

OFFICE OF THE ATTORNEY GENERAL
STATE OF INDIANA



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INDIANAPOLIS, IN 46204-2770

TODD ROKITA
ATTORNEY GENERAL

July 13, 2022

Governor Eric Holcomb
200 West Washington Street
Indianapolis, IN 46204

Dear Governor Holcomb,

As you are aware, news accounts have swirled in recent days regarding a 10-year-old victim of sexual assault who traveled to Indiana from Ohio to obtain an abortion from Dr. Caitlin Bernard.

A physician presented with a pregnant pre-teen — a victim of sexual assault — must report the assault to law enforcement immediately. One who aborts the pregnancy of such a rape victim must within three days file a report of the abortion with both the Indiana Department of Health and the Indiana Department of Child Services.

Abortion reports, known as Termination of Pregnancy Reports or TPRs, are public documents. Accordingly, on July 11, a key member of my staff called IDOH to ask for all TPRs filed within the last 30 days so that we could review whether any reported an abortion by Dr. Caitlin Bernard on a 10-year-old. A response to a follow-up email the next day, July 12, said only that IDOH has a new system that “would take longer than the old, but I will check with them.”

So far, IDOH has produced no Termination of Pregnancy Report in response to our request.

On July 12, my staff also reached out multiple times by email to the Department of Child Services to obtain proof that a report of suspected child abuse has been filed in response to this case. We have received no response.

If Dr. Bernard has failed to file the required reports on time, she has committed an offense, the consequences of which could include criminal prosecution and licensing repercussions.

As state officeholders, we bear an important responsibility to get to the bottom of this matter immediately for the sake of the safety and well-being of children and families across Indiana and even, as in this case, those from other states. And we bear a similar responsibility to ensure that medical professionals abide by the law, particularly those designed to protect children.

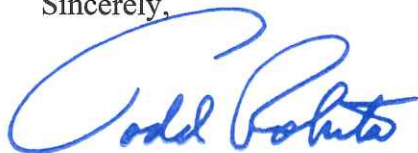
Governor Eric Holcomb
July 13, 2022
Page 2

I respectfully ask that you direct the state agencies under your purview to produce immediately to my office the requested TPRs and to confirm whether a child abuse report was filed with DCS so we can confirm Dr. Bernard's compliance with the law.

As the attorney for the State of Indiana, my office needs these documents and proofs in order to execute the requisite legal protections for the people of Indiana and perhaps more importantly to ensure the public's confidence in your agencies regarding this horrible matter.

Thank you for your attention.

Sincerely,

A handwritten signature in blue ink that reads "Todd Rokita". The signature is fluid and cursive, with a large loop at the top.

Todd Rokita
Indiana Attorney General