

IN THE CIRCUIT COURT FOR PINELLAS COUNTY, FLORIDA  
PROBATE DIVISION  
File No. 05-1879-CI-003  
File No. 05-2347-CI-003

IN RE: RECORDS OF THE  
DEPARTMENT OF CHILDREN  
AND FAMILY SERVICES.

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ORDER

**THIS MATTER** came before the Court pursuant to its previous Orders in these separately-brought cases for *in camera* review of abuse reports relating to Theresa Marie Schiavo made by the Department of Children and Families (DCF) prior to February 18, 2005, and for a determination of whether good cause exists for the public disclosure of the contents or a portion thereof. In order to determine whether good cause exists, both Media General Operations, Inc., d/b/a/ WFLA-TV News Channel 8 ("WFLA") and The Tampa Tribune (the "Tribune") (collectively, "Media General") and the Times Publishing Company ("the Times") have requested that the Court, pursuant to Section 415.1071(1), Florida Statutes, balance the best interests of Mrs. Schiavo, the vulnerable adult, with the privacy rights of other persons identified in the reports against the public interest.

The Court, having completed its *in camera* review of the nine abuse reports furnished by DCF, finds that the public interest outweighs most of the privacy interests put forward in this case. The public interest includes the need for citizens to know of and adequately evaluate the actions of DCF and the court system in providing vulnerable adults with the protections provided

in Section 415.101. Those protections include not only services and investigations aimed at detecting and correcting abuse, neglect and exploitation, but also include the expressed legislative intent that the fewest possible restrictions be placed on personal liberty and the exercise of constitutional rights, consistent with due process and the protection from abuse, neglect and exploitation. Public access to the abuse reports will shed light on the investigation and handling of previous allegations made between 2001 and 2004 and whether they differed significantly from the latest investigations in which DCF attempted to intervene in the guardianship.

Balanced against this public interest are the privacy rights of Mrs. Schiavo and any third parties identified in the reports. The Court has previously held that the extensive publicity surrounding the Schiavo guardianship essentially limited any privacy interest of Terri Schiavo. Mrs. Schiavo is now deceased and her guardian had agreed that those abuse reports that had previously been circulated to him should be made public. Moreover, the Court finds after review that the abuse allegations made in the reports have been the subject of several public court proceedings. DCF has suggested that various statements regarding Mrs. Schiavo's diagnosis, her medical condition, and the results of medical tests be redacted. Mrs. Schiavo's medical condition, however, is one of the main issues and has been the subject of much public litigation. The Court does not find that any privacy interest remains in her medical condition, diagnosis or test results.

Statements regarding the administration of guardianship assets are also the subject of redaction requests by DCF. Similarly, the Court finds that public interest outweighs her privacy interest in the statements made regarding the guardianship assets since this, too, has been the subject of much public disclosure.

The identification of third parties is another matter. The names, addresses and telephone numbers of the reporters of the abuse will not be released since they are clearly protected. Social security numbers and birth dates of any individual are likewise not to be made public. Additionally, because of the extreme volatility of this case, the names or initials of nurses or of employees where Mrs. Schiavo was located shall not be released. The public interest does not outweigh their right of privacy.

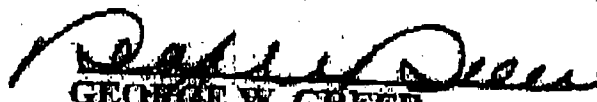
The names of the parties to the adversary proceedings in the guardianship, i.e, Michael Schiavo and the Schindler family, including Robert Schindler, Jr, and Suzanne Carr n/k/a Suzanne Vitadamo; the named attorneys; the name of the hospital to which Mrs. Schiavo was taken at various times; and the names and statements of doctors who have testified or submitted affidavits in court regarding the medical condition of Theresa Marie Schiavo are not protected from public disclosure in relation to the abuse reports. These names are already public knowledge in the guardianship case. The name of the doctor on line 35, of page 11 of 11, of Report 2003-091550-01, following the words, "Palm Gardens" shall be redacted, however, since the Court does not believe that he testified or submitted any affidavits in the guardianship case and that public interest does not outweigh his right of privacy. It is therefore

**ORDERED AND ADJUDGED** that good cause has been shown that the nine DCF final reports of abuse investigations relating to Theresa Marie Schiavo should be released to the public subject to the redaction of (1) the names, addresses, and telephone numbers of the callers/reporters of the abuse allegations; (2) any individual's Social Security numbers or birth dates; and (3) the names or initials of nurses or employees where Mrs. Schiavo resided who were interviewed by DCF and (4) the name of the doctor indicated above. It is further

**ORDERED AND ADJUDGED** that DCF shall no later than close of business Monday, April 18, 2005, make the redactions required by this Order and furnish Media General, the Times and the Guardian, copies of the redacted reports in compliance with this Order, and file the original thereof with the Clerk of this Court. It is further

**ORDERED AND ADJUDGED** that the copy of the abuse reports DCF furnished the Court in order to conduct the *in camera* review will remain sealed as a confidential record under Chapter 415, Florida Statutes and filed in *In re: Records of the Department of Children and Family Services*, Sixth Judicial Circuit, Case Number 05-1879-CI-03.

**DONE AND ORDERED** in Chambers, at Clearwater, Pinellas County, Florida this 14 day of April 2005.

  
GEORGE W. GREER  
CIRCUIT JUDGE

Copies furnished to:

- Thomas E. Reynolds, Esquire
- Gregg. D. Thomas, Esquire
- Hamden H. Baskin, III, Esquire
- Jennifer Lima-Smith, Esquire

**TRUE COPY**

Prior Report History

Theresa Schlavo

Report Number	Date	Additional	Supplemental	Duplicate	Total
FAHIS 2001-068094	04/25/01	1	1	0	3
FAHIS 2001-132661	08/17/01	0	0	0	1
FAHIS2001-179907	11/07/01	0	0	0	1
FAHIS 2003-086010	08/19/03	1	2	0	4
FAHIS 2003-091550	10/14/03	1	51	1	54
FAHIS 2003-092628	10/24/03	0	10	0	11
FAHIS 2003-097706	12/19/03	0	1	0	2
FAHIS 2004-008306	03/26/04	5	6	0	12
FAHIS 2004-008991	04/02/04	0	0	0	1
Total	9	8	71	1	89

FLORIDA DEPARTMENT OF CHILDREN AND FAMILIES  
CONFIDENTIAL - UNAUTHORIZED RELEASE IS A LAW VIOLATION  
ABUSE REPORT: 2004-008991-01

HOMESAFENET

SCHIAVO, THERESA

WITHOUT REPORTER INFORMATION

(Final Report of Investigation)

Case Name: SCHIAVO, THERESA  
Received Date/Time of Reporter: 4/2/2004 6:00PM  
Response Priority: 24 HOURS  
Prior Reports: EITHER FAHIS/ARIS ABUSE REPORTS OR BOTH  
Investigation Level: INTERMEDIATE  
Assigned To: 05 2 031 AGING UNIT  
Assigned Supervisor: TOM SULLIVAN  
Assigned Investigator: ANITA BRENZEL  
Commencement: 4/2/2004 6:19PM  
Interpreter:  
Report Printed: 3/31/2005 11:31:28 AM  
County: Pinellas  
Program: A  
Report Update Date: 5/28/2004 0:00AM

Provider Information  
Provider District/Area/Unit:  
Facility Type:  
Facility Address  
Prior Report Count: 0  
License Status:  
Facility Unit:  
Number of Victims: 0  
Facility Shift:

Allegation Information

CALL HISTORY						
CALL	RECD. HRS	TYPE CALL	REC'D BY:	REGISTRY COUNSELOR:	CALLED TO:	COMPLETED AT:(ATTS):
01	4/2/2004 6:00PM	ABUSE REPORT	REGISTRY	CHUCK MCVOY	SHARON ROPER	4/2/2004 6:18PM (1)

01 ALLEGATION NARRATIVE:  
MRS. SCHIAVO IS A VULNERABLE ADULT DUE TO OTHER PHYSICAL LIMITATIONS LINKED TO HER CURRENT VEGETATIVE STATE. THERE IS CONCERN THAT MRS. SCHIAVO IS BEING EXPLOITED BY HER PARENTS. THEY ARE SELLING VIDEOS OF MRS. SCHIAVO FOR \$100 TO RAISE MONEY FOR ATTORNEYS. 24 HOUR.

ADDRESSES

A [REDACTED] CLEARWATER FL [REDACTED]

VICTIMS AND CHILDREN  
1. SCHIAVO, THERESA

DOB: [REDACTED] Race: White  
CID: [REDACTED] FID: [REDACTED] Gender: Female  
Disability: ORGANIC BRAIN DAMAGE  
Capacity to Consent: N  
Address References:  
Residence: A Mailing: A  
Alleged Maltreatment: 49E - Victim Lacks Capacity  
Current Location: A  
Maltreatment Type: EXPLOITATION  
Employment: Finding NO INDICATORS  
Ethnicity: Other Role: Victim  
Death Indicator:

Recd: 4/2/2004 6:00PM Seen: 4/2/2004 6:19PM  
Medical Exam: N X-Rays: N  
Interim Placement: NOT PLACED  
Disposition: 79 On: 05/25/2004  
Last Update Date: 06/27/2004  
Reason: Attempts: 01. Completed: 01. Phone: 00, Guardian  
Hospitalized: Photographs: Referred To Apt/Cpt: N

OTHER PERSONS

1. SCHINDLER, MARY

FLORIDA DEPARTMENT OF CHILDREN AND FAMILIES  
CONFIDENTIAL: UNAUTHORIZED RELEASE IS A LAW VIOLATION  
ABUSE REPORT: 2004-008991-01

HOMESAFENET

WITHOUT REPORTER INFORMATION

SCHIAVO, THERESA

DOB: [REDACTED] Race: FEMALE Gender: Female  
Initial Role: ALLEGED PERPETRATOR/CARETAKER RESPONSIBLE  
CID: [REDACTED] FID: [REDACTED]  
Address References:  
Residence: A Mailing: A Current Location: A  
Recd: 4/2/2004 8:00PM Seen: Reason: A  
Last Update Date: 05/25/2004  
RELATIONSHIP TO VIC/CHILD  
1 SCHIAVO, THERESA Mother - Unknown Type

Ethnicity: Other  
Final Role: SIGNIFICANT OTHER  
Employment:  
Attempts: 0 Completed: 0 Phone: 00. Mail: 00.

2. SCHINDLER, ROBERT

DOB: [REDACTED] Race: MALE Gender: Male  
Initial Role: ALLEGED PERPETRATOR/CARETAKER RESPONSIBLE  
CID: [REDACTED] FID: [REDACTED]  
Address References:  
Residence: A Mailing: A Current Location: A  
Recd: 4/2/2004 8:00PM Seen: Reason: A  
Last Update Date: 05/26/2004  
RELATIONSHIP TO VIC/CHILD  
1 SCHIAVO, THERESA Father - Unknown Type

Ethnicity: Other  
Final Role: SIGNIFICANT OTHER  
Employment:  
Attempts: 0 Completed: 0 Phone: 00. Mail: 00.

Actions Taken:

Law Enforcement: N State Attorney: Oral N Written N Early Intervention: N HRAC: N LTCOC: N

Collateral Contacts:

	Face-to-Face Attempts	Face-to-Face Completed	Telephone Calls	Letters
Reporter	0	0		
Neighbor	0	0	00.	0
Relative	0	0	00.	0
Medical	0	0	00.	0
Education	0	0	00.	0
Social Services	0	0	00.	0
Law Enforcement	0	0	00.	0
Other	0	0	00.	0

Classification: INVESTIGATION COMPLETED

Reason: Reason Open > 60 days: Reporter Notified: Y

INVESTIGATIVE DECISION SUMMARY:

I. ELIGIBILITY: MRS. SCHIAVO MEETS THE CRITERIA AS A DISABLED ADULT AS DEFINED IN SECTION 415.102, (26).  
II. CAPACITY TO CONSENT: MRS. SCHIAVO DOES NOT HAVE THE CAPACITY TO CONSENT TO SERVICES AND HAS BEEN DECLARED INCAPACITATED BY THE PROBATE COURT OF PINELLAS COUNTY ON 6/18/00, CASE # 90 2908 GD3. THE SPOUSE, MICHAEL SCHIAVO, WAS APPOINTED GUARDIAN OF PERSON AT THAT TIME. SEE ALSO CAPACITY ASSESSMENT FORM DATED 4/5/04 IN THE INVESTIGATIVE FILE.

III. LEVEL OF RISK: THE RISK WAS DETERMINED TO BE LOW BASED ON THE VICTIM'S LOCATION IN A SKILLED NURSING FACILITY WITH 24 HOUR CARE AND SUPERVISION WITH ALL HER NEEDS BEING MET. IN ADDITION, CLEARWATER POLICE DEPARTMENT IS PROVIDING 24 HOUR SUPERVISION OUTSIDE HER ROOM. IV. OBSERVATIONS/STATEMENTS: API MET WITH [REDACTED] OF THE CLEARWATER POLICE DEPARTMENT AT THE HOSPICE OF WOODSIDE NURSING HOME, 2750 DREW STREET IN CLEARWATER. API IDENTIFIED SELF AND REASON FOR VISIT. [REDACTED] CALLED REPORT INTO CLEARWATER POLICE STATION WITH REPORT BEING LOGGED AS REPORT #04 9015. API OBSERVED MRS. SCHIAVO LYING IN A UPRIGHT POSITION IN A CLEAN BED WEARING A CLEAN HOSPITAL GOWN. V.'S EYES WERE OPEN WITH NO MOVEMENT, THERE WAS SOFT MUSIC IN THE BACKGROUND IN HER ROOM AS SHE RECEIVED TUBE FEEDING. DUE TO MRS. SCHIAVO'S DIAGNOSIS OF PERSISTENT VEGETATIVE STATE (PVS) SHE IS NOT ABLE TO RESPOND TO QUESTIONS OR COMMUNICATE HER NEEDS. THERE WERE NO SIGNS OF MEDICAL PROBLEMS OR DISTRESS. API RECEIVED MEDICAL FACE SHEET DOCUMENTATION FROM MRS. SCHIAVO'S PRIMARY RN, [REDACTED]. THIS REPORT OCCURRED SIMULTANEOUSLY WITH FPSS [REDACTED]

FLORIDA DEPARTMENT OF CHILDREN AND FAMILIES  
CONFIDENTIAL: UNAUTHORIZED RELEASE IS A LAW VIOLATION  
ABUSE REPORT: 2004-008981-01

HOMESAFENET

SCHIAVO, THERESA

WITHOUT REPORTER INFORMATION

REPORT #2004 008306. API MADE FOUR (4) ATTEMPTS TO SET UP AN INTERVIEW WITH MR. & MRS. SCHINDLER THROUGH THEIR ATTORNEY, GEORGE TRAGOS, WHO WOULD NOT COMMIT TO A SET APPOINTMENT. A LETTER WAS WRITTEN BY DEPARTMENT OF CHILDREN AND FAMILIES ATTORNEY, KEITH GANONSIK, TO ATTORNEY TRAGOS WHO RESPONDED TO ATTORNEY GANONSIK'S REQUEST WITH PRECONDITIONS TO AN INTERVIEW THAT AMOUNTED TO A REFUSAL. (SEE LETTERS IN INVESTIGATIVE FILE). API SPOKE WITH ATTORNEY FOR THE GUARDIANSHIP, DEBBIE BUSHNELL WHO STATED THAT THE SCHINDLER'S WERE ADVERTISING THROUGH A TEN PAGE SOLICITATION LETTER ON THE WEBSITE THE SALE OF A VIDEO OF TERRI SCHIAVO FOR \$100 TO RAISE MONEY FOR MRS. SCHIAVO'S LEGAL DEFENSE. MS. BUSHNELL ALSO POINTED OUT THAT THE SCHINDLER'S WERE IN VIOLATION OF COURT ORDER, CASE # 90 2908 GD 3, SECTION 2 BY CIRCUIT COURT JUDGE GREER DATED MARCH 24, 2000 THAT STIPULATED THAT ROBERT SCHINDLER AND SUZANNE CARR ARE PROHIBITED FROM PHOTOGRAPHING, TAKING VIDEOS OR TAKING ANY OTHER LIKE PICTORIAL REPRESENTATIONS OF THE WARD. API CONTACTED THE LIFE LEGAL DEFENSE FOUNDATION AND SPOKE WITH ATTORNEY DANA CODY WHO STATED THAT THEY WERE A PRO LIFE NON PROFIT FOUNDATION. ATTORNEY CODY STATED MR. SCHINDLER CONTACTED THEM FOR SUPPORT TO RAISE FUNDS FOR MRS. SCHIAVO'S LEGAL DEFENSE. MS. CODY STATED THAT THEY HAVE RECEIVED A GRANT FROM THE ALLIANCE DEFENSE FUND IN SCOTTSDALE ARIZONA FOR \$5,000 WHICH WAS DIRECTED TO ATTORNEY PAT ANDERSON WHO IS REPRESENTING MRS. SCHIAVO'S DEFENSE. MS. CODY SENT API A COPY OF THE VIDEO ADVERTISED ON THE WEBSITE. MS. CODY STATED THE VIDEO'S WERE FREE BUT CONTRIBUTIONS WERE ACCEPTED. THE VIDEO WAS APPROX 4 MINUTES LONG AND WAS EXCERPTS FROM PREVIOUS VIDEO'S. API SPOKE WITH ATTORNEY PAT ANDERSON WHO STATED THAT THE SCHINDLER'S WERE NOT SELLING VIDEOS FOR \$100 FOR THE DEFENSE. MS. ANDERSON STATED THERE ARE FOUR (4) VIDEO'S, THE FIRST VIDEO WAS BY DR. MAXIFELD, THE SECOND VIDEO WAS BY DR. HAMNESFAHR, THE THIRD VIDEO IS BY DR. RONALD CRANFORD, AND THE FOURTH VIDEO IS A 4 MIN. EXCERPTS FROM THE DR. S MAXIFELD AND HAMNESFAHR VIDEOS. MS. ANDERSON STATED THAT THESE TAPES WERE SUBMITTED IN TWO FORMATS ON CD ROM BY MS. ANDERSON TO THE COURTS IN 10/02. MS. ANDERSON FURTHER STATED THAT LIFE LINK FOUNDATION IS A SPONSOR FOR THE ALLIANCE DEFENSE FUND AND UNDERWRITES LEGAL ACTIONS AND ACTS AS A CONDUIT FOR OTHER ORGANIZATIONS. MS. ANDERSON STATED THE DEFENSE HAS RECEIVED GRANT MONEY FROM THE ALLIANCE DEFENSE FUND BUT DID NOT KNOW THE AMOUNT OF THE GRANT AND THAT NONE OF THE MONIES WENT TO THE SCHINDLERS. FINDINGS: EXPLOIT VICT LACKS CAPACITY, EXPLOITATION(48E). WITH THE INFORMATION AVAILABLE AT THE TIME OF CLOSING THIS CASE THERE ARE NO INDICATORS. THE LIFE LEGAL DEFENSE FOUNDATION THAT SOLICITED MONEY FOR MRS. SCHIAVO'S DEFENSE STATED THAT ALL MONIES COLLECTED WERE SENT TO ATTORNEY PAT ANDERSON WHO IS REPRESENTING MRS. SCHIAVO'S DEFENSE. A 2002 INCOME TAX FORM 990 OF THE LIFE LEGAL FOUNDATION WAS SENT TO API. API COULD NOT IDENTIFY ANY OF THE MONIES GOING DIRECTLY TO MR. & MRS. SCHINDLER. ALSO, THE VIDEO OFFERED ON THIS WEBSITE WAS SEPARATE FROM THE DONATIONS. THE VIDEO WAS "A GIFT". IT APPEARS THAT THIS VIDEO IS EXCERPTS FROM VIDEOS TAKEN YEARS EARLIER. THIS INVESTIGATION WAS NOT ABLE TO OBTAIN ANY FINANCIAL INFORMATION ON THE SCHINDLER/SCHIAVO FOUNDATION. HEADED BY MR. SCHINDLER.

DECISION/REFERRALS: THIS INVESTIGATION IS COMPLETE, NO REFERRALS MADE. API UNABLE TO DETERMINE EXPLOITATION ON VICTIM DUE TO ATTORNEY TRAGO'S REFUSAL TO COOPERATE WITH INVESTIGATION. DISPOSITION: (79)

ADDENDUM: LIFE LEGAL DEFENSE FOUNDATION IS LOCATED AT: PO BOX 2106 NAPA, CA 94558.

Investigator History			
Commenced By:	SHARON ROPER	05 2 032	4/2/2004 8:19PM
Turnaround Signed	0001. ANITA BRENZEL	05 2 031	
Reviewed By:	ANITA BRENZEL	05 2 031	05/26/2004
Data Entry Completed	MARILYN GRUBB	05 2 031	05/28/2004
	ANITA BRENZEL	05 2 031	06/28/2004



FLORIDA DEPARTMENT OF CHILDREN AND FAMILIES  
 CONFIDENTIAL: UNAUTHORIZED RELEASE IS A LAW VIOLATION  
 ABUSE REPORT: 2004-008908-01

HOMESAFENET

WITHOUT REPORTER INFORMATION

SCHIAVO, THERESA

(Final Report of Investigation)

Case Name: SCHIAVO, THERESA  
 Received Date/Time of Reporter: 3/26/2004 8:50PM  
 Response Priority: 24 HOURS  
 Prior Reports: EITHER FAHS/ARIS ABUSE REPORTS OR BOTH  
 Investigation Level: INTERMEDIATE  
 Assigned To: 05 2 031 AGING UNIT  
 Assigned Supervisor: TOM SULLIVAN  
 Assigned Investigator: MARILYN GRUBB  
 Commencement: 3/27/2004 4:00PM  
 Interpreter:

Report Printed: 3/31/2005 11:28:37 AM

County: Pinellas

Program: A

Report Update Date: 8/26/2004 0:00AM

Provider Information  
 Provider District/Area/Unit: 05 N HOSHOSPICE  
 Facility Type: NURCON  
 Facility Address: CLEARWATER FL  
 Prior Report Count: 1

License Status:

Number of Victims: 0

Facility Unit:

Facility SHR:

Allegation Information

CALL HISTORY

CALL	RECD. HRS	TYPE CALL	REC'D BY:	REGISTRY COUNSELOR:	CALLED TO:	COMPLETED AT:(ATTS:)
01	3/28/2004 8:50PM	ABUSE REPORT	REGISTR Y	ROBIN DOUGLAS	BONNIE SCHEUERMAN	3/27/2004 8:52AM (1.)
02	3/27/2004 8:12AM	ADDITIONAL INVESTIGATION REPORT	REGISTR Y	RENITA HINES	BONNIE SCHEUERMAN	3/27/2004 8:25AM (1.)
03	3/27/2004 2:10PM	SUPPLEMENTAL INFORMATION REPORT	REGISTR Y	PAUL HARVILL	BONNIE SCHEUERMAN	3/27/2004 2:20PM (2.)
04	3/27/2004 2:54PM	SUPPLEMENTAL INFORMATION REPORT	REGISTR Y	ANGELA HARRIS	BONNIE SCHEUERMAN	3/27/2004 3:58PM (1.)
05	3/27/2004 11:16PM	ADDITIONAL INVESTIGATION REPORT	REGISTR Y	PERE ZUOKEMEFA	BONNIE SCHEUERMAN	3/28/2004 9:51AM (1.)
06	3/28/2004 11:32AM	ADDITIONAL INVESTIGATION REPORT	REGISTR Y	CATHY JEFFERSON	COLLEEN OBERWISE	3/28/2004 11:50AM (1.)
07	3/30/2004 8:32AM	ADDITIONAL INVESTIGATION REPORT	REGISTR Y	KRISTA ABBOTT	COLLEEN OBERWISE	3/30/2004 8:58AM (1.)
08	3/30/2004 11:30AM	SUPPLEMENTAL INFORMATION REPORT	REGISTR Y	DENISE WILLIAMS	VINCENT BARBATO	3/30/2004 11:58AM (1.)
09	3/30/2004 9:27PM	SUPPLEMENTAL INFORMATION REPORT	REGISTR Y	HEATHER RICHARDSON	STANLEY BOYD	3/31/2004 7:40AM (1.)
10	4/2/2004 2:54PM	SUPPLEMENTAL INFORMATION REPORT	REGISTR Y	OTIS NORTON	SHARON ROPER	4/2/2004 3:08PM (1.)
11	4/3/2004 3:28AM	SUPPLEMENTAL INFORMATION REPORT	REGISTR Y	MELISSA LEGGETT	SHARON ROPER	4/3/2004 4:14AM (1.)
12	4/20/2004 12:57PM	ADDITIONAL INVESTIGATION REPORT	REGISTR Y	TOVA WOULLARD	MARILYN GRUBB	4/20/2004 1:28PM (1.)

01 ALLEGATION NARRATIVE:

MS. SCHIAVO IS A VULNERABLE ADULT DUE TO OTHER PHYSICAL LIMITATIONS LINKED TO HER CURRENT VEGETATIVE STATE THERE IS CONCERN THAT MS. SCHIAVO IS DEVELOPING A BED SORE ON HER COCCYX. IT APPEARS THAT THE NURSING HOME IS NOT BATHING HER PROPERLY OR WASHING HER HAIR PROPERLY. MS. SCHIAVO LOOKS LIKE SHE HASNT BEEN BATHED. HER HAIR ALSO OILY. THE NURSING HOME HAS MS. SCHIAVO LAYING FLAT WHILE BEING TUBE FED. THIS IS A DANGEROUS PRACTICE. 24 HOUR

02 ALLEGATION NARRATIVE:

ADDITIONAL MS. SCHIAVO IS NOT GETTING GOOD CARE AT THE NURSING HOME. MS. SCHIAVO IS MISSING A TOOTH. THE STAFF IS NOT ABLE TO TELL WHAT HAPPENED TO THE TOOTH. MS. SCHIAVO IS LYING IN THE BED 28 7 AND SHE IS DEVELOPING A BED SORE ON HER BACKSIDE. MS. SCHIAVO IS NOT RECEIVING ANY SPEECH, PHYSICAL OR SWALLOWING THERAPY. MS. SCHIAVO IS NOT GETTING ANY CONTACT OR SOCIAL STIMULATION. NO OTHER INFORMATION IS KNOWN. 24 HOUR

FLORIDA DEPARTMENT OF CHILDREN AND FAMILIES  
 CONFIDENTIAL: UNAUTHORIZED RELEASE IS A LAW VIOLATION  
 ABUSE REPORT#: 2004-008308-01

HOMESAFENET

WITHOUT REPORTER INFORMATION

SCHIAVO, THERESA

**03 ALLEGATION NARRATIVE:**

SUPPLEMENTAL: MS. SCHIAVO HAS DEVELOPED ONE BED SORE ON ONE OF HER BUTTOCKS. A SECURITY GUARD IS POSTED TO OBSERVE THE PARENTS OF MS. SCHIAVO WHEN THEY VISIT THEIR DAUGHTER. MS. SCHIAVO IS NOT WASHED REGULARLY.

**04 ALLEGATION NARRATIVE:**

A SUPPLEMENTAL REPORT WAS RECEIVED. MS. SCHIAVO IS A VULNERABLE ADULT WHO SUFFERS FROM PHYSICAL LIMITATIONS. ALSO, MS. SCHIAVO HAS BRAIN DAMAGE AND SHE IS IN A VEGETATIVE STATE. MS. SCHIAVO HAS A DEBRITUS ULCER ON HER BUTTOCKS. MS. SCHIAVO IS NOT GETTING PHYSICAL THERAPY. THERE IS CONCERN THAT MS. SCHIAVO IS NOT GETTING ANY FOOD. IN ADDITION, MS. SCHIAVO'S PARENTS ARE NOT BEING ALLOWED ACCESS TO THEIR DAUGHTER.

**05 ALLEGATION NARRATIVE:**

ADDITIONAL MRS. SCHIAVO IS IN A VEGETATIVE STATE AND RESIDES PARK PLACE ALF IN CLEARWATER. SHE HAS DEVELOPED BED SORES ON HER BUTTOCKS. THEY DO NOT GET MRS. SCHIAVO OUT OF BED, SHE IS BEING DEPRIVED FOOD AND WATER, SHE HAS NOT BEEN BATHED, HER HAIR IS OILY AND SHE STINKS.  
24 HR

**06 ALLEGATION NARRATIVE:**

MS. SCHIAVO IS A DISABLED ADULT SUFFERING FROM PHYSICAL LIMITATIONS. SHE IS IN A VEGETATIVE STATE. MS. SCHIAVO IS NOT RECEIVING PROPER CARE FOR THE STAFF AT THE FACILITY WHERE SHE RESIDES. SHE IS MISSING A TOOTH AND HAS BEEN VOMITTING WHICH IS UNEXPLAINABLE. SHE HAS AN ULCER ON HER BUTTOCK BECAUSE SHE IS KEPT IN ONE POSITION AND IS NOT BEING TURNED. SHE IS NOT TAKEN OUT OF THE BED OR DRESS ALL DAY. SHE IS BEING KEPT IN HER ROOM. 24 HOUR

**07 ALLEGATION NARRATIVE:**

ADDITIONAL INFORMATION RECEIVED. MRS. SCHIAVO IS A VULNERABLE ADULT SUFFERING FROM PHYSICAL LIMITATIONS. SHE IS AN "INVALID" AND REQUIRES TOTAL 24 HOUR CARE. ON 3/20/04, MRS. SCHIAVO HAD RED MARKS THAT APPEAR TO BE PUNCTURE WOUNDS ON HER ARM. THE MARKS LOOK LIKE NEEDLE MARKS, BUT MRS. SCHIAVO IS RECEIVING NO KNOWN TREATMENT IN WHICH A NEEDLE WOULD BE USED ON HER. THERE WAS A NEEDLE CAP FOUND IN MRS. SCHIAVO'S ROOM, BUT IT IS UNKNOWN WHERE THIS CAME FROM. THE NEEDLE CAP IS NOT THE SAME KIND USED BY THE FACILITY.  
24 HOUR

**08 ALLEGATION NARRATIVE:**

A SUPPLEMENTAL REPORT WAS RECEIVED. ON 3/22/04, MRS. SCHIAVO WAS DISCOVERED WITH UNEXPLAINED PUNCTURE MARKS ON HER ARM. IT IS SUSPECTED SHE WAS INJECTED WITH AN UNKNOWN SUBSTANCE. TEST PERFORMED ON MRS. SCHIAVO WERE NEGATIVE. THE STAFF AT HOEPICE WASN'T AWARE OF ANY REASON FOR THE PUNCTURES.

**09 ALLEGATION NARRATIVE:**

MS. SCHIAVO IS A VULNERABLE ADULT WHO IS IN A VEGETATIVE STATE BUT IS DESCRIBED AS BEING "AWARE". ONE MONTHS AGO, MS. SCHIAVO LOST A TOOTH AND SHE HAS NOT BEEN TREATED FOR THIS CONDITION. MS. SCHIAVO HAS SINCE LOST A SECOND TOOTH. ON 03/28/04, MS. SCHIAVO WAS FOUND WITH PUNCTURE MARKS WHICH APPEAR TO HAVE BEEN CAUSED BY A HYPODERMIC NEEDLE. NOBODY IS AWARE HOW MS. SCHIAVO SUSTAINED THESE MARKS. MS. SCHIAVO HAS DEVELOPED BED SORES WHICH HAVE BEEN LEFT UNTREATED.

FLORIDA DEPARTMENT OF CHILDREN AND FAMILIES  
CONFIDENTIAL: UNAUTHORIZED RELEASE IS A LAW VIOLATION  
ABUSE REPORT: 2004-008308-04

HOMESAFENET

WITHOUT REPORTER INFORMATION

SCHIAVO, THERESA

010 ALLEGATION NARRATIVE:  
SUPPLEMENTAL: IT IS ALLEGED THAT MS SCHIAVO IS NOT GETTING THE CARE SHE NEEDS. THE STAFF THAT IS TAKING CARE OF HER IS NOT DOING A GOOD JOB.

011 ALLEGATION NARRATIVE:  
SUPPLEMENTAL INFORMATION WAS RECEIVED. MS. SCHIAVO IS "BEING KILLED BY A LACK OF CORRECT JUSTICE."

012 ALLEGATION NARRATIVE:  
MS. SCHIAVO IS A VULNERABLE ADULT BECAUSE SHE SUFFERS FROM A MENTAL ILLNESS DUE TO TRAUMA AND A FALL. IT IS UNKNOWN IF THE TRAUMA OR FALL IS DUE TO ABUSE OR NEGLECT. IT IS UNKNOWN HOW THE TRAUMA OR FALL OCCURRED. PRESENTLY, MS. SCHIAVO RESIDES IN PARK PLACE ALF. WHILE IN THIS ALF, MS. SCHIAVO HAS RECEIVED BED SORES FROM NOT BEING TURNED, ON TWO OCCASIONS, MS. SCHIAVO'S HAIR HAS BEEN OILY. MS. SCHIAVO HAS SUFFERED FROM AN UNEXPLAINED FACIAL INJURY. MS. SCHIAVO IS NOT TAKEN OUT OF HER BED OR WASHED. MS. SCHIAVO HAS HAD HER TOOTH KNOCKED OUT; IT IS UNKNOWN HOW THIS INJURY OCCURRED. PRESENTLY, MS. SCHIAVO IS ON A FEEDING TUBE; THIS CASE HAS MADE NATIONAL HEADLINES. MS. SCHIAVO'S HUSBAND WANTS TO HAVE HER FEEDING TUBE REMOVED; THIS MAY CAUSE MS. SCHIAVO'S DEATH. THERE IS A CONCERN FOR MS. SCHIAVO BECAUSE SHE IS A TOTAL CARE PATIENT WITH UNEXPLAINED INJURES. 24 HOURS

ADDRESSES

A [REDACTED] CLEARWATER FL [REDACTED]

VICTIMS AND CHILDREN

1. SCHIAVO, THERESA

DOB: [REDACTED] Race: White

CID: [REDACTED] FID: [REDACTED] Gender: Female DOB Verification:

Disability: OTHER PHYSICAL LIMITATIONS (Explanation Required in Narrative)

Capacity to Consent: N

Address References:

Residence: A Mailing: A

Alleged Maltreatment

- 02A - Cuts/Punctures/Bites
- 18N - Dacrytitis
- 19A - Other Physical Injury
- 35A - Inapp/Excess Isolation
- 50N - Inad Supv-Care Present
- 68N - Conditions Hazard to Health
- 68N - Inadequate Food
- 68N - Medical Neglect

Current Location: A

Maltreatment Type

- ABUSE
- NEGLECT
- ABUSE
- ABUSE
- NEGLECT
- NEGLECT
- NEGLECT
- NEGLECT

Ethnicity: Other Role: Victim

Death Indicator:

Employment Finding:  
NO INDICATORS  
NO INDICATORS  
NO INDICATORS  
NO INDICATORS  
NO INDICATORS  
NO INDICATORS  
NO INDICATORS

Rec'd: 3/28/2004 Seen: 3/27/2004 4:00PM  
Medical Exam: Y X-Rays: Y  
Interim Placement: NOT PLACED  
Disposition: 53 On: 08/11/2004  
Last Update Date: 08/19/2004

Reason: Hospitalized: Attempts: 08, Completed: 08, Referred To Apt/Cpt: N  
Phone: 00, Guardian

OTHER PERSONS

1.  
DOB: [REDACTED] Race: UNKNOWN  
Initial Role: ALLEGED PERPETRATOR/CARETAKER RESPONSIBLE  
CID: [REDACTED] FID: [REDACTED]

Gender: Unknown Ethnicity:  
Final Role:

Address References:  
Residence: Mailing:  
Rec'd: 3/28/2004 Seen:

Current Location: Employment:  
Reason: Attempts: 0 Completed: 00 Phone: 00, Mail: 00

Last Update Date: 03/28/2004  
RELATIONSHIP TO VIC/CHILD  
SCHIAVO, THERESA Facility Staff

Actions Taken:

FLORIDA DEPARTMENT OF CHILDREN AND FAMILIES  
CONFIDENTIAL: UNAUTHORIZED RELEASE IS A LAW VIOLATION  
ABUSE REPORT: 2004-008908-01

HOMESAPENET

Law Enforcement: N State Attorney: Oral N

WITHOUT REPORTER INFORMATION

SCHIAVO, THERESA

Written N Early Intervention: N

HRAC: N LTCC: Y

Collateral Contacts:

Reporter	Face-to-Face Attempts	Face-to-Face Completed	Telephone Calls	Letters
Neighbor	0	0	00	0
Relative	0	0	00	0
Medical	0	0	00	0
Education	0	0	00	0
Social Services	0	0	00	0
Law Enforcement	0	0	00	0
Other	0	0	00	0

Classification: INVESTIGATION COMPLETED\*\*\*

Reason: Classification Date: 05/11/2004

Reason Open > 90 days: Reporter Notified: N

INVESTIGATIVE DECISION SUMMARY:

REPORT 2004 010732 IS BEING MERGED AS AN ADDITIONAL BY G. VITUCCI SHOPS ON 4/21/04. SAME VICTIM AND FACILITY WITH ADDED MALTREATMENTS. THERE HAVE BEEN SEVEN PRIOR CASES INVOLVING THIS V WITH THE FOLLOWING MAL TREATMENTS ADDRESSED IN PRIOR REPORTS: INADEQUATE FOOD, MEDICAL NEGLIGENCE, OTHER PHYSICAL INJURY (ASPHYXIATION/SUFFOCATION/DROWNING, BONE FX, INAPPROPRIATE/EXCESSIVE ISOLATION, OTHER MENTAL AND PSYCHOLOGICAL INJURY, CONFINEMENT/BIZZARE PUNISHMENT, MALNUTRITION/DEHYDRATION AND EXPLOITATION. THERE IS A CONCURRENT EXPLOITATION CASE BEING INVESTIGATED, CASE # 2004 408991. I. ELIGIBILITY: V MEETS CRITERIA AS A VULNERABLE ADULT, THERESA SCHIAVO (V) IS A 40 YEAR OLD W/ FEMALE REQUIRING TOTAL CARE IN A HOSPICE FACILITY. II CAPACITY TO CONSENT: V LACKS CAPACITY TO CONSENT TO SERVICES. THE INVESTIGATOR DETERMINED V'S CTC USING THE CTC ASSESSMENT FORM DATED 3/30/04 & FILED IN THE INVESTIATIVE RECORD. III. RISK FACTORS: OVERALL RISK IS LOW. THE INVESTIGATOR DETERMINED V'S LEVEL OF RISK USING THE FACILITY RISK ASSESSMENT INSTRUMENT DATED 3/30/04 & FILED IN THE INVESTIGATIVE RECORD. IV. OBSERVATIONS: V WAS SEEN EACH TIME IN HER ROOM AT THE HOSPICE FACILITY. V WAS CLEAN, INCLUDING HER HAIR BEING WASHED AND BLOW DRIED, HER HANDS & FINGER NAILS CLEAN & CLIPPED. V'S FACE WAS CLEAN WITH NO SKIN BREAKDOWN, ABRASIONS, RED MARKS, FLAKINESS, BRUISES, ETC. V'S LEGS WERE CLEAN SHAVEN. V'S FEET HAD CLIPPED TOENAILS. V HAD A HEALED DECUBITUS ULCER WHICH WAS TREATED & HEALED BEFORE THIS REPORT WAS CALLED TO THE HOT LINE. PER MEDICAL RECORDS THE DECUBITUS ULCER WAS A SMALL STAGE TWO WHICH WAS TREATED BY CREAMS & THE PURCHASE OF A NEW BED WHICH AUTOMATICALLY WILL TURN V EVERY 20 MINUTES TO PRECLUDE SKIN BREAKDOWN OR HER BODY BEING IN ONE POSITION TOO LONG. API NOTED V IS IN A GERI CHAIR EVERY DAY FOR APPROXIMATELY 30 MINUTES. V'S BED RAISED AT A 45 DEGREE ANGLE WHENEVER SHE IS BEING FED. API NOTED ON 3/19/04 V HAD SMALL RED DOTS TO HER UPPER L ARM, OUTER ASPECT. THERE WERE NO NEEDLE MARKS OR PUNCTURE WOUNDS VISIBLE. HER R FOREARM HAD RED SCRATCHES VISIBLE ON THE INNER ASPECT. V'S ARMS WERE RELAXED SO API HAD A CLEAR VIEW OF HER R INNER ARM. API NOTED V IS TRANSFERRED BY TWO PERSONS USING A HOVER LIFT. THE STIFF PARTS OF THE HOVER LIFT WHERE THE CHAINS ARE CONNECTED HIT V'S UPPER ARM IN THE FOLLOWING MANNER: THE UPPER L CORNER OF THE STIFF BORDER HITS THE V'S UPPER L ARM, OUTER ASPECT WHERE THE RED DOTS WERE SEEN. THE BOTTOM BORDER WILL IMPACT THE SKIN ON THE R FOREARM, INNER ASPECT WHERE THE SCRATCHES WERE SEEN. V WAS DRESSED IN SHIRT, PANTS & MATCHING SOCKS OR HOUSE DRESS. V HAS HEEL PADS TO PROTECT HER HEELS. V HAS HEEL PADS ON HER ELBOWS TO PROTECT THEM AS WELL. IT WAS DETERMINED BY NURSING STAFF ELBOW PADS PROVIDED TOO TIGHT A FIT & WERE NOT PROTECTIVE ENOUGH. V HAS A SPECIAL BED BOUGHT BY HOSPICE TO MINIMIZE THE POSSIBILITY OF DECUBITUS ULCERS. THIS BED WILL TURN V EVERY 20 MINUTES TO ELIMINATE PRESSURE ON BONY PROMINENCES. API NOTED V'S HEAD IN BED WAS RAISED TO A 45 DEGREE ANGLE WHEN THE FEEDING TUBE IS USED. V ALSO SPENDS TIME IN A GERI CHAIR WHICH KEEPS HER AT A 45 DEGREE ANGLE, ACTING LIKE A RECLINING CHAIR ALLOWING HER LEGS & FEET TO ELEVATE. V HAS A HEALED DECUBITUS ULCER ON HER COCCYX. V. STATEMENTS: API INTERVIEWED THE NURSE ON DUTY AT THE TIME THE "PURPLE NEEDLE TOP" WAS DISCOVERED. PER THE RN ON DUTY SHE WAS BROUGHT THE OBJECT BY CNA. PER THE NURSE, HOSPICE HAS NO EQUIPMENT WHICH RESEMBLES THE PURPLE TOP. API & CLEARWATER DETECTIVES CHECKED HOSPICE SUPPLIES & FOUND NO SUCH OBJECT. RN SAW SUSPICIOUS MARKS ON V'S UPPER L ARM, OUTER ASPECT, AS WELL AS R FOREARM, INNER ASPECT. NURSE NOTIFIED THE HUSBAND WHO IS THE GUARDIAN & V'S PRIMARY DOCTOR. DOCTOR CAME TO THE FACILITY, EXAMINED V BUT COULD NOT DETERMINE THE CAUSE OF THE MARKS. V WAS SENT TO ER FOR FURTHER EXAMINATION & RETURNED THE SAME NIGHT TO THE FACILITY. DOCTORS AT THE HOSPITAL FOUND NO EVIDENCE OF SUBSTANCES BEING INJECTED INTO THE V'S BODY. PER THE NURSE THERE WAS NO CHANGE IN V'S BEHAVIOR. API INTERVIEWED CNA WHO FOUND THE "PURPLE OBJECT." SHE DESCRIBED THE OBJECT OF HAVING THE APPEARANCE OF A NEEDLE TOP WITH A HOLE IN ITS TOP. ACCORDING TO SHE SAW SUSPICIOUS MARKS IN V'S ARMS & HER NAME BAND (WHICH IS HARD PLASTIC) WAS PUSHED UP HER L ARM LEAVING A RED AREA. CNA SAID SHE SAW V'S FEEDING TUBE PULLED TIGHT ACROSS & DOWN HER SIDE, OVER THE PILLOW IN A L SHAPE. V HAD A FOLDED LAP BUDDY OVER HER LOWER BODY & ARMS. PER CNA THE USE OF THE LAPBUDDY WAS UNUSUAL. BEFORE 3:45 PM THERE WERE NO VISIBLE ABRASIONS, RED AREAS OR MARKS. CLEARWATER DETECTIVES FROM THE CRIMES AGAINST PERSONS UNITS WERE ASSIGNED TO INVESTIGATE

FLORIDA DEPARTMENT OF CHILDREN AND FAMILIES  
CONFIDENTIAL: UNAUTHORIZED RELEASE IS A LAW VIOLATION  
ABUSE REPORT: 2004-008306-01

HOMESAFENET

SCHIAVO, THERESA

WITHOUT REPORTER INFORMATION

THE ALLEGATION OF QUESTIONABLE EQUIPMENT ("PURPLE TOP") BEING FOUND ON THE V'S PERSON. CLEARWATER  
DETECTIVES WERE INVOLVED IN DETERMINING THE TYPE OF CAP, ITS LEGITIMATE USAGE & WHETHER V  
SUFFERED ANY ILL EFFECTS. API & DETECTIVES ATTEMPTED TO SEE V'S ARMS TO BEGIN THEIR INVESTIGATION.  
API NOTED V'S ARMS WERE CONTRACTED & THE VIEW OF HER R FORE ARM WAS OBSTRUCTED BY THE CONTRACTION.  
(API HAD A CLEAR VIEW WHEN SHE SAW V'S ARMS DAY OBJECT WAS DISCOVERED.) DCF NURSE SPECIALIST  
WAS IN ATTENDANCE & SHOWN V'S ARMS & HER BODY. HE SAW NO INDICATION V HAD BEEN GIVEN ANY  
INJECTIONS. NURSE SAID V'S BODY WAS FREE FROM SKIN BREAKDOWN, & HE NOTED HER HEALED DECUBITUS  
ULCER. API & POLICE INTERVIEWED THE HOUSEKEEPER WHO CLEANS V'S ROOM ONCE DAILY. UNLESS SHE  
HAD SPILLS. HE STATED HE NEVER SAW ANYTHING RESEMBLING THE UNKNOWN PURPLE TOP. HE STATED  
HE IS NOT ALLOWED IN THE ROOM WHEN THE PARENTS COME TO VISIT. HE STATED HE SAW THEM ARRIVE  
& STOP & SPEAK TO THE POLICE OFFICER. HOUSEKEEPER SAID THE V'S MOTHER HAD A PURSE WHEN SHE  
WENT INTO THE ROOM. API AND POLICE INTERVIEWED THE OTHER CNA WHO SAID SHE CHECKS ON  
THE V APPROXIMATELY EVERY 20 TO 30 MIN. SEE ATTACHMENT\*\*

Investigator History  
Commenced By: BONNIE SCHEUERMAN  
0001. MARILYN GRUBB  
Turnaround Signed By: MARILYN GRUBB  
Reviewed By: MICHAEL WYLL  
Data Entry Completed GARY VITUCCI

05 2 031 9/27/2004 4:00PM  
05 2 031  
05 2 031 08/15/2004  
05 2 033 05/28/2004  
05 2 032 05/28/2004