

Consumers for Dental Choice

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Dear President Emmert:

The federal agency charged with stopping wrongful experiments on children has made a devastating finding against the University of Washington. Two members of your faculty, Timothy DeRouen and Michael Martin, had a multimillion dollar grant to implant large quantities of mercury fillings (amalgams) in children residing at Casa Pia, a remote Portuguese orphanage, in order to compare their impact with children not getting this virulent neurotoxin in their mouths. The U.S. Office of Human Research Protections, responding to a complaint from Consumers for Dental Choice, ruled:

“Your complaint alleged that the informed consent document for research conducted using dental amalgam at UW and NERI failed to adequately describe the reasonably foreseeable risks of the research, as required by [federal law]. OHRP found that the informed consent document for the research conducted by UW failed to adequately describe the reasonable foreseeable risks of the amalgams ...” (emphasis added).

In choosing the subjects for their experiment, DeRouen and Martin were coldly calculating: children are “more susceptible to the neurobehavioral effects of mercury intoxication [poisoning] and would be more likely to show an effect if there is one.” Yes, they chose children over adults because children would show permanent brain damage more rapidly than adults. And in their words, they chose “children who are orphaned, from troubled homes or otherwise disadvantaged” – perhaps the most powerless group in society able to get a remedy for wrongdoing.¹

Before they began, DeRouen and Martin were aware of the grave health risks of mercury fillings, writing, “At times mercury from dental amalgams has been suggested as the cause of disease manifestations that range from mild dermatologic conditions, to chronic debilitating neuromuscular diseases and even acute, life-threatening health outcomes (emphasis added).” Yet they withheld this information.² Now these children have more mercury in their bodies. Scientists agree that a certain percentage of people (2 to 15%) are hypersensitive to mercury. Another risk: birth defects, a consequence of mercury toxicity stated in California’s Proposition 65. Beneficiaries of a multimillion dollar grant, the University cruelly abandoned the now-mercury toxic children of Casa Pia to fend for themselves.

¹ Accordingly, we wrote Prime Minister Socrates of Portugal (attached), urging his Government him to seek a remedy from you for the victims – or, failing that, in the courts of the United States.

² Indeed, DeRouen and Martin were outright deceitful, calling the fillings “silver” when amalgam in fact has almost twice as much mercury as silver.

As noted in the findings of the federal agency quoted above, two experiments took place simultaneously. The non-institutionalized American children received disclosure of risks, the institutionalized Portuguese children did not. Such an outrageous disparity raises the most severe legal, ethical, and moral questions, bringing to your campus the specter of the infamous Tuskegee experiment.³

We wrote you before about the cover-up of the risks, Dr. Emmert, but you took no action. Perhaps the multi-million grants outweighed the interests of children in a faraway land; or perhaps you did not take us seriously. But now the federal agency charged with enforcing laws against experiments on children has spoken. That report also says that UW has accepted the finding rather than contest it.

DeRouen and Martin were biased from the start. Back in February 2002 they willingly appeared and testified in favor of mercury fillings at a King County hearing; the *Seattle Times* reported: “The first panel, comprising researchers from the University of Washington, a respected toxicologist and the head of the state dental association, said there is no credible evidence showing harm.” (We have the tape.) The action was so unprofessional that it was even criticized by the project’s toxicologist, James Woods.⁴ Having proclaimed their support for mercury fillings in advance of the data, in 2002, DeRouen and Martin set about “proving” the results – cutting out participants who could disprove their position, adopting shallow criteria to measure harm, then publishing claims in excess of what the data showed.⁵

You did not contest the findings of the federal agency. The letter says simply that you promise to do better next time. Next time? What about the poor children of Casa Pia? Immediate action is necessary for the victims.⁶

³ In the mid-Twentieth Century, a group of African-American men with syphilis were lied to by the medical team, as the experimenters amorally observed the impact of that once-deadly disease. Disclosed afterwards by an investigative reporter, the scandal sparked outrage about the very real discrimination existing in America between health care for whites v. blacks.

⁴ Although openly proclaiming his support for mercury fillings before examining the results, DeRouen is strangely fearful of appearing before objective scientists to defend them. In September 2006 he had the opportunity to appear at the most important hearing ever held to determine the scientific validity of mercury fillings, a convening of two FDA Scientific Advisory Committees. Dozens of other scientists and dentists testified, but Timothy DeRouen – beneficiary of the highest amount of federal largesse ever given on this subject – chickened out.

⁵ DeRouen and Martin withheld a key fact from their paper: a sensational pedophile scandal occurred at Casa Pia during their experiment. It created a “horror movie” atmosphere for the children; top officials were fired and indictments occurred. The so-called “guardians” (in name, but not in fact) with whom DeRouen and Martin worked out the deal were not protecting the children from sexual predators – nor, as the federal finding shows, from DeRouen and Martin’s agenda either. Since it is widely recognized that child sexual assault has physical and mental as well as emotional impact (a point you could find out from faculty members not tied to federal largesse), it could have skewed the results. (The Casa Pia pedophile scandal is infamous in Portugal, but not widely known elsewhere.)

⁶ Consumers for Dental Choice is a nonprofit group focused on the health, environmental, and workplace risks of mercury-based dental fillings. The group (and I) do not speak for or represent Casa Pia or any of the child victims. This letter is only a recommendation, not a demand.

- Compensate all children for wrongfully implanting mercury without disclosing the known risk (the conclusion of a federal agency which you did not contest);
- Create a fund, in Portugal, to treat those children who in the future have mercury-related health problems – neurological, neuromuscular, or kidney -- and for brain-damaged children should any be born to them. With this extra mercury in their bodies, future health problems for a percentage of them is almost a certainty,

We have three questions:

1. As requested above, will you compensate all the children experimented upon the U of W, and will you set up a fund for the future medical bills of the mercury hypersensitive?

2. What action will you take, if any, to discipline DeRouen and Martin? If nothing, the message to your faculty is that the University favors those who rake in multimillion grants, and will in turn hand the ball to lawyers and lobbyists to dispose of nuisances like toxic substance experiments on institutionalized children without informed consent. The message to the student body is even worse: that victims can be ignored if they are far away, young, and institutionalized.

3. Will you host a meeting with community representatives organized by the Pacific Northwest Chapter of Consumers for Dental Choice?

Sincerely,

Charles G. Brown
National Counsel
27 August 2007

cc--Carol Niccolls, Esq., Special Counsel to the President, University of Washington

Enclosures: Letter from the U.S. Office of Human Research Protections to Consumers for Dental Choice; Letter from Consumers for Dental Choice to His Excellency Jose Socrates, Prime Minister, Republic of Portugal