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“Unwrapped”

Part 1: A strange way to die

By Denis Wright and Chris George

“Berkland’s report labels her death ‘accidental’ and brings to a close an investigation that had dragged on despite an early determination that no foul play was involved. ‘It kind of leaves me with a sorrowness, but I’m glad it’s finally resolved,’ said Fort Walton Beach Police Chief Steve Hogue. . . . T.J. Klausutis, Lori Klausutis’ husband, did commend Berkland on his ‘thoroughness and attention to detail’ in uncovering a cause of death. ‘He did a wonderful job in finding the right answers without rushing to make a quick diagnosis.’” (Northwest Florida Daily News, August 7, 2001, Staff writer Tom McLaughlin)

November 10, 2001—The medical examiner is the referee in the investigation of suspicious deaths. If he concludes that a death is accidental, then investigation stops. If he concludes that a death may not be accidental, then investigation by law enforcement authorities proceeds. So, when on July 20, 2001, at 8:10 AM, the body of Lori Klausutis was discovered on the floor of the North Fort Walton Beach office of retiring Republican Congressman Joe Scarborough of Florida, one might have expected an intensive investigation.

Lori Klausutis, 28, had been the picture of health and vitality, an avid runner who ran five miles a day. She was highly regarded by friends and co-workers who called her “Little Miss Mary Sunshine.”

On the day Lori Klausutis’ body was found, police denied finding any sign of trauma to the body or any indication of foul play. In an August 6 press release, Dr. Michael Berkland, the Okaloosa County associate medical examiner, acknowledged that there was “a scratch and a bruise” on her head, and said the original denials “were designed to prevent undue speculation about the cause of death.” He declared that the death had been an accident, with the proximate cause a subdural hematoma caused by a blow to the head. The blow to the head, he said, probably happened when Klausutis’ head had hit a desk after she fainted. The fainting, he proposed, was due to a prolapsed mitral heart valve which, he added, would have killed her even had she not fallen and struck her head.

Following this news release, further police investigation was effectively halted. The official police report contains only a few notes after August 6 pertaining to interviews with the security guard of the building in which Klausutis worked and with employees at a nearby restaurant.

According to the medical literature, simple falls in young, healthy people, virtually never cause death. Berkland’s claim that injury opposite to the site of impact is observed only when a person’s head hits a stationary object is also contradicted by the literature. (See “Never Bound

By the Truth” < http://www.onlinejournal.com/Special_Reports/George-Wright092101/george-wright092101.html>)

Only after Ralph Routon of the Northwest Florida Daily News wrote an editorial urging the release of the records pertaining to Klausutis was the autopsy report released on August 24.

The report, however, lacked any description of the death scene: there was no diagram of the location of the body, its position relative to furniture, or observations of superficial wounds.

The autopsy describes the prolapsed mitral valve in great detail, claiming that the medical literature sustains the notion that this is likely to be fatal [see footnote].

Dr. Berkland contends in lengthy autopsy comments that “there are only about three entities that generally cause one to drop in midsentence or in midstride . . . pulmonary embolus . . . a ruptured aneurysm . . . and most common, is a sudden cardiac arrhythmia.” Yet, the medical literature suggests that neither pulmonary emboli nor aneurysms are likely to cause immediate loss of consciousness. A blow to the head is a common cause of loss of consciousness.

In describing the head injuries, Dr. Berkland noted:

- * A 7 1/4 inch long skull fracture extending from the right forehead across the top to the left parietal bone.

- * A deep scalp hemorrhage in the back of her head.

- * “Eggshell” fractures deep inside the skull (in the anterior cranial fossa).

- * A 75–80 cc acute subdural hematoma in the left temporal area with underlying cortical contusion. The latter is called a contracoup hemorrhage since it occurs on the opposite side from the fracture. This collection of blood was reported to be so severe as to cause uncal herniation and cerebellar coning which occur only with the heart pumping blood into the brain, according to the medical literature.

Dr. Berkland asserts that contracoup injury can occur only if a “moving head [strikes a] stationary object.” not by a moving object striking a stationary head. This is contradicted by authoritative literature. In addition, the forensic literature says that an unguarded fall of at least four feet is required to fracture the skull and a contracoup injury would require substantially greater energy than would be produced by such a short fall. Furthermore, Dr. Berkland said that Klausutis fell because a cardiac arrhythmia made the heartbeat ineffectual without explaining how the heart then pumped enough blood to produce an expanding collection of blood on the left side of the brain, the side opposite to the fracture? Finally, although the report shows the subdural hematoma was severe, it was far from the site deep in the brainstem that controls heartbeat and respiration. Dr. Berkland’s microscopics give no description of the brainstem and no evidence that it was damaged at all, leaving a question as to the exact cause of death. Ed Friedlander, M.D., a noted forensic pathologist has stated that “A good rule of thumb is that

nothing inside the head short of a gunshot wound through the lower brainstem will kill a person in less than 60 minutes.”

Before moving to Florida, Dr. Berkland had worked in Kansas City, MO. The August 30 edition of the Pitch Weekly, based in that city, noted in its Kansas City Strip column, “Former Jackson County coroner, Mike Berkland, provides the brains for a scandal in Florida.”

The Pitch said, “Berkland claims he ‘sectioned’ Klausutis’ brain during her autopsy to determine that her head was injured by a fall, not by a blow from a weapon. But that’s the same sort of claim that got Berkland run out of Kansas City in 1996, after he’d falsely reported that he’d sectioned brains later found whole by his boss—a mistake he blames on poorly proofread reports written with computer macros. No such mistake occurred with Klausutis’ brain Berkland told the Pitch. ‘You can rest assured it was sectioned,’ he says.”

In a September 2 editorial (“An Untidy Wrapup for Klausutis Case”), the Northwest Florida Daily News wrote, “Despite weeks of furious speculation on the Internet, it’s likely that Lori Klausutis died exactly the way investigators say she died: She collapsed because of a heart condition, struck her head and suffered a fatal blood clot.”

Dr. Berkland “serves at the pleasure of Dr. Gary Cumberland, Chief Medical Examiner for District I,” according to Dr. Stephen Nelson, Chairman of the Florida Medical Examiners Commission. Dr. Cumberland has not responded to requests asking him to review Dr. Berkland’s work and offer his opinion.

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Davies, et al, British Heart Journal, 40 (5): 468–81, state: “Patients with mitral valve prolapse accounted for about 1% of those who died suddenly of cardiac arrest, which is below the expected prevalence of sudden cardiac death in the general population.”

Maron, et al, JAMA 276 (3): 199–204 reported just 3 of 158 sudden deaths among young athletes were due to mitral valve prolapse, “however each had other abnormalities that could have contributed to death.”]

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Next: “Unwrapped,” Part 2: Dr. Michael Berkland in Missouri

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