



COMMONWEALTH OF VIRGINIA
HOUSE OF DELEGATES
RICHMOND

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SCIENCE AND TECHNOLOGY
INTERSTATE COOPERATION

October 31, 2003

The Honorable Mike Bilirakis
U.S. House of Representatives
2269 Rayburn HOB
Washington, DC 20515
[Via Fax: (202) 225-4085]

Re: Terri Schiavo – Ongoing Disability, Civil and Religious Rights Violations

Dear Congressman Bilirakis:

Terri Schiavo, supposedly in a vegetative state, was recently denied Communion by Michael Schiavo because "George Felos, Michael's lead attorney and an assisted suicide advocate, said Michael didn't want 'anyone to do something that would cause Terri distress.'" (Lifenet News, Oct. 19, 2003) **But if Terri is truly "vegetative," how can she possibly feel "distressed?"**

On October 21, 2003, attorney Felos pleaded in his Request for a Temporary Injunction that feeding and providing water to Terri might result in "a physically distressful death." Felos must be confident no one is paying attention. **Again, if Terri is really vegetative, she cannot be physically distressed.**

This is just one contradiction of many in this case. ***If federal laws protecting the handicapped are not enforced in this notorious case, they never will.***

Is Terri Schiavo a victim of spouse abuse?

Forensic pathologist, Dr. Michael Baden, detected evidence of trauma perpetrated on Terri from a bone scan and agreed with Terri's parents that she could have been beaten in 1990, and that it should have been investigated. (10-25-03 Fox TV Greta Sustren interview) Dr. Baden chaired the forensic pathology panel for the Congressional inquiry into the assassinations of President Kennedy and Dr. King.

Dr. William Hammesfahr, Board Certified Neurologist and Nobel nominee, last year stated in Pinellas Circuit Court that Terri's neck injuries were identical to those of a woman he examined who had been strangled.

W. Campbell Walker, M.D. reported that a 3-5-91 radiograph of Terri disclosed a "compression fracture. ... The patient has a history of trauma ... The presumption is that the other multiple areas of abnormal activity also relate to previous trauma."

Affidavits signed under penalty of perjury by nurses Heidi Law, Carla Sauer-Iyer, and Carolyn Johnson state that: Michael was abusive to Terri, and also attempted to kill her by insulin injection and by turning down the thermostat in her room to 64 degrees. These allegations were dismissed without hearing by Pinellas Judge Greer.

Is Terri Schiavo Really Vegetative?

Seven doctors, two Speech Pathologists and three nurses have signed affidavits under penalty of perjury that Terri can recover many of her faculties and has responded intelligibly to them, speaking words related to her surroundings. There is even a video of Terri beaming at her mother, tracking balloons, and following simple commands. And millions of Americans saw a video on TV made by Terri's father in apparent defiance of Judge Greer, of Terri responding to those around her. Yet, Michael has not provided therapy of any kind.

What are the interests of Terri Schiavo's Guardian, Michael Schiavo?

Michael Schiavo is living with another woman. They have one child and another on the way. Nurse Carla Iyer swore under oath that Michael said, "When is that bitch gonna die?" When told Terri was sick, Michael replied, "Hallelujah! You made my day." Michael was on the Board of Directors of the Jerger and Centonze Insurance Company with fiancé Jody Ann Centonze in January 2001. The address of corporate record listed Michael and Jody's home.

A former guardian for Terri, attorney Richard Pearse, concluded in 1998 that "Michael Schiavo was not credible as his wife's legal guardian because he stood to benefit financially and personally by her death—there was still a sizeable amount of money from the malpractice suit—and because he did not mention his wife's wishes in the medical malpractice case. ... After Pearse issued his report, Felos had him removed from the case." (*Chicago Tribune*, 10/23/03)

Given all the publicity surrounding this case, Terri's life story has economic value. If she dies still married to Michael, he will control the rights to book and movie deals. Michael's attorney, George Felos, who believes that he has the ability to speak soul-to-soul with patients like Terri, has stated publicly that he intends to write about "his spiritual journey with Terri."

Is Michael Schiavo securing substandard medical care for Terri Schiavo?

Terri's new doctor, appointed by Michael October 24, 2003 has five malpractice suits pending. Terri's prior doctor would visit Terri once every four months for 10 minutes. He recommended that Terri be evaluated for therapy, but relented in the face of Michael's refusals.

Michael Schiavo admitted in a November, 1993 deposition that he tried to leave a urinary tract infection untreated in the expectation that it would prove fatal. This was just months after he promised a medical malpractice jury that he would use any award money to rehabilitate Terri, and that he needed some nine million dollars to "take care of Terri for the rest of his life." Since a monetary award of over \$700,000 was received in 1993, Michael prevented any therapy which would help Terri recover. He barred Terri from undergoing a barium swallow test to determine what foods she can take by mouth; he forbade swallow therapy that would free her from her dependence on a feeding tube; he let Terri go for years without dental care; at whim he barred family members from visiting Terri; he was accused by an attending nurse of altering Terri's medical records; and he has refused to provide the family timely and accurate medical information regarding Terri's condition.

How Credible is Michael Schiavo?

On Larry King Live, Michael Schiavo refused to tell a TV caller whether he would take a lie detector test. He refused to give CNN permission to film Terri. In 1993 he promised a jury he would spend the award solely on Terri's rehabilitation (which he never did), but then spent large portions of it on lawyer George Felos to end Terri's life (\$357,246.67 in fees and \$40,003.32 in court costs). He ordered police to arrest 80+ year old Fr. Malinowski if he tries to give Terri Communion.

Is the Circuit Court for Pinellas County Florida protecting Terri's rights?

The Honorable George Greer, Pinellas Circuit Court Judge has:

1. Refused to consider the sworn testimony of seven doctors and three nurses who have cared for Terri and who affirmed under oath that: a) Terri is not in a persistent vegetative state because she can and did communicate meaningfully, would swallow food; and b) Terri can be rehabilitated.
 2. Held an impromptu news conference with reporters without the attorneys present, in which he appeared predisposed as to how he would rule on the merits of the case.
 3. Authorized the diversion of Terri's malpractice disability rehab award money to Michael Schiavo's lawyers to end her life, and to pay police guards to "protect" Terri from her relatives and a priest and to pay for personal security for Michael.
- Chief Judge of the 6th Judicial Circuit has indicated he will appoint Professor Jay Wolfson (Univ. South Florida) temporary guardian for Terri. Wolfson has publicly stated his opposition to Gov. Bush's intervention (Terri's Law).

The millions of Americans across our land who saw a disabled, but determined handicapped young woman on TV responding to her family, await action by the only governmental authority left that can act. Local Florida authorities collaborate even today with Michael Schiavo to the extent of denying to Terri the comfort of receiving Holy Communion by permitting him to threaten Msgr. Malanowski, an 80+ year old Catholic priest who simply seeks to give Terri the Last Sacrament. This is America?

Respectfully submitted,

Bob Marshall

Delegate Bob Marshall

PS You are urged to contact principals in this case including: Debra Vinnedge 727 536-8839 (H), 727 433-0115 (C), 727 538-5558 (W); Mary and Bob Schindler Terri's parents 727 302-9363, or brother Robert Schindler, Jr. or her sister Suzanne Carr; J.D. Young, MD 727 596-1752; James Eckart, MD 813 933-9484; William Hammesfahr, MD 727 461-4464; Jay Carpenter, MD 727 443-3480 (H), 727 447-4877 (W); Eleanor Dreschel, RN, MS 941 379-3465; Jana Carpenter, RN, MS 727 443-3470 (H), 727 480-9364 (C); Msgr. Thaddeus Malanowski 727 461-0153 Pat Anderson Atty: 727 895-6505 (W); Tom Brodersen, Atty assist: (C) 727 403-3142.

CC US Attorney Paul Perez, Tampa, Florida