



Ind. woman whose fetus died in suicide try freed

By CHARLES WILSON
The Associated Press

11:36 a.m. Tuesday, May 22, 2012

INDIANAPOLIS — A Chinese immigrant who tried to kill herself by eating rat poison was free on bond Tuesday after more than a year in an Indianapolis jail on charges that she killed her 33-week-old fetus.

Bei Bei Shuai lugged a plastic bag full of her belongings and leaned on her attorney as she walked up a ramp toward reporters and friends waiting on the sidewalk outside the jail.

"I feel very happy," the 35-year-old Shanghai native said moments before she broke into tears and hugged her friends.

Defense attorney Linda Pence said one of Shuai's first moves would be to call her mother in China. Work on preparing for Shuai's Dec. 3 trial, she said, could wait a day.

"Today is a day of celebration," Pence said.

Shuai was 33 weeks pregnant when she ate rat poison on Dec. 23, 2010, after her boyfriend broke up with her. Shuai was hospitalized and doctors detected little wrong with the fetus' health for the first few days. The premature girl, Angel Shuai, was delivered by cesarean section Dec. 31, but she died from bleeding in the brain three days later after being removed from life support.

Prosecutors charged Shuai with murder in March 2011, arguing that a suicide note she wrote showed she intended to kill her baby as well as herself.

Shuai's attorneys sought to have the charges against her dismissed or have her released on bond, but Carlisle rejected those motions. The Indiana Court of Appeals declined to order the charges dropped, but did order Carlisle to set bail for Shuai, saying the defense had enough evidence to rebut the charges against her but that the case against her wasn't strong enough to keep her in jail.

Marion Superior Court Judge Sheila Carlisle set a \$50,000 bond for Shuai on Friday and ordered her to surrender her passport and submit to GPS tracking after her release. She also was told not to leave the state without the court's permission.

Shuai's friends told Carlisle that Shuai could live with them and work in their restaurant until her trial.

Defense attorneys said the law under which Shuai was charged was intended to be used to protect pregnant women, not to be used against them. They argued that prosecuting a woman based on the outcome of her pregnancy violates her constitutional rights to due process, equal treatment and privacy.

Several medical and women's rights groups filed friend-of-the-court briefs supporting Shuai, some saying that a conviction in this case could set a precedent by which pregnant women can be prosecuted for smoking or other behavior deemed a danger to the fetus.

"We still believe that Indiana is sending a very dangerous message to pregnant women that this is how you'll be treated if you experience a loss and law enforcement thinks it's your fault," said Emma Ketteringham, legal advocacy director for the New York-based National Advocates for Pregnant Women, which is assisting in Shuai's defense.

The Marion County prosecutor's office had no comment on Shuai's release Tuesday.

Her trial is set to begin Dec. 3.

Follow Charles Wilson on Twitter: <https://twitter.com/CharlesDWilson>

May 22, 2012 11:36 AM EDT

Copyright 2012, The Associated Press. All rights reserved. This material may not be published, broadcast, rewritten or redistributed.

Find this article at:

<http://www.ajc.com/news/nation-world/ind-woman-whose-fetus-1443357.html>

 [Print this page](#)  [Close](#)