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From the Editor

Why Alan Yurko

When I learned about Alan Yurko, a young father falsely imprisoned for the death of his infant son, it was clear that the issue of vaccine safety—rather, a lack of it—was involved. I read about his case, tried to help in some small way, and carried on with my work. After all, though *Latitudes* has included articles on vaccines, ACN does not have a primary focus on this topic.

Then one day the thought arose to look up Century Prison in Florida where Alan is incarcerated to see what I could learn. It was there that I located his institutional photo, was struck by the hauntingly distraught look in his eyes, and read the bleak words “Sentenced to life.” In an instant, I was a mother and he could be my son. I resolved to visit him to offer moral support, if nothing else. That visit and his unforgettable case are described in this issue.

The purpose of including Alan and Francine Yurko’s story is not only to raise awareness of their plight and hopefully generate support for them. It is also because the situation mirrors a problem most *Latitudes* readers have come up against under different circumstances. Though the brain is incredibly complex and does not function in isolation from the rest of the body, standard medical practice often distills theories and so-called solutions into simplistic terms. You have a hyperactive nervous system? You need a medication. You have tics? Cut out stress and take some drugs. Your child has a learning problem? Get her into a special education class. And in the Yurko case: Your infant died of a brain hemorrhage? Someone must have violently shaken the child.

The “Free Yurko” web site clearly questions public vaccine policy. Yet in this issue of *Latitudes* we also have an article by Dr. Aristo Vojdani who suggests that the development of a strep vaccine could help a subset of people with the conditions *Latitudes* focuses on. ACN does not have the answers to the complex vaccine controversy, and the political and public outcry over mandatory vaccinations for infants through the military is just warming up. We will do our best to provide evenhanded information that we believe is helpful, and offer key resources you can follow up with.

Sheila Rogers

Photo was taken June 21, 2003, at Century Prison, Florida



Francine and Alan Yurko
Washington Prison, December 2001

The making of advocates

The story of Baby Alan Yurko and his parents

By Sheila Rogers, editor

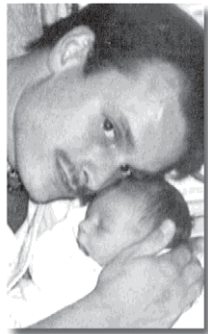
When we hear the word hero, most of us think of rather ordinary folk who unexpectedly take part in a dramatic, lifesaving action. But there are others who are slowly transformed into heroes through the fire of incredible personal challenges—and when they emerge from their crisis they find themselves changed. They have a new purpose in life and begin to think more of others than of themselves. This is the category Alan and Francine Yurko fall into.

I recently spent some time with this remarkable couple, traveling with Francine to see her husband in Century Prison in northern Florida. Some 1500 miles later, I was left with admiration for the sincerity of their intent, even in the thick of a personal nightmare.

Let me explain their story.

Francine moved from Ohio to Orlando with her four-year-old daughter in July 1997. She was six months pregnant and not gaining weight. Francine's fiancée, Alan, joined them shortly. They were in love, looking forward to being married, and anticipating the birth of their son. Alan worked in home improvement and had taken some pre-med classes. Francine had a job as a reservations and banquet manager in a hotel to help make ends meet.

Their son, Alan Joseph, was born five weeks prematurely on September 16 of that year. Labor was induced because Francine was so ill with gestational diabetes, group B strep, and a chronic e.Coli infection. She had gained only two pounds, and 90% of her amniotic fluid had been lost. The baby had underdeveloped lungs and respiratory distress, among other medical problems. He spent seven days in intensive care before they were able to take him from the hospital (*father and son in photo, above*) to their home. He had weekly visits to the pediatrician, but was not



thriving. The doctor assured them the problems would clear, and his condition slowly started to improve.

At two months, despite his frail health, Baby Alan received routine vaccinations—six of them at one time. He had a negative reaction that worsened over the next ten days, but the doctor said the symptoms would go away. Francine had just returned to work, and his father was caring for him. The baby had been fussy all week. On November 24 he stopped breathing. Horrified, Alan grabbed the daughter and a neighbor's car keys, held Alan in one arm, and sped to the nearby hospital, trying to perform mouth-to-mouth at the same time.

Medical attention was given in the ER, the baby was resuscitated, and Alan phoned Francine to ask her to rush to the baby's side. Little Alan was flown to a better equipped facility where they waited for news. A doctor met with the parents and told them their baby had massive cerebral hemorrhaging and was going to die. Francine went into shock and was sedated. Alan was devastated by the prognosis and thought they must have the wrong child. Detectives soon arrived and questioned Alan at length.

Things start spinning out of control.

Alan explains that not long after this, he was approached by officers at a store near his home on his way to see his son in the hospital. They threatened him, and scared, he turned quickly; an older officer lost his balance and fell. Alan took off running. Later, he turned himself in to police and was charged with battery of an officer and escape.

Alan's first several days in prison were spent in solitary confinement, the most restrictive setting possible. The cell had a slab of metal for a bed with no linens or pillow. Clothing was a heavy paper garment, open on the sides. His food was referred to as the "loaf" – all the meal's food items mashed together into mush before baking.

But the physical hardships weren't the worst part. Alan ached to hold his dying son. He wanted to comfort his family and grieve with them. He was not allowed contact of any kind with anyone. Meanwhile, Francine was frantically and repeatedly calling the prison staff, trying to get through to him. "Finally," Alan recalls, "after four days someone came into the cell, placed a phone in front of me, and told me to call Francine."

The detectives' own informant was a witness to the scene. She reportedly stated that detectives broke a wooden cane over Alan's back, and an officer fell trying to grab him. The witness came forward to state this in a deposition after Alan was convicted of the battery. She also stated that Alan never struck either officer. Alan was eventually also charged with first degree murder and aggravated child abuse, and denied bail.

Alan was placed in maximum security while his son clung to life. Heartbroken, Francine agreed to the termination of life support and donation of the baby's organs. After she kissed her son good-bye, the support switch was flipped and detectives, ignoring her grief, immediately interrogated her in the hospital. According to Francine, she was told she would never see her daughter again and would be charged with first degree murder unless she secretly taped Alan in prison and testified against him. She refused to cooperate. Meanwhile, her daughter was taken from the home and placed in state custody, supposedly to protect her from Alan—who was already incarcerated. Francine was arrested without charges and put in jail. A last minute charge, made after the fact, was thrown out but remains on her record. Alan was not allowed to attend the memorial service.

While in "protective" foster care, her daughter was molested. When this information surfaced, the little girl was returned home, clearly traumatized. Francine had only been allowed to see the child once during this three-week period.

Alan was in an isolation cell for a year and a half before the trial. Others threw feces and urine through the bars, calling him "baby killer." He had a platform with a thin mattress to sleep on, a sink and toilet, and a light bulb that burned around the clock. He was allowed no activity. Food was brought to his cell, and every three days he was shackled and taken to shower. During visitation, Francine spoke to him—loudly—through a vent in a wall. The daughter has not been allowed to see Alan since he was arrested.

Unfortunately they had no money for a lawyer. In a nutshell, the prosecution and state witnesses made mincemeat of their public defenders' poorly prepared case. Alan had one witness in addition to his wife—a highly qualified expert who testified the baby died of natural causes, not parental abuse. Nevertheless, Alan was sentenced to life in prison without the possibility of parole—plus ten years, for good measure. He was moved to a different location near Panama City, Florida. Francine and Alan were married in that prison.

An international movement

It's been close to six years since Alan was accused of shaking his baby to death. Due to the Yurkos' efforts and response from supporters, an international movement to free Alan is well underway.

Not that it came easily. Alan said he started a letter writing campaign from prison as his only hope of finding justice. He wrote 828 letters to people before he had one response. He took that one reply (from Jane Orient, MD—author of *Your Doctor is Not In*) and began networking. A web site managed by a volunteer now documents citizens, doctors, legal experts, and advocacy groups that are staunchly behind his effort. Funds have been donated to help cover expenses and his appeal, but more money is needed.

Century Prison is Alan's third facility. He spends 12 to 14 hours a day sitting cross-legged on his bed, researching and reviewing medical texts, scanning newsletters and journals, and writing to specialists and supporters. He's become a self-taught expert in shaken baby syndrome, vaccines, forensic pathology, pediatric head injury, and iatrogeny (doctors' errors). He's authored many articles, some of which can be read on the Free Yurko site; nearly sixty of his articles have been published.

Alan receives hundreds of letters a week, and handwrites hundreds in return. He logs every one. During our visit he mentioned his writing hand has started cramping into a locked position, and his eyes sometimes cross from

fatigue. He is not allowed access to a computer and does not have a chair in his cell.

For five and a half hours on each of two days, Francine, Alan and I met in an open room with about 30 other prisoners and their visitors. I had intended to formally interview them but was not allowed to take a pen or even a slip of paper into the room. We were permitted to walk outside in a supervised grassy area. When I asked why he had no hint of a tan from the Florida sun he explained he can't afford to spend time outside. He is obsessed with researching his case and helping others in similar situations who write to him for advice. Alan has a charismatic spirit, high energy, and an amazing sense of humor. His determination and resiliency carry him through.

Skeptical? The Yurkos and scores of experts in various fields, including a dozen university professors, insist that Baby Alan was killed by a series of medical events initiated by a bad (hot-lot) vaccine reaction and ending with massive hospital overdoses of heparin and bicarbonate, and that a cross-contaminated autopsy and bungled investigation cast the blame upon Alan.

They have facts on their side (see complaints below). Presently, the case is under appeal and there could be a determination on his status and/or a new trial scheduled within a few months.

In addition, complaints have been filed against the medical examiner's office and attending physicians. For details, please see: www.FreeYurko.bizland.com. A brief summary of errors and incompetencies is given below. Most of these points were discovered by Alan and Francine through their own investigations. They were not aware of all these issues at the time of the trial.

Complaints against the medical examiner

The autopsy report states the baby was two months old, when he was ten weeks.

It notes that the child was a black male. He was white.

The report gives a head circumference that is smaller than at birth.

There is a description of examination of inner heart muscle, but the heart had previously been donated and no heart tissue was made available to the medical examiner.

The baby's medical history was not reviewed and the family was not interviewed.

The medical examiner testified he removed body organs, whereas a transplant company did this.

There were numerous other inconsistencies and inaccuracies by the examiner, including his testimony at trial that the child did not have meningitis, while his autopsy report says the baby did.

Francine: *"I was given Xanax and spent days just walking in circles at home. I would go around and around the dining room table. Within the span of a few days I had lost my son, my husband, and my daughter. I had no idea what to do, how to go on."*



Complaints against physicians

Briefly, the attending doctor administered contraindicated doses of heparin and bicarbonate which led to intracranial bleeding—the actual cause of death. The heparin dose was almost nine times the recommended maximum dose according to the *Physicians Desk Reference*. A diagnosis of shaken baby syndrome was offered by a different physician who reportedly made no attempt to explore other diagnoses, speak with the family, or review the baby's medical history.

Researching the vaccines

Francine and Alan requested and received government Vaccine Adverse Event Reporting System (VAERS) data that shows which vaccine lots are "hotter" than others based on the reports of adverse reactions received. A "hot-lot," as defined by the Centers for Disease Control and Prevention, is a batch of vaccines that has 10 or more reports, or two seizures, or two deaths. The diphtheria, tetanus, and pertussis vaccine (DTaP) that Baby Alan received was lot #DTAP7H81507, the hottest most lethal lot for DTaP vaccines reported between 1990-1999. This particular lot ranked first in deaths associated with DTaP vaccines. (Since then, it has been beaten out by other lots.) Of the 70 events reported on this lot, the average time from vaccination until reaction is 11.45 days, the same time frame as Baby Alan's. As well, all other vaccine lots he was given have numerous reports on the VAERS.org database.

Where do they go from here?

The Yurkos pray Alan will be home within several months. He will be returning to debts of many thousands of dollars.

Francine—feisty, bright, and angry—lost her job last fall when the employers learned of the Yurko Project. She takes work when she can find it, and while home she fields calls from doctors, assists other families, manages e-mail for Alan, and does research for his case. Once Alan is out, she intends to offer free counseling and support to other families in her predicament, continue to care for her daughter, study homeopathy, and enjoy long-awaited time with her husband. She also wants a real wedding. At the moment these are dreams, and she knows better than to count on them until the crisis is over.

Alan of course also wants time with his family, and he wants to travel to personally thank his key supporters. He is now so well self-educated that he could be a paid consultant in the field of vaccine injury, shaken baby syndrome, and other fields. Yet, he stressed that he will also assist people for free. "I want to do something to help. I want to strengthen advocacy organizations and personally move the cause forward."

Alan does not have direct Internet access. E-mail messages are forwarded to him every week by his wife, Francine, or by Dr. Robert Murdoch (yurkoproject4@yahoo.com). If you send an e-mail, please include a mailing address for return correspondence and/or contact him directly by regular mail: *Use this exact address with AX13917, or mail will be returned:*

Alan R. Yurko AX13917

Century Correctional Institution
400 Tedder Road
Century, FL 32535 USA

Donations for the Yurko legal fund and other expenses can be made online (web site below) or sent to:

Francine M. Yurko
The Yurko Project
PO Box 585965
Orlando, FL 32858-5965 USA

Francine can be contacted:
407/291-4344; Franswrld@aol.com (no "o" in wrld)

www.FreeYurko.bizland.com

Alan Yurko on Shaken Baby Syndrome

Shaken Baby Syndrome (SBS) is an unproven medical theory hotly debated in the medical literature. The myths and controversies surrounding this diagnosis are myriad. Experts on one side say that when an infant presents with subdural hemorrhage and/or retinal hemorrhage, without any explanation from caregivers, that this is exclusively diagnostic of SBS. However, experts on the other side have documented over 100 other conditions, incidents, drug reactions, diseases, and disorders that mimic the exact symptoms of SBS, and suggest that such zealousness amounts to nothing more than a modern day witch-hunt. In fact, adverse vaccine reactions can precipitate bruises, hemorrhages, and other symptoms. In my review of over 70 cases, though, the actual cause is a series of events, to include short distance falls, metabolic disorders, vitamin K deficiencies, and physician errors.

About 30 years ago, a doctor named Caffey put forth the SBS theory. People kept on teaching and reporting it until theory became dogma. No objective evidence has ever been offered other than anecdotal evidence. However, in the past years, the medical literature has presented objective evidence that the SBS theory is incorrect. Those who are wrong are loathe to admit it. Medical history is full of such incidents.

Anthropologist Margaret Meade said, "Never doubt that a small group of thoughtful, committed people can change the world. Indeed, it is the only thing that ever has." I never knew how true this was until we brought together our group of doctors and families and began helping others in similar situations. As our efforts grew, dozens of people began contacting us for help.

We've actually helped in directly keeping innocent caretakers out of prison. As well, our web site and the media attention we've generated has raised a significant amount of awareness. We are proud to be a part of this change, and everyday we get an inch closer. I did not murder my baby, and I know that there are people in prisons all over the US who are innocent and rotting in prison. I know how they feel. It's the darkest despair imaginable. "Freeing Alan Yurko" has become secondary to us now. Our main goal is to effect change. We have now over 300 doctors, scientists, experts, and medical professionals on our side. Add to that over 1,000 parents and laypersons with more people every week, and I thank God that we're able to do something. Hopefully more people will get involved. If you need help or want to get involved, please contact us.