

Dear President

I am sending my articles from the newspaper
I like you to buy the rights from my story
My story will help your family friends
& public

I have seek justice for all
my story is Educational Inspiration to
help all peoples of the world

So please lets hear a great story like
mine & bring justice like when we
salute our flag For Liberty & Justice
For All When you responded back
I will hope to have a positive answer

Thank you Again
Sincerely,



BALD EAGLE

At last count there were
fewer than 10,000 of this
official symbol of the
United States. Today they
remain endangered.

Santa Barbara, CA 93111



Woman hurt at birth vows to fight

By Sheila Ehrhardt

██████████ believes she has been wronged by her government and has taken the matter all the way to the top — to the U.S. Congress — and lost.

During a four-year campaign to receive compensation for injuries she claims occurred four days after her birth in a U.S. Naval Hospital in Italy, ██████████ enlisted the aid of U.S. Rep. Robert Lagomarsino, R-Santa Barbara-Ventura. He sponsored special legislation — a “private bill” — which, if passed by the House Judiciary Committee, would have opened the door for the 32-year-old woman to seek financial damages.

██████████ uncovered information that her arm was reported broken four days after her birth. How the fracture occurred is unclear, but the injury left ██████████ right arm virtually useless and she wants the government to compensate her in the amount of \$50 million for what she says is her inability to lead a normal life.

If Lagomarsino's bill had been approved by the committee, it would have opened the door for the compensatory process to be reinstituted even though the statute of limitations has expired for filing an administrative claim against the Navy.

But early last fall, Sept. 18, the Judiciary Committee voted to table the measure. Writing to Lagomarsino, Rep. Barney Frank of Massachusetts said any further action on the waiver bill is “highly unlikely.” Frank is chairman of the Judiciary Subcommittee on Administrative Law and Governmental Relations.

“The committee only rarely waives a statute of limitations, because to do so would treat a claimant differently from many similarly situated individuals who have failed to make timely claims,” Frank wrote.

“The committee usually grants this relief only when government fault prevented timely filing of the claim. That was not the situation in ██████████ case,” Frank wrote.

██████████ vows a fight, and has turned to Hollywood. She's hired an attorney and is negotiating with Barry and Enright Productions for the sale of movie rights to her story. “If I have to depend on a movie to bring my problem to people's attention, then that's what I'll have to do.”

██████████ mother, ██████████ was a native of Italy who married a U.S. Army sergeant. He was stationed at Fort Carson in Colorado but was in Italy when

██████████ was born. Her mother and father were divorced shortly after returning to the United States, and ██████████ father never made any attempt to initiate a claim for his daughter.

Many years later, ██████████ mother remarried and the family moved to Santa Barbara. Her stepfather, attorney ██████████ first wrote a letter requesting her medical records in 1982, but he died a short time later and the letter was never sent.

By the time ██████████ discovered the letter and realized she could seek compensation, the statute of limitations had expired. She since has researched the issue of special bills and has conducted an intense letter-writing campaign, even appealing to former President Reagan and now to President Bush, but to no avail.

“They send you all this paperwork and demand that you go through all the steps to prove your claim — which I feel I did — and then they turn you down,” ██████████ said.

“The congressman did push hard on this bill,” said Matt Reynolds, Lagomarsino's Washington legislative director. “██████████ was unable to attend the hearing, but the congressman testified on her behalf before the full commit-



Len Wood/News-Press

██████████ will fight on.

tee,” he said.

Reynolds said once the committee rules on a bill such as this, there is very little hope for it. “This is kind of the court of last resort,” he said.

██████████ is unwilling to give up her crusade and is angry at U.S. government bureaucracy. “What they practice are their own laws — when a citizen asks for something that is justly theirs, they should give it to them,” she said.

Ehrhardt is a Santa Barbara free-lance writer.

A PLEA FOR JUSTICE



Len Wood/News-Press

■ Using her good left arm, [REDACTED] shows pictures of herself as a child. With her is mother [REDACTED]

Woman feels government owes her for a life of pain

By Pamela Harper
News-Press Staff Writer

Almost 30 years ago, in a U.S. Naval Hospital in Italy, the right arm of a 4-day-old baby girl was fractured. How the fracture occurred is unclear, but the injury left [REDACTED] arm virtually useless.

Garcia believes that someone at the hospital "damaged" her arm and she wants the U.S. government to compensate her financially for what she says is her inability to lead a normal life because of the injury. She is seeking \$50 million.

[REDACTED] starts to cry when she's asked what she can and cannot do with her right arm, which appears to be limp. She has limited movement of her arm, but she can drive a car. She cannot grasp objects or write with the hand.

She works in a dress shop in [REDACTED] where she earns \$5 an hour. She lives with her mother. She has no health insurance.

The statute of limitations has expired for her to file an administrative claim against the Navy, so she

is asking U.S. Rep. Robert Lagomarsino, R-Santa Barbara-Ventura, to sponsor special legislation — a "private bill" — that would award her \$50 million in restitution.

[REDACTED] says \$50 million is a reasonable amount of money to compensate for the loss of the use of her arm.

"Believe me, I have been through a lot. I could be doing a lot of things with my life if I had not been damaged."

"The thing is," she said, "I was born healthy and in the hospital I was damaged."

"Every day of my life I will face this physical damage and I know that it was the fault of the Navy."

Lagomarsino's office is reviewing [REDACTED] request "just as we would with any constituent," said legislative director Matt Reynolds. "But it hasn't been determined what we can do for her."

Private bills, which go through the same congressional review process as any other piece of legisla-

See ARM, Page B 2

Arm

Continued from Page B 1

tion to federal employees for relatively minimal amounts of money.

Her mother, an Italian native, described the story of her daughter's life "as a long and sad one."

Her mother, [redacted] said an American doctor informed her of the injury as she lay in a hospital bed recovering from the birth. She had no formal education and spoke little English, so she felt powerless to question hospital officials about what happened to her newborn child, [redacted] said.

[redacted] father, a U.S. Army sergeant, was stationed at Fort Carson in Colorado at the time of the birth, so he was unable to help.

The hospital discharged [redacted] and her mother five days after the birth. Doctors told her mother to bring her in for a checkup after a month, at which time they pronounced the fracture healed.

But as [redacted] grew, her mother noticed that she could not pick up objects with her right arm. She took her to a doctor at the Army base near Munich, Germany, where her father had been transferred. The doctor said the arm was fine.

"Every doctor tells me a differ-

ent story," said [redacted] who has remarried.

[redacted] was 2 when her family moved to Denver and her mother took her to Children's Hospital to see a specialist. According to [redacted] a doctor said [redacted] arm had sustained nerve damage. He recommended physical therapy.

"She did the therapy for quite a long time, but it was no help," [redacted] said. "When a kid is damaged at four days, I don't think you can do anything."

The family didn't take [redacted] to any more doctors for treatment for her arm. She received no further physical therapy.

[redacted] contacted attorneys several times about what she could do to obtain compensation for her daughter. "They told me, maybe the records have been destroyed, or you cannot touch the government," she said.

Meanwhile, [redacted] divorced [redacted] father, who, she said, had a drinking problem, and raised her five children alone. She earned a living by babysitting six other children.

In 1973, [redacted] mother married an attorney, [redacted] and the family moved to Santa Barbara in 1974. [redacted] graduated from [redacted] and attended [redacted] for one semester.

[redacted] said her stepfather helped her draft a letter in 1977 to

Lagomarsino requesting her medical records, but the letter was never sent. It was found in her stepfather's effects after he died in 1982.

[redacted] took the letter to the congressman's office and the records were obtained in several weeks. [redacted] said she spent four years contacting various attorneys who refused to help her, some saying the statute of limitations had run out to file a claim against the Navy. A representative of the Navy suggested Lagomarsino might assist her, so she contacted his office in fall of 1987 and met with him this past January.

[redacted] filed a claim in March with the Navy. The Navy's office of the Judge Advocate General denied the claim on the basis that since [redacted] believed by Feb. 10, 1977, her injury was allegedly caused by negligence on the part of Navy hospital employees, the two-year statute of limitations for filing a claim had run out.

[redacted] felt the only recourse left was to ask Lagomarsino to sponsor a private bill on her behalf.

"I feel (the bill) is going to come through. I live in the United States where we have a Constitution and where I can finally obtain justice," she said.

If the bill is successful, [redacted] said she would use the money for medical treatment for her arm and "to help myself and be connected with this great country."