State's office the approved copy of the form before the state agency can legally destroy any record. Approved SS ARC 930's must be kept permanently after records have been destroyed.

Regarding the minors on whom abortions were performed between 1999-2010, the ITOP Reports on their abortions can provide solid corroborating evidence of their suspected sexual abuse when they were minors, should they opt to file future litigation. The indispensable need for corroborating evidence as proof that allegations of sexual abuse, assault, etc. actually occurred, is crucial.

If these records have been destroyed, legally or otherwise, these minors will have been forever deprived of this indispensable corroborating evidence contained in these records, which is completely unacceptable.

Since child sex abuse is such an important matter, a matter about which all Louisianan's should have a keen interest, I am asking you to produce and publicly release any and all SS ARC 930 forms that LDH submitted to the Secretary of State's office in order to legally destroy the ITOP Reports in question covering abortions performed from 1999-2010. Please provide me copies of any of these SS ARC 930 forms as well. I have been advised that such SS ARC forms, if they exist, can be retrieved by your office in a matter of a few days or less. However, if you discover that none of the requisite SS ARC 930 forms can be found, I ask that you publicly release that information and provide me that information as well.

Sincerely,



A.G. Crowe

cc: Jeff Landry, Attorney General
Daryl Purpera, Legislative Auditor

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October 16, 2018

Jeff Landry
Attorney General
P. O. Box 94005
Baton Rouge, LA 70804

Dear Attorney General Landry:

Since Richard Mahoney showed you much of the information he recently showed me, information you described as "compelling evidence" in a 10/11/12 news article on pg. 8-A of The Advocate, and so compelling, in fact, that you called for a Congressional investigation into this compelling evidence in the same news article, I don't think I need to go into much more detail.

However, Richard has uncovered even more "compelling evidence" than he showed you back then, perhaps the most important of which is the SS ARC 930 permission-to-destroy records form from the Secretary of State's office that grants approval for the legal destruction of records. Also, quite importantly, approved SS ARC 930 forms must be kept permanently.

Since the ITOP forms on all the abortions that were performed in Louisiana covering 1999-2010--not just a few of which concerns abortions performed on minors—and if no approved and permanently kept SS ARC 930 form can be found for the legal destruction of these ITOP forms, then it must be assumed that the ITOP forms for these minors must have been illegally destroyed, forever depriving these underage girls of indispensable corroborating evidence of their suspected child sex abuse.

Given that the indispensable need for corroborating evidence in proving whether or not allegations of alleged sex abuse, sexual assault, etc. are actually true, I'm certain you will agree that even the thought of the destruction of corroborating evidence of the suspected sex abuse of underage girls in Louisiana is simply intolerable.

Therefore, especially because of your familiarity with this "compelling evidence," the most key of which contains corroborating evidence of suspected child sex abuse, evidence which quite likely may have been destroyed, I am requesting the Attorney General's Office assist the Legislative Auditor's Office in determining and making public the current status of the SS ARC 930 forms in question, which must be kept permanently, and whether or not they ever existed in the first place.

This should be a decidedly simple determination for the Legislative Auditor's Office, with the assistance of the Attorney General's Office, to arrive at quickly for the enhanced safety of our underage female children.

If I can be of further assistance, please don't hesitate to contact me.

Sincerely,



A.G. Crowe

cc: Daryl Purpera, Legislative Auditor

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October 16, 2018

Daryl G. Purpera CPA, CFE
Louisiana Legislative Auditor
P. O. Box 94397
Baton Rouge, LA 70804-9397

Dear Legislative Auditor Purpera:

I have recently been shown disturbing information from citizen activist Richard Mahoney that gives me reason to believe that corroborating evidence of suspected child sex abuse may have been destroyed by the Louisiana Department of Health without LDH having received permission from the Secretary of State's office to legally destroy and dispose of such records. The records in question are ITOP Reports for abortions performed from 1999 thru 2010. Before the state agency can legally destroy any record, they must first obtain an SS ARC 930 permission-to-destroy records form from the Secretary of State's Office, complete it, submit it to the Secretary of State's Office and obtain from the Secretary of State's Office the approved copy of the form before destruction and disposal. Approved SS ARC 930's must be kept permanently after records have been destroyed. If these reports were illegally destroyed, these minors on whom abortions were performed during this time period are forever deprived of this indispensable proof of their suspected sexual abuse.

In a 10/11/12 pg. 8-A article in The Advocate, after having been shown the same information, then-Congressman Jeff Landry described it as "compelling evidence," so compelling, in fact, that he called for a Congressional investigation in the same article.

The indispensable need for corroborating evidence as proof that allegations of sexual abuse, assault, etc. are actually true is crucial. I'm certain you will agree that underage girls in Louisiana should never be forever deprived of such corroborating evidence by any state agency.

Therefore, I am requesting that you investigate this matter in order to find out if such corroborating evidence has been destroyed, either legally or illegally.

It would seem to me that the quickest, easiest way to determine the status of the SS ARC 930 form would be to speak to either the Records Management Officer at LDH and/or the Statewide Records Management Officer in the Secretary of State's Office since approved SS ARC 930 forms must be kept permanently by both departments after records have been destroyed.

As your office often requests assistance from the Attorney General's Office, and since Attorney General Jeff Landry is familiar with the information in question, which he described as "compelling evidence," I am requesting that you ask for the Attorney General's assistance in this quest for answers.

Thank you in advance for your speedy attention to this matter.

Sincerely,


A.G. Crowe

cc: Jeff Landry, Attorney General