

Health Impact News

Medical Kidnapping Children in the United States: Indiana

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Indiana



Indiana Parents' Trip to E.R. Results in Children Kidnapped - Names Slandered in Local Media - Lives Ruined



Happy family celebrating the birth of Leigh Ann in May. Nikki, Rodney, Caridie and Leigh Ann before DCS tore their family apart. Photo provided by family.

by Health Impact News/MedicalKidnap.com Staff

On June 8th, 2015, Nikki and Rodney Wisler of Anderson, Indiana, noticed bruises on their one-month old daughter Leigh Ann. They took her to Community Hospital Anderson's Emergency Room, as advised by their pediatrician over the phone. The concerned parents worried that their new baby might have a genetic disorder that caused the bruises, since their 2.5 year-old daughter Caridie had been diagnosed with a genetic disorder the previous year.

Initially, the E.R. did not find anything of concern, and since the baby was not in pain, they sent the parents home, advising them to follow up with their regular pediatrician the next morning. The following day, their pediatrician sent the parents back to the hospital for x-rays and a head ultrasound. After they left the hospital, they were called back again for additional x-rays to "rule out a fracture."

Later, the pediatrician called them, saying there was a tibia fracture, and directed them to come back to the E.R. to have the baby's leg splinted. The pediatrician explained that she had to call the Department of Child Services (DCS) because there was an unexplained fracture and bruises. Nikki and Rodney weren't concerned, since they knew they had done nothing wrong. However, they were traumatized when DCS seized custody of their children that night and accused them of abuse. Nikki recalls,

We got to the ER around 6 pm for splint and at around 9 pm we were told they were detaining our kids! We did nothing wrong but try to find out what was going on with our infant. We were followed out as we said our goodbyes.

We have been desperate to get our girls home and find out what's wrong. CPS is refusing to do any testing to find a

reason and are assuming abuse despite us begging them to [do genetic testing].

Without an investigation or even a home visit, warrants were issued for the Wisler's arrest. Initially the children were placed in kinship care with their aunt in June, but currently the children are living with Nikki's grandmother.

The Wisler's lost everything: their children, their reputations, their jobs, and their home. The Wisler's are shocked how the system can be so heartless and punitive towards loving parents, and how the doctors, social workers, and prosecuting attorneys are quick to call "child abuse" and destroy a family allegedly without an investigation or any evidence. Nikki laments,

My kids were very happy and the DCS agent who took my kids told me, "sometimes happy kids are abused kids." I was outraged!

There is a rising number of parents being accused of child abuse and losing their children to State custody, when in fact, their injuries may be a "genetic disorder" or caused by vaccine damage. MedicalKidnap.com has published several stories regarding the link between vaccine injuries and vaccine damage, which offer insight on this subject.

See:

[Are Parents Going to Jail for Vaccine Injuries?](#)

Are Vaccines Altering Our Genes Causing Brittle Bones in Infants?

Mapping the Genome and Modern Genetics: Eugenics Repackaged for Modern Times

“Gag Orders” from Court-Appointed Attorneys?

Nikki originally contacted Health Impact News back in July of 2015, shortly after the children had been removed, but decided not to share her story at that time, at the advice of her court-appointed attorney. She was led to believe that if she spoke up about what happened, it would cause delays in getting her children back home quickly. She recalls of the attorney's advice back in July,

The only reason the attorney said no is because he thinks we might get them back at the Sept 2nd hearing. He don't want us to put anything in the way of that. He said to wait til after that hearing.

After more than 5 months of trying to get their children home, and having no contact with their newborn baby (until recently), Nikki re-contacted Health Impact News, frustrated with the system, and ready to share her story. She declares,

I am finally ready even though my attorney don't want me to yet. Even my county who wants me locked up don't want me to speak. Lawyers think talking will make it harder on us but we're tired of being quiet, I mean were facing prison time!

Health Impact News has previously reported how judges have issued unconstitutional gag orders, but now we are hearing more reports from parents of court-appointed attorneys advising them to not go public, causing many people to question: who are these attorneys working for – the family or the system?

See:

[Family Court Judges' Unconstitutional Gag Orders On Parents](#)

Warrants Issued, Parents Turn Themselves In & are Slandered in Local Media

When the children were first taken into custody, the Wisler's were told by the detective that they could take a "voluntary voice stress test," but they declined per attorney advice. Little did they know this would be construed by the authorities as "not cooperating with the investigation," and result in warrants for their arrest. When the Wisler's learned of the warrants on June 16th, 2015, they turned themselves in.

We found out we had warrants through Madison County Court. The state issued these warrants. We turned ourselves in for them. The warrants were for not cooperating with the investigation. We were tricked – they said we could take a voluntary voice stress test the day after they detained my kids. We denied [the voice stress test] per attorney advice.

I spent 28 hours in jail and bonded with \$1,000. Rodney spent 3 days in jail and was also bonded on \$1,000. My grandma got a loan and we sold everything we own of value.

No trial yet we have been charged but not yet convicted with two felonies a piece. A level 5 felony for Battery of a minor and a level 5 felony for Neglect of a Dependent.

When the Wisler's learned that they had been headlined in the local news and radio, and were being plastered on social media, they say they were *instantly* ruined. Nikki recalls,

We have lost our jobs and they have completely tarnished our names. I wanted to tell our story for all the pain we have been through recently especially with us being plastered all over the TV radio and social media. They lied and said she was battered which she was not, and CPS lied and said the ER doctors suspected abuse which medical records prove they did not. They also lied and are saying I blamed their father which again we can prove is not true. We have witnesses to that as well.

The news ruined us. Everywhere we go people know us. Rodney walked into a store and was called 'a baby leg breaker' by the employee and she was not fired and is not in trouble for it. We headlined fox news, was on the radio, in the newspaper, and all over social media. We can't go anywhere without someone saying 'you guys are the bad parents on the news you abused your kids.'

Gaining employment has been hard. I was working for a company taking care of disabled adults, that was ruined. I loved my job. No investigation was ever done, no one ever looked at my home either. Not DCS or Criminal. Due to the two felonies pending we can't even get jobs.

Nikki is still astounded how the local media could publish

slanderous stories without even interviewing them, and how they can be charged as child abusers without even a police investigation. See:

[1-month-old with leg fracture leads to charges for Anderson parents](#)

[Prosecutor: Cases of child neglect getting more severe](#)

“Child Abuse Specialist” Doctor Diagnoses Abuse Without Ever Meeting the Child or Family



Roberta Hibbard, M.D., Child Abuse Specialist Indiana. [Image source.](#)

Nikki says that all the abuse allegations are based on the opinion of [Dr. Hibbard, a Child Abuse Specialist](#), who merely examined Leigh Ann’s x-rays, but never even met the Wisler’s or evaluated Leigh Ann in person. Dr. Hibbard’s “expert opinion” was able to “diagnose” the Wisler’s as “criminal child abusers.” Nikki surmised,

She would have never said abuse if she knew us. Dr. Hibbard was the basis for everything. Her statement caused it all. She is the child abuse expert at Riley Hospital for Children in Indianapolis. I didn't even know there was such a thing until now. She is well known in sexual abuse cases so why is she in my fracture case anyways?!

There are a growing number of parents being charged as child abusers (a criminal offense) simply based on the *opinion* of a medical doctor. Parents in these family court cases are often not given Due Process, like a proper police investigation, that other alleged criminals are given in criminal court.

See:

[Are New Pediatric “Child Abuse Specialists” Causing an Increase in Medical Kidnappings?](#)

[Does the State Ever Have a “Right” to Remove Children from a Home?](#)

[Older Daughter Has Genetic Disorder, but Hospital Refused to Test Baby](#)

The previous year, on February 26, 2014, the Wisler's had a scare with their first daughter Caridie, when she was only 15 months old and she became unresponsive and was seizing one morning. After a week in the hospital, Caridie was diagnosed with [Primary Carnitine Disease \(PCD\)](#). During their time in the hospital, CPS was called, but the case was quickly closed when Caridie was diagnosed with PCD by a specialist. Nikki remembers,

One day I came home from work and she was throwing up. She threw up all night without a fever so we kept pushing fluids and was going to call her pediatrician in the morning like any parent would. Around 7 in the morning her father woke me up saying she was burning up. I sat up hardly awake and took her temp it was 104 so I went to get her up to rush her to the ER. She was unresponsive and was seizing. She stopped breathing 3 times between the house and the ER. We called 911 but because of the ice they were taking too long. My mom rushed us to the hospital all the while I was doing cpr. She was put on life support and rushed to the local children's hospital. It took a week and a ton of tests to find her carnitine problem. Cps opened a case and closed it within a day as they couldn't prove we did anything wrong.



Caridie in hospital in 2014 when she was diagnosed with PCD, a rare metabolic disorder. Photo provided by family.

Nikki shares that PCD is a rare metabolic disorder that affects Caridie's muscles, kidneys, heart, and digestion, as well as her growth and weight gain. Caridie is also hypoglycemic. Nikki and Rodney maintain that they are loving parents who would do anything to help their children. According to Nikki,

She almost died when she was 15 months old. She is now 2.5 and healthy due to us changing our whole lifestyle just to cater to her needs.

Nikki and Rodney have a Facebook page documenting Caridie's journey with Carnitine deficiency.



[Caridie's Hope Facebook Page.](#)

On June 8th, 2015, when Leigh Ann was brought in to the E.R. for unexplained bruises, and was later diagnosed with a fractured tibia, understandably, the Wisler's wanted to have her tested for a genetic disease. Since Caridie has been diagnosed with PCD, they believed there had to be some genetic explanation for the bruises and broken bone, since they both contend that there is no way it was caused by abuse. But doctors refused to do any genetic testing on Leigh

Ann, confident of their “abuse diagnosis.”

Nikki says they kept searching for a 2nd opinion, even taking Leigh Ann’s x-rays to Caridie’s genetic specialist, as well as emailing the x-rays to Dr. Ayoub, who has testified on the behalf of many innocent parents involving cases of misdiagnosed rickets and brittle bone disease. Nikki explains,

We are pushing testing on our own since cps has closed their side if the investigation and are trying to rule it as abuse. We took her and her x-rays to my oldest [daughter’s] genetics doc who used to head up the bone clinic here. He said he don’t believe it’s a true fracture but even if they could rule it as a fracture, he believes she may have OI (also known as brittle bone disease) and that it didn’t appear to be a fracture. He said even if it could be ruled as a fracture it isn’t an abuse fracture due to the odd location and the size of it. We have been referred to his partners at the bone clinic. Daddy and I have not yet been tested.

Fracture Finding Retracted, Prosecutors Still Charging Child Abuse Based on Bruises

The x-rays have been re-evaluated and now doctors are saying there is no fracture, but the Wisler’s are continuing to fight a system determined on charging them with child abuse based solely on the unexplained bruises.

According to Nikki, when Dr. Ayoub reviewed Leigh Ann’s x-rays, he said *she never even had a fracture*. Nikki quotes Dr. Ayoub as saying:

“...tibial cortical irregularity. This is what your child has. Not a fracture.”

Nikki attests that Dr. Ayoub has offered to help and said he would testify on their behalf, but she says her court-appointed attorneys will not even contact him. However, Dr. Hibbard changed her “expert opinion” after Nikki submitted Dr. Ayoub’s statement of “cortical irregularity” to her attorney. According to Nikki,

On Aug 6th I submitted this to my attorneys, on Aug 26 Dr. Hibbard changed her statement. She said, “Now having follow-up films and having reviewed them with pediatric radiology we still agree the first films were very suspicious for a fracture, however, we do not feel the follow up films confirm that suspicion. Rather it is believed the finding is much more likely a developmental variation and not a fracture.”

Nikki states that even though Dr. Hibbard retracted the fracture finding, she went on to claim that the bruises were still considered “abuse” because the Wisler’s cannot explain how they happened; the prosecutor is still trying to use the fracture finding, even though it has been retracted by Dr. Hibbard; and that the public defender says they can be charged with neglect and abuse based solely on the bruises. Discouraged, Nikki says,

Still no news as to when my kids are coming home. The prosecutor is still clinging to abuse and neglect. The prosecutor isn’t budging any.

Attorney Won't Consider Car Seat Caused Bruises

While they face the possibility of prison time based solely on unexplained bruises, the Wisler's wonder if the car seat buckle may provide the answers, but say their attorney refuses to consider it. Nikki demonstrates,

We believe the bruises were from her car seat because of the position of them. There were two identical bruises on the inner thighs above the knees. We believe it was the car seat buckle. It matches perfectly and the hospital kept tightening her car seat too much every time we took her in for a weight check, but they won't accept that [explanation], even with pictures.



Parents believe that car-buckle matches location of the two “unexplained” bruises, but attorney will not consider it as an explanation. Photo courtesy of family.



Parents show that Leigh Ann's bruises match position of car-seat buckle, and don't understand why their attorney won't consider it as an explanation. Photo provided by family.

Frustrated, Nikki states,

No one has allowed us to speak or present evidence.

All-Day Unsupervised Visits with Older Child, but No Contact with Breastfed Baby for Over 5 Months



Nikki at her 1st supervised visit with Leigh Ann after more than 5 months of “no contact.” Photo provided by family.

Because Caridie did not have any signs of abuse, the Wisler’s have been able to have all-day unsupervised visits with her, but for their breastfed baby Leigh Ann, they were ordered “no-contact” for over 5 months.

All too often when CPS seizes breastfed babies, they are prevented from continuing to breastfeed and bond during this critical developmental time and forced on formula by CPS. According to Nikki,

We have been seeing Caridie since day 3 [of her being in kinship care]. Caridie was found as no signs of abuse. We get her from when she wakes up til time for bed.

The criminal charges prevented us from seeing Leigh Ann since June 16. We went to jail and the State put a no contact order between Rodney and I and both of us and Leigh Ann. I was breastfeeding and yes I tried pumping but I don't respond well to pumps and I dried up, and the Dr and aunt stopped it and have her formula. She is on medicated formula now and has acid reflux. I no longer can see her or breastfeed.

Recently, the Wisler's were finally allowed to see their baby girl Leigh Ann. DCS finally modified their visitation and they were granted their first visit at the DCS office for one hour on Nov 30, 2015, . It had been 5.5 months since they had seen their baby girl. Nikki recalled sadly,

She cried. She didn't know us

Nikki and Rodney currently have visits with Leigh Ann for 6 hours a week at the grandmother's house, with DCS supervision, since the no contact order was modified in November.



Leigh Ann at a recent supervised visit at grandma's. Photo provided by family.

To Plea or Not to Plea, that is the Catch 22

Right now the Wisler's are awaiting jury trial set for February 2016. They have tried to divide Nikki and Rodney and turn them on each other, hoping to make one of them blame the other for the bruises, but they continue to stand strong, asserting,

Both of us are being charged because neither of us will admit we or the other one did anything wrong...because we didn't.

On Monday, December 14th, 2015, Nikki's public defender asked them to consider taking a plea bargain, saying that he thinks a jury will find them guilty based on the bruises.

On one hand, the attorney is asking them to plead guilty to a misdemeanor charge based on the "unexplained" bruises, since, as he contends, they can't explain the bruises (remember the car-seat?). He says they'll just have to "do some probation," and the felony charges will be dropped to misdemeanor charges.

On the other hand, DCS is requiring Nikki and Rodney to have steady income and steady housing before they can have their children returned home. With the pending felony charges, they are unable to find work, and because they lost their home, they have been living with relatives.

The "Catch 22" here is that if the felony charges are dropped to misdemeanor charges, Nikki believes that she and Rodney could find work, get a home, and get their children back, *but* they say that they would be pleading guilty to something they did not do.

Nikki and Rodney, like so many concerned parents, went to the E.R. seeking help for an injured child, only to leave empty-handed and broken-hearted, after being accused of perpetrating injuries on their own children. Nikki pleads,

We love our kids with all our hearts and never could have imagined this would happen to us, I mean who takes kids away without investigating?

We just want our girls home. Winter is coming and that when Caridie gets the sickest. We are devastated that they have completely tore our family apart!!



Leigh Ann and Caridie. Photo from [Facebook page](#).

Speak Out for the Wisler's:

Nikki and Rodney are in need of a good private attorney who will take their case pro bono, or to have public pressure put

on local officials to drop the charges altogether since all the doctors now allege that there never was a broken bone to begin with.

Call Judge Happe in Madison County Indiana, Circuit Court, Division 4 at 765-641-9503.

Tweet Tom Broadrick, the newly elected Mayor of Anderson Indiana, on [Twitter here](#).

Contact Kevin S Smith, the current Mayor of Anderson Indiana, [here](#).

Contact Sheriff Scott Mellinger at 765-646-9290, or on [Facebook here](#).

Since the local media allegedly slandered the Wisler's name, contact them and tell them to tell the parents' side of the story:

[1-month-old with leg fracture leads to charges for Anderson parents](#)

WishTV.com – contact info: Email: newsdesk@wishtv.com

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[Prosecutor: Cases of child neglect getting more severe](#)

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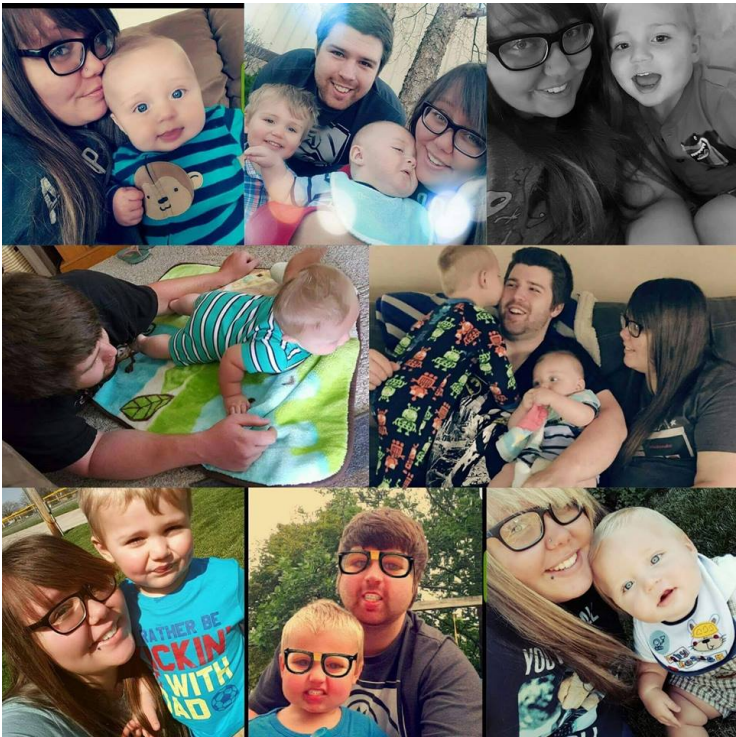
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Two Indiana Boys Medically Kidnapped Remain in CPS Custody Despite Testimony of Medical Experts



Timmons family collage. Source: [Justice for the Timmons – Proverbs 18:5](#) Facebook page.

by Health Impact News/MedicalKidnap.com Staff

January 24, 2016 will forever be a day seared in the heads and hearts of the Timmons family from Indiana, when a trip to the emergency room turned into their worst nightmare. Now, Austin and Andrea Timmons are fighting to get their boys, Foster and Cooper, home. Despite having medical expert testimony to support their innocence, their children remain in custody.

Cooper was seven weeks old, and Foster would be turning two in another week. The Timmons were preparing to go to the circus in celebration of Foster's birthday. Andrea was in the bedroom getting ready, and Austin was in the living room watching the boys. Foster, being a typical two year old, was crushing his fruit snacks into the carpet. Austin picked Cooper up and sat him in his bouncy seat while he went to throw the crushed fruit snacks away.



Big brother often wants to help with his little brother.
Source: Timmons family.

At about fifteen steps away, Austin turned around to find Cooper on the floor. His first thought was that Foster was jealous of his new brother and pulled him out of the seat. Austin put Foster in timeout, thinking that would be it. He had no clue that it would be the beginning of the biggest battle of his life.

When Austin checked Cooper to make sure his head was OK, it seemed fine. However, his right arm wasn't moving. Austin then went to tell Andrea, and they rushed Cooper to the emergency room at Adams Memorial Hospital.

At the hospital, x-rays were taken and doctors discovered a humerus fracture. Already distraught, the family was then informed that the Department of Children's Services (DCS) had been called. The family was nervous, but they knew that once they explained what had happened, DCS would see that they were innocent.

DCS arrived with a police officer. After Andrea and Austin explained what had happened, social worker Danielle Reed told them that Cooper's injury was assessed as non-accidental and that the boys would have to be placed with family. DCS said that Austin and Andrea's explanation of the injury was unconvincing.

The family's world shattered, and with heavy hearts, the Timmons put their boys in their grandmother's car and watched them drive away.

The boys were placed at Austin's parents' home, and DCS told them that they could see the boys whenever they wanted, as long as the grandparents were present. Longing to be close, Austin and Andrea saw the boys often, and even spent the night.

Not long after the boys were taken, DCS made an appointment for Cooper at Riley Hospital for Children at Indiana to see Child Abuse Specialist Dr. Shannon Thompson. The Timmons wanted to go to the appointment, but caseworker Desiree Miller told them that they were forbidden. Further, Andrea and Austin were not allowed to obtain any medical information about their children—Riley Hospital informed them that it would only be released to the grandparents.



Dr. Shannon L. Thompson, Child Abuse Specialist. [Source](#).

At that visit, Dr. Thompson concluded that Cooper had three healing rib fractures, in addition to the humerus fracture, though no other doctor has ever been able to find them.

One of the doctors who examined Cooper was orthopedic surgeon, [Dr. David A. Coats](#). According to a family member

who was present at the appointment, Dr. Coats said that he could not be certain that this was a case of child abuse, because he had seen similar cases before where there was a medical explanation. However, DCS allegedly disregarded his medical opinion.

At that visit, Austin began asking questions about the case, trying to understand why he and his family were going through this nightmare. Not long after that, he and Andrea were told that they could no longer attend doctor visits with their children.

The Timmons Seek Medical Explanation

The Timmons knew that there had to be a medical explanation. As they researched, they found a number of people with similar experiences. They also discovered medical experts and traveled long distances to see them.



Timmons family wants answers. Source: Timmons family.

Along the way, [Dr. Michael F. Holick](#), who specializes in bone disorders, diagnosed Andrea with Ehlers-Danlos Syndrome (EDS) Type 3, a genetic disorder in which children have a 50% chance of acquiring from their parents. He states in his report that, based on Cooper's medical records, including x-rays, he believes "with a high degree of medical certainty that he also has the genetic disorder," and "Cooper's clinical symptoms are all associated with this genetic disorder."

He went on to say that, from his experience, Cooper's fracture "can be explained by the underlying genetic

disorder of the collagen elastin matrix,” as “patients with EDS/hypermobility syndrome have lower bone density and are at a higher risk for fracture.” Further, he has seen “more than 1000 children and adults with this disorder, some of whom have had multiple fractures with minimum or no trauma.”

He asserts that the “genetic disorder...would’ve resulted in a skeleton that was extremely fragile and could have fractured with normal handling or minimum trauma,” which “could explain the cause for the severity of his right humeral fracture. “

In his practice, Dr. Holick has seen numerous children with “a history of multiple fractures of unknown cause and whose parents were accused of child abuse, and found that these children have a strong family history for Ehlers-Danlos/hypermobility syndrome, and have a medical history of symptoms and physical clinical signs for this genetic disorder.” However, he says that as a result of his clinical findings, many of those children were returned to their parents with instructions on how to better care for their children with the condition.

Another expert, [Dr. Marvin E. Miller](#), who specializes in genetics, concurred with Dr. Holick’s findings, stating that Cooper showed signs of metabolic bone disease.

DCS, again, allegedly disregarded both doctors’ expert testimony.

Guardian ad Litem (GAL) Overreach Hinders Reunification

The role of a GAL, sometimes called a Court Appointed

Special Advocate (CASA), is to represent the best interests of the child. The GAL “meets with the child” and is encouraged to create relationships with the parties involved, as well as observe interaction with the children and their parents to gain a better understanding of the case.

According to a family member, the GAL in the Timmons case has never seen the children. According to an official in the GAL program who asked not to be identified, that is a clear violation of federal law. GALs are required to meet with the children on a regular basis.

According to the GAL/CASA Indiana Program Standards, the GAL is to have “regular, in-person contact with the children, sufficient to have in-depth knowledge of the case and make fact-based recommendations to the court.” Further, it goes on to state that the GAL/CASA should “resist influences and pressures that interfere with impartial judgment and will report honestly and impartially to the court” as to what is in the child’s best interests.



The Timmons boys clearly adore their daddy. The best interest of all children is to be surrounded by the love and care of their parents. Source: Timmons family.

The GAL is not to engage in matters that are to be handled by law enforcement. For example, it is outside the scope of practice of the GAL to make accusations or charge parties with guilt.

The Timmons family believes that the GAL is unnecessarily prolonging the case by strongly contending that this is a case of “either abuse or neglect.” Further, Austin and Andrea were told by a social worker that, regardless of their proving their innocence, the GAL will continue to insist that “Austin’s walking ten steps away was neglectful.”

The Timmons were told by the DCS case manager that reunification was going to move “very slow” because the GAL does not think that “anybody is taking responsibility for this.”

Both Parents were Adopted when they were Children: Does this Make Them a Target?

Both of the parents, Andrea and Austin, were adopted as babies. Andrea spend her first months of life in foster care before she was adopted.

Health Impact News has noted a pattern of adopted and former foster children having their own children seized by Child Protective Services. Several former foster children have expressed to us that they believe that they are targeted because they are already in the system, including:

- Angelia Borths (Mad Angel), whose children were taken by Oregon CPS because her daughter was “too short.” See [story](#).
- Brenda Maney, who was forced to surrender her baby daughter for adoption in Kentucky in order to keep her son. See [story](#).
- Jason and Mattie Wells, whose daughter has a metabolic bone disorder. She was taken by South Carolina CPS and her parents accused of abuse. Their story is very similar to the Timmons family story. See [story](#).
- Haly Booth, whose children were taken because of the fact that she was in foster care herself when 2 of them were born. Her third child was seized because Alabama DHR already had the other two. See [story](#).

These are just a few of the many stories of former foster children and adopted children whose children were seized by Child Protective Services. Some of these parents tell us that they feel like CPS has reduced them to “breeders” for their

system, like something out of a twisted sci-fi futuristic movie.

The Timmons Seek to Be Heard

In their search for answers, the Timmons reached out to others for help. Andrea had her vitamin D levels tested in April of 2016, four months after Cooper's birth. The results indicated that her levels were 25.5 ng/ml, which is considered insufficient.

Andrea had preeclampsia while she was pregnant and had a preterm birth, which are both linked to [low vitamin D](#). Additionally, if the mother is vitamin D deficient, [so is the baby](#) because it is “actively soliciting maternal vitamin D for its own development.” “Vitamin D travels to the fetus by passive transfer, and the fetus is entirely dependent on maternal stores,” therefore, making the maternal status “a direct reflection of fetal nutritional status.”

Andrea also had heavy antacid use, specifically the Tums brand, which [“interrupts and even stops the gut from absorbing much-needed calcium,”](#) and during her birth, she was treated with magnesium sulfate, which is often used in cases of preeclampsia to reduce the risk of seizures. Both antacids and magnesium sulfate are known to cause bone fragility in infants when given to the mother.

The active ingredient in Tums, [calcium carbonate](#), has been shown to produce rickets in mice, and “is a rickets-causing chemical due to its phosphate-binding properties.”

Both boys were fully vaccinated according to the recommended schedule. There is evidence of a link between vaccines and infantile rickets and shaken baby syndrome.

See:

Is Shaken Baby Syndrome Often Misdiagnosed and Caused by Vaccine-Induced Rickets?

The Timmons wondered if Cooper suffered from rickets, which is a result of a vitamin D deficiency. The family begged DCS for blood tests, including Cooper's vitamin D and phosphorus levels, but DCS adamantly refused. The Timmons family said that proper protocol is to check vitamin D levels when there is a fracture without trauma.

To this date, no blood tests have been done since the children were taken into custody. According to the mother, a heel prick was done at birth to collect a blood sample, but the Timmons have been denied access to it.

Austin and Andrea, desperate to be heard, contacted Governor Mike Pence for help. Afterwards, DCS informed them that, instead of unsupervised visits, they could only see the boys with their caseworker present.

When the Timmons presented the findings from the expert doctors to DCS, they were told, "It doesn't matter how many opinions you get from doctors, because our minds are made up."



Foster and Cooper smiling up at their mommy. They want to be with their parents. Source: Timmons family.

Additionally, according to the Timmons family, all of the service providers involved in the case have expressed their support for a speedy reunification. One in particular said that the children should come home “sooner than later” and that overnight visitation should begin “ASAP.” Moreover, an attachment assessment that was done by a service provider that indicated support for the children being returned was ignored—it was never brought up in court.

This has been the Timmons family’s hardest fight of their lives, and they are pouring all of their time, hearts, and resources into proving their innocence and bringing their boys home. It is their hope that their statements from the expert doctors will eventually have their case dismissed, and they can start healing as a family.

Boys Thrive with Mother during Recent Visit

Recently, the babysitter canceled last minute at the grandparents’ home where the children are living. Andrea

was the day sitter for Austin's mom for that week, and during that time with their mother, both boys were thriving. Andrea was overjoyed to find Foster, who is two, using the potty several times, and Cooper, who is now nine months old, learning to crawl.



A visit at the park. Source: Timmons family.

Afterwards, the Timmons asked DCS to make this a permanent arrangement. The caseworker told Austin that she would do her best. However, later she said that there was “no way” because the GAL was “really mad about it.”

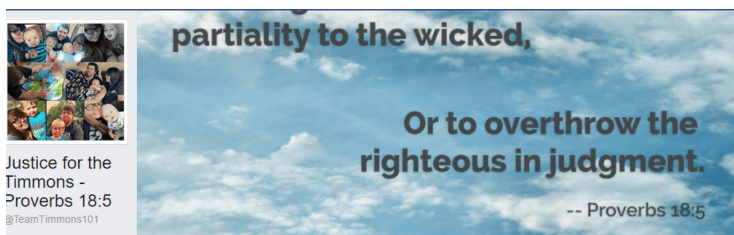
After spending a week with their mother, then watching her leave, the Timmons fear that their children feel abandoned, again. The boys thought they were finally home.

DCS Grants Second Opinion

In August, after eight months of begging for a second opinion—from a doctor that DCS would accept—Cooper was granted an appointment with a physician approved by DCS. The doctor saw Cooper this week and has ordered some blood tests, though a vitamin D test was not one of them. The doctor also ordered a DNA test that the Timmons will have to pay \$2,400.00 out of pocket.

How You Can Help

Supporters have set up a Facebook group that other supporters are welcome to join called [Justice for the Timmons – Proverbs 18:5](#)



The Governor of Indiana is Mike Pence at 317-232-4567. He can be contacted [here](#). His Facebook page is [here](#).

Here are the senators for the Timmons' district:

Senator Joe Donnelly is at 260-420-4955. He may be contacted [here](#).

Senator Daniel Coats is at 317-554-0750. He may be contacted [here](#).

Representative Marlin Stutzman is at 260-424-3041. He may

be contacted [here](#).

Adams County Department Child Services Director Melissa Hayden is at 260-724-9169. She may be contacted [here](#).

Indiana Parents Lose Their Baby and 2 Years of Their Lives in Jail for "Abuse" They Say Never Happened



Laura Gellinger and Dylan Day with baby Jackson. Photo used with permission from the family.

by **Health Impact News/MedicalKidnap.com Staff**

An Indiana couple watches their mailbox with dread, waiting for the papers they hope will never come – papers saying that their young son has been adopted out.

Laura Gellinger and Dylan Day haven't seen their son in over 2 years, after they took their then 3 month old baby to the hospital for a minor injury and were subsequently accused of child abuse. They each spent 2 years in jail and are currently on probation after their son was found to have multiple fractures in various stages of healing. For some reason, the family alleges that they were not shown the x-rays. According to Laura's mother Jamie Gellinger:

They didn't show us proof of anything!

A family history of osteoporosis, on both sides, was ignored, and there was only minimal testing for any other possible medical explanation for baby Jackson Day's alleged injuries. There are reportedly numerous issues with the way the case was handled, as well as arguably inadequate representation, and a family has been torn apart in the meantime.

Could this be a case of innocent parents being unjustly accused, and imprisoned, for something that they didn't do? Laura's parents believe so, and Laura and Dylan maintain that they don't know what actually happened, and that they never hurt their baby.

The fact that they had no explanation for the fractures discovered by the hospital was apparently used against them. However, parents with children with brittle bones generally had no previous indication of any problems, and thus have no explanation for something they didn't know was happening. Too often, they find that the doctors that they look to for help would sooner accuse them of abuse, rather than search for a medical explanation.

Courts and judges across the U.S. are increasingly

overturning Shaken Baby abuse convictions, as most of these cases do not present the science against “Shaken Baby Syndrome,” and the medical evidence that can support injuries apart from parental abuse.

See:

[**Ruling Alters Legal Landscape in NY Shaken-baby Cases**](#)

[**Supreme Judicial Court of Massachusetts Opens the Legal Door to Retry All Shaken Baby Syndrome Convictions**](#)

[**University of Michigan Law School Awarded \\$250K to Learn How to Defend Shaken Baby Syndrome Cases**](#)

This story from Indiana shares many details in common with other stories that *Health Impact News* has covered where innocent parents were falsely accused of abuse when there are legitimate medical conditions that caused the injuries to their children.

Local media published the side of the story that Child Protective Services presented. Dylan Day and Laura Gellinger would like the opportunity to tell their side of the story – a side that has never been heard publicly, but which leaves many unanswered questions, and challenges the integrity of the investigation that led to the loss of their son and to their imprisonment.

Here is their story:

Laura and Dylan were young, just 19 and 20 when Jackson was born. They had never been in any trouble with the law and had no history of any kind of violence. Laura has always loved babies, and had dreams of becoming a nurse one day. According to Greg Gellinger, Laura's father, the couple lived in a nice mobile home near her parents, and were excited about preparing for the arrival of their little one.



Excited about the upcoming arrival of their little one. Photo source: Day family.

During her pregnancy, Laura reports that she took Prilosec for heartburn during mid-pregnancy. Her vitamin D levels were reportedly low.

Prilosec is a Proton Pump Inhibitor (PPI) often used as an

antacid. We asked a clinical radiologist if Prilosec during pregnancy could contribute to brittle bones in the baby.

The known consequences are many including reduced absorption of Calcium, Magnesium, B12, vitamin C, copper. The bones can be affected by nearly all of these deficiencies (except B12). This is very well known.

Since infant metabolism is different than maternal, what do we know on the outcomes to fetus? Almost nothing. While there are many studies which claim there are no problems with PPI use in pregnancy, none actually measured bone quality in any meaningful way, thus were only recording severe congenital defects.

In a nutshell, there is biological plausibility that use in pregnancy is a sign of nutritional deficiencies and can further result in fragile bone states to mom and fetus.

Jackson was born at 41 weeks after an induced labor led to an emergency cesarean section on March 6, 2014. He weighed 7 lbs, 11 oz.

Formula and Vaccines

Though Laura attempted to breastfeed, she says that didn't go well, and Jackson was put on formula. During his first few months, he was healthy and happy except for some issues with gas. He spit up a lot and showed symptoms of reflux, which is a sign of vitamin D deficiency. Doctors recommended Mylicon drops, and his formula was changed several times. Typically, he only cried when his diaper was being changed or when he had gas.

Laura kept all of the doctor and WIC appointments. Jackson

got all of the recommended vaccines according to the typical schedule. At 2 months of age, he received 8 vaccines in one day.

Sweaty Head – Missed Sign of Rickets

Baby Jackson sweated a lot at night, especially around his head and back. Laura says that he would often soak through his pjs, and they had to put him to sleep in a short-sleeved onesie because he would sweat so much. Laura and Dylan just assumed he was hot-natured.

However, a sweaty head is a classic sign of rickets, discussed in the older textbooks. It is often overlooked, but Dr. David Ayoub discussed the symptom in an [interview](#) with Dr. Mercola:

I would be very concerned if a baby is perspiring heavily at night, especially around the face, head, and neck. They're described as soaking their pillows. They had to change the sheets, because they're so wet. That's one of the odd, lesser-known signs of infantile rickets.

Trip to Hospital has Disastrous Results

The family got him a swing, and he loved it. Sometimes, he would pull a leg up and rest it on the tray of the swing. Laura says that she noticed a bump on his ankle that she assumed came from the swing, so she called the doctor's office about it on Friday, June 14. They left a message, but didn't hear back from the doctor's office that day, so they planned to take him in the following Monday to check on it.



Photo courtesy of the family.

Meanwhile, there was a family reunion on Saturday. It was Father's Day weekend. After a long day of being loved on by various relatives, Jackson went down for a nap with his pacifier. He was 3 months old and was teething at the time. He was a bit fussy and fighting sleep, turning his head back

and forth as he lay on his tummy.

A short time later, Laura says she heard him crying and checked on him. She was alarmed to see blood around his mouth and on the sheet where his head was. Laura's mother Jamie went with Laura and Dylan to take him in to Reid Hospital in Richmond.

None of them were prepared for what would happen next.

They learned that the frenulum on the baby's upper lip was torn. The medical records describe the "abrasion" as "small" and "superficial," and they note that 2 teeth were just beginning to emerge. A nurse reportedly reassured the family that she had seen injuries like this, from teething or fussy babies moving their heads back and forth on the bed with a pacifier in their mouth.

What the family didn't realize was that the state of Indiana has a policy that a report must be filed with the Department of Child Services any time that there is an injury of any kind to a child's face or head:

Pediatric Evaluation and Diagnostic Service (PEDS) Referrals

It is mandatory to complete a PEDS referral for all children less than six (6) years of age with an allegation of suspected abuse or neglect involving the head or neck (e.g. facial bruising, scratches and red "marks" on the face/neck; mouth injuries, eye injuries, head bleeds, skull fractures and a fracture or burn involving the head/neck) and all children less than three (3) years of age with allegations of suspected abuse or neglect resulting in fractures or burns or suspected fractures or burns. All intake reports with suspected injury to the head or neck of a child, as well as, fractures and burns regardless of age will be identified in MaCIK with a denotation of "PEDS allegation is included in this Report". Evaluations of all reports identified

From the [Indiana Department of Child Services Child Welfare Manual](#)

Child Protective Services was, indeed, called, and social worker Amy Denton came to the hospital. When Laura began crying, her mother Jamie says that she walked her outside to

get some air while Dylan held the baby.

X-Rays and Hospital Chaos

On their way out, Jamie overheard 2 nurses in the hallway discussing another case in horrified whispers. There was allegedly another baby boy at the hospital the same age as Jackson, and the nurses were shocked at the bruises and multiple broken bones in the baby.

Shortly after that time, the emergency room doctor, Dr. Jamie Brummett, ordered a full skeletal survey for Jackson. This is the typical protocol when child abuse is suspected. The family thought that it was only going to be one or two x-rays.

Jamie describes the atmosphere at the hospital that night as “chaotic.” Dylan reports that he took his son into the room for the x-rays. He noticed that there were already 2 sets of x-rays hanging up in the room that were from someone else. It appeared to be from a child, he says. He also reports that the nurses were having problems with the machines, and had to keep re-doing the x-rays. His son’s x-rays were then printed out in the room, so by the time they left the room, there were x-rays from 2 different people in the room.



Dylan Day and baby – Easter photo used by permission from the family.

Another Case of a Doctor’s Accusations Being Taken as “Truth”

Shortly after, Dr. Brummett and the social worker met with the parents and grandparents and informed them that Jackson had multiple fractures in various stages of healing, including some ribs, and broken arms and legs. The family was stunned, and both Laura and Dylan began crying. They still don’t understand how some of the fractures were supposed to be several weeks old, but no one had seen any signs of them during any of the previous doctor visits and WIC visits. Jackson had not acted like he was in any pain, and there were no bruises on the baby. Laura says there were:

None at all. That’s what makes no sense. There was never any abnormal crying, either.

There was nothing that precipitated this. That's what we couldn't understand. There is something that is not right. I know I didn't hurt my child, and my boyfriend didn't hurt my child.

Immediately, Dylan asked for testing to be done, because osteoporosis runs in his family. His sister had been diagnosed with it as a teenager. It is also on Laura's side of the family, and Laura's mother has been diagnosed with osteoporosis. Those concerns were reportedly dismissed.



Dr. Jamie Brummett. Should doctors have the power to put parents in jail and destroy families simply based on x-rays?
[Image source.](#)

Dr. Brummett allegedly told the social worker and the detective that the fractures were due to non-accidental injury. The family reports that, after she made that statement, the investigators never looked further or checked

for any alternate explanation. Investigators reportedly had multiple theories, but all of them involved accusations of abuse: Shaken Baby Syndrome (SBS), the baby was yanked, or jerked, or maybe it was from being swaddled too tightly. Or the parents squeezed the baby.

“Consistent with Non-Accidental Injury,” But Also Consistent with Other Medical Conditions

The fractures were reportedly consistent with non-accidental injury, but, as *Health Impact News* has reported many times, multiple unexplained fractures are also consistent with numerous medical conditions, such as osteogenesis imperfecta, infantile rickets, vitamin D deficiency, Ehlers-Danlos Syndrome, and even vaccine damage. A hallmark of good medical care is careful investigation to rule out other medical conditions before accusing a parent of abuse, but all too often, that is not what parents find when they take their children to the emergency room.

See related articles, including another recent story from Indiana:

[Two Indiana Boys Medically Kidnapped Remain in CPS Custody Despite Testimony of Medical Experts](#)

[Infant with Brittle Bones Medically Kidnapped in North Carolina as Mother is Arrested](#)

[Tennessee Children with Brittle Bones Suffer in State Care as Mom Charged with SBS](#)

[Oklahoma Takes 3 Children Away from Parents When One is Found with Possible Brittle Bone Disease](#)

[Another Baby Medically Kidnapped in South Carolina over Broken Bones – Parents Thrown in Jail](#)

[Maryland Father Accused of Abuse over Broken Bones – Both Children Removed from Home of Loving Parents](#)

[Pennsylvania Children with Genetic Disorder Medically Kidnapped, Mother Falsely Accused of Abuse](#)

[North Carolina Mother has Children Medically Kidnapped Based on “Child Abuse Specialist” Testimony](#)

[5 Children Kidnapped from Family in Missouri When Baby with Low Vitamin D Found with Broken Bones](#)

There are more stories just like these, and they often read like they all came from the same script. Most involve parents who take a child to the emergency room for one thing, only to have their child be subjected to full skeletal x-rays. Someone discovered multiple fractures in various healing stages that no one ever previously suspected, and the

parents have no explanation. The child is then taken from their family, and other possible medical conditions are ignored. Many of the families learn later that their child did, indeed, have some type of brittle bone or other medical condition.

Others, like Laura Gellinger and Dylan Day, are never given the opportunity to find out if there is a medical condition. Once Reid Hospital's Dr. Brummett identified the fractures as abuse, the family says that no one even entertained other possibilities.

Laura and Dylan were taken to the police station and interrogated late into the night. The detective reportedly believed Laura abused the baby because, even though they had occasional babysitters, she was the one with the baby most of the time. They were scared to death, with good reason. Their son was placed into foster care the next day – on Father's Day.

They didn't have an explanation, because the young parents, who were 19 and 20 at the time, didn't know what had happened. Experts assert that a baby with a brittle bone condition can break a bone with something as innocent as a diaper change or change of clothes. It doesn't take much, because their bones are so fragile. They recalled an incident where a dog had jumped on the baby when he was 2 to 3 weeks old. They wondered if he could have hurt his leg on the swing. Dylan says that every possibility they came up with was rejected.



Baby Jackson at his 2-month checkup. Before that night at the hospital, no one mentioned any possibility of abuse. Photo supplied by family.

Lack of explanation for injuries is seen by the child abuse industry as being evidence of abuse, when, in some cases, it simply means that there is a medical explanation that the parents have neither the knowledge nor the experience to know, and that the doctors they turn to for help refuse to differentiate between abuse and legitimate medical conditions. Lack of explanation is seen as proof of guilt.

They asked to see the x-rays, but Detective Tom Legear reportedly told them that, by law, they don't have to show them the x-rays, and that it was up to DCS to show them the x-rays if they wanted. Laura and Dylan were never permitted to see the x-rays.

For the first 2 weeks after Jackson was placed into foster care, his parents were permitted to visit him 3 times a week for 2 hour visits. During that time, DCS took Jackson to Riley Children's Hospital in Indianapolis to be evaluated by a Child Abuse Specialist, [Dr. Roberta Hibbard](#).

On July 1, 2014, about a half dozen police cars came to Dylan and Laura's home and the couple was arrested. They have not seen their baby since then.

Parents not Adequately Defended in Court

Their case went to court. Public defenders were appointed for Laura and Dylan, but the family does not believe that they were adequately represented. Greg Gellinger, Laura's father, referred to the whole court system when he told *Health Impact News*:

They're all in cahoots with each other. The public defenders are a joke in this town.

He reports that his daughter's public defender told him and

his wife that he had such a big caseload that he didn't care whether or not Laura and Dylan did it or not. On one occasion, Laura reportedly went to see him in his office about her case, but he had a ballgame playing and paid no attention to his client.

To this day, the senior Gellinger beats himself up for not being able to afford a good attorney. He feels like he let his daughter down:

I knew neither one of them done it. I thought we had a good case, but the public defenders didn't do anything.

He said that social worker Amy Denton approached him at the courthouse, telling him not to take it personally. Greg was incredulous:

What if it was your daughter and you knew she didn't do it?

This isn't simply the rantings of an emotional father upset that his child was arrested. There are a number of anomalies in the way that the case was reportedly handled, which cast serious doubts on their guilt.

The attorneys never obtained the x-rays or any more medical records than those that the parents already had. The family was told that they have no right to see the x-rays. To this day, there has only been one occasion that any family member has seen any x-rays, but they have no way of knowing if the x-rays are actually of Jackson's bones.

There were only a couple of x-rays used in court, but there

was no name on the x-rays. Based on the experience that Dylan had in the hospital, he has no way of being assured that the x-rays he saw in court belonged to Jackson. They could easily have been mixed up with those of the other child who was in the hospital the same night.

The attorney challenged the x-rays due to the lack of a name on them, but the court reportedly allowed them, simply based on the word of the doctor.



Grandmother Jamie with baby Jackson. Photo courtesy of the family.

The question arises: did Jackson actually have any broken bones? Laura's mother told *Health Impact News* that they have never actually seen any evidence that Jackson ever sustained any injuries, besides the torn frenulum, which she sees as easily explainable.

Detective Tom Legear allegedly told the family that the hospital ran a standard blood test to rule out a bone disease, but again, no one in the family or their attorneys has ever seen it. To the family's knowledge, that simple test is the only test that was reportedly performed.

There is another test that could be performed, but the judge reportedly decided that it would cost too much money to order that test.

Social Workers Make False Statements

At one point, social worker Amy Denton accused the parents of not ever taking Jackson to the doctor or vaccinating him – facts that were easily proven incorrect. She had allegedly pulled the records of a different baby with the same name.

Another time, a DCS supervisor, Karen Bowen, reportedly talked about “bruises all over his body,” but, again, that was another baby, not Jackson. Medical records from the night in question clearly state that no bruising was noted.

Amy Denton alleged that the baby's pacifier caused Jackson's mouth injury, but several family members recall seeing her throw the pacifier away in the trash at the hospital. When the judge asked where it was, she reportedly said that Detective Legear had it. Neither were able to produce the pacifier.

Denton also allegedly told the court that the couple didn't have adequate shelter or food or clothing. Greg and Jamie assert that this was never true, and that the detective and social worker went to the home and photographed furniture, food, diapers, and other supplies.

However, they don't know what happened to the photos, because they were not presented in court. Their mobile home is "really nice," according to the the Gellingers. This is just one more example of the DCF system painting an alternate picture of reality to the court, one which makes the family look much worse than they are.

The family says that the detective and the judge agreed that, since Laura and Dylan were 1st time parents, they probably lost patience with their baby and hurt him, an assumption which the young parents vehemently deny.

The court reportedly was never told that both sides of the family have brittle bone conditions.

Local media reported that Dr. Brummett said that the baby weighed 10 lbs at 3 months, but should have weighed closer to 13 lbs. This is an error. The medical reports state that he weighed 5.56 kg on the night of June 14, which translates 12.26 lbs, not much under 13 lbs.

Parent's Coerced into Plea Bargain

Once Dr. Brummett testified to the court, the court-appointed attorneys advised their clients to accept a plea deal, telling them that DCS always uses her, and once they use her, they always win.

It's a done deal.

Laura Gellinger and Dylan Day were originally charged with battery, but that was dropped because there was no evidence that they themselves had hurt Jackson. The occasional babysitters allowed for the possibility that someone other than the parents hurt the baby.

There was a charge for neglect of a dependent for failure to get medical treatment, but because they took him to the E.R., that charge was dropped.

However, Laura and Dylan report that they felt bullied into accepting the charge of neglect of a dependent resulting in serious bodily injury, alleging their responsibility for his being hurt in their care. That was the plea bargain. They were sentenced to 10 years in prison, with 5 suspended, and 3 of those years as probation.



Laura Gellinger and her adoring baby before the accusation of child abuse. Photo courtesy of the family.

Other Prisoners Believe in Laura's Innocence

They are currently on probation after each served 2 years in prison. Laura was released on April 1, and Dylan came home on May 7.

Laura spent the first 13 months of jail in solitary confinement as protective custody. She went into the general population after requesting to be removed from solitary confinement, and, as feared, she was initially harassed and bullied. She reports that they “laid off” harassing her after she let other prisoners see the evidence. They could see that something wasn't right. She says that her bunkmate was in tears after reading the medical reports:

You don't belong here.

Laura recalls that the other prisoners once called her to the TV because the Dr. Phil show was covering a story that was very similar to hers. In early March, just before Laura's release, Dr. Phil aired his coverage of Marty Coleman's case – a brittle bones story that *Health Impact News* first brought to public attention after local media inaccurately painted the mother out to be a monster.

See story:

[Dr. Phil Exposes Medical Kidnapping and Shaken Baby Syndrome False Diagnosis with North Carolina Family](#)

Laura's bunkmate crocheted a scarf for Jackson, but Laura has not had an opportunity to give it to him. She doesn't

know if that will ever happen.

Home Now, Hoping for a Miracle

Both Dylan and Laura are home now, and they are still together. Their parental rights to their son have been terminated. They tried to appeal the TPR decision, but report that the request was denied because they still have no explanation for how the injuries occurred.

They have been told that their son is being adopted out and that papers could arrive in the mail at any time. Laura recently contacted us, saying:

I have been searching and searching to find a doctor or someone to please help me prove my innocence and get my child back ... Please help!

They haven't seen their son since he was 3 months old. The grandparents have been completely cut off as well from their grandson. The only hope they can see of reversing the decisions that have been made is for them to take their case to the state Supreme Court, but that would require money for an attorney, money that they don't have. According to Laura:

I've lost my child. I've lost 2 years of my life – for something I didn't do.

The Governor of Indiana is Vice-President-elect Mike Pence. His office may be reached at 317-232-4567. He can be contacted [here](#), and his Facebook page is [here](#).

Senator Jeff Raatz may be reached at 317-232-9400, or contacted [here](#).

Representative Richard “Dick” Hamm may be reached at 317-232-9769, or contacted [here](#).

Indiana Couple Loses over 2 Years of Their Babies' Lives because of Testimony of "Child Abuse Specialist"



John and Ally with their sons at a visit. Source: Kremitzki family.

by Health Impact News/MedicalKidnap.com Staff

It has been nearly three years that Ally Allen and John Kremitzki from Terre Haute, Indiana have been waiting for their two boys to come home after a trip to the emergency room (ER) turned into a parent's worst nightmare, resulting in the medical kidnapping of their children. Despite having a medical explanation for the injuries, the couple is being accused of child abuse. Last fall, the couple shared their story on a national TV show where they passed a lie detector, and it seemed that the pressure would cause CPS (Child Protective Services) to give the children back right away. But, when the couple returned to court, the child abuse specialist allegedly entered fraudulent medical records of their son Jaxon into evidence, claiming even more severe injuries.

June 28, 2014, is a day that John and Ally will never forget.

On that day, John had been running errands with baby Jaxon in tow. When they got home, Jaxon was crying and hungry. When John lay the baby in bed, he stopped crying. So, John went to the other room to make a bottle. He was gone for roughly three to four minutes. When he returned, he saw that Jaxon was blue and had stopped breathing. John immediately pried Jaxon's mouth open to give him CPR. 911 was called, and the ambulance took Jaxon to Sullivan County Hospital.

The E.R. room doctor took Jaxon's medical history and concluded that it was either apnea or an acid reflux episode. Ally said that this "was only because Jaxon had a history of both of these issues." When she asked the doctor if it was possibly SIDS, the doctor told her, "If Jaxon had died, that's what we would have diagnosed it as."

From there, Jaxon was transported to Union Hospital for observation where he had his first complete set of skeletal X-rays. The X-ray results showed what appeared to be four

bone fractures on Jaxon's body.

After viewing the results, the radiologist asked Ally and John:

Have you ever noticed the blue tint to the whites of your son's eyes?

The couple did not realize that this was a classic sign of osteogenesis imperfecta or other brittle bones conditions.

Afterward, CPS took Jaxon into their custody and transported the baby to Riley Children's Hospital for an MRI. Ally said that she and John were not allowed to go with their son:

We weren't allowed in hospital—not even to say goodbye.

Ally asked the caseworker what to do about getting breastmilk to him, and the caseworker told her that there was no way to get him breastmilk. As a result, Ally said:

Our son was put on formula against our want and will.

They were not permitted to be near their baby at the hospital. Meanwhile, Riley Children's Hospital Child Abuse Specialist Dr. Shannon Thompson examined Jaxon and declared that his injuries were a result of child abuse.



Dr. Shannon Thompson, Child Abuse Pediatrics – [source](#).

Second Doctor Opinion Requested but Denied

In July, 19 days after Jaxon was first presented to the E.R., he was taken to Riley Children’s Hospital for the second set of X-rays and blood work.

That day, a fifth fracture was discovered. Ally reports:

At first, we were told by Shannon Thompson that the fifth fracture was ten to 14 days old, but when she came to our fact-finding [meeting], she told the judge that the fracture, more than likely, happened the day that Jaxon was [first] presented at the hospital.

Ally told *Health ImpactNews*:

We wanted a second opinion after we learned that the fifth fracture had been found 19 days after Jaxon was first presented to the hospital.

That was the first time that they had been told about it. The couple begged CPS and filed motions with the court for a second opinion. According to Ally:

John and I did request for Jaxon to go to a doctor of our choice multiple times, and we were denied every time we asked for it.

Additionally, John sought help from Union Hospital, asking for the radiology department to have someone explain the X-rays him. Ally said:

We wanted to see if Union could find or detect a fifth fracture for a second opinion. Union refused to review the X-rays with us.

Another cause for concern was that when Jaxon's X-rays were done there, the radiologist did not wear protective gloves, which caused her hands to be shown in the results. According to Ally:

It's significant because, it shows H white her bones [are] compared to Jaxon's, which had an obvious gray color to

them. Riley overlooked this. Because, all of Union's X-rays were sent to Riley, and they were reviewed.

Were Other Doctors Too Afraid to Contradict the Child Abuse Specialist?

Eventually, Dr. Shannon Thompson did refer Jaxon for Osteogenesis Imperfecta (OI) testing at Riley Children's Hospital. Ally said that from the beginning of the appointment, the doctor seemed disinterested in looking for OI. She believes that this is because Dr. Thompson had already briefed him on her opinion, asserting that Jaxon's injuries were a result of child abuse.

When Ally asked the geneticist about the blue tint around the baby's eyes that the radiologist mentioned, the doctor said that it was "normal for kids, and even adults with blue eyes, to have a blue tint to the whites of their eyes." To which Ally replied:

I told him that would make sense if my son had blue eyes, but he definitely has brown eyes.

This was said while Jaxon was sitting in front of him, so his brown eyes could clearly be seen by the doctor. Ally said that the doctor did not respond to her comment. Also, Dr. Thompson was trying to say that he had bruising around his eyes, but Ally points out that it was only the blue veins.



Photo was taken on Feb. 25, 2017. Note the blue around Jaxon's eyes. Source: Kremitzki family.

Ally continues:

At the end of the visit, he said that he didn't feel that Jaxon needed to be tested for OI. I told him it didn't matter, because it was a court order.

He then left the room. When he returned, he said:

CPS didn't give authorization for the testing. So, because they had no one to bill for the expenses, Jaxon couldn't be tested that day.



Ally and John with baby Jaxon at the hospital. Source: Kremitzki family.

GAL Recommends that Jaxon Go Home

Reportedly, the couple has been told by CPS workers that if they “didn’t admit to harming their son, they would not get

him back.” (Note: many parents have reported to *Health Impact News* that they were told the same thing by their caseworkers, despite evidence that they did not harm their children.)

According to Ally, the Guardian ad litem (GAL) appointed to represent the baby recommended that Jaxon goes home, citing that Ally and John “had a significant bond with Jaxon,” and as a result, she feared that “severing that bond could cause him issues in the future.” At the time, Ally was pregnant with Jameson.

The GAL reportedly asked the judge for Jaxon to be returned immediately.

A Difficult Pregnancy and Premature Birth

Jaxon was Ally’s first child after having two miscarriages. Early on, she was concerned by the fact that Jaxon did not move much in the womb. Ally said that she did not feel him move until around 25 to 26 weeks, and she shared her concerns with her doctor. She said that he told her that since the ultrasounds were OK, that there was nothing to worry about. Ally was given iron supplements for severe anemia. She developed severe preeclampsia and gained 12 pounds in two weeks. Her left leg became swollen, and it was painful to walk. Ally said that she then developed HELLP syndrome, and her liver enzymes were “through the roof.”

Ally was then given magnesium as well as Pitocin to induce labor. During the 12 hours of pushing, Jaxon was stuck on her pelvis between six and eight hours, and the staff reportedly tried to push him back into her. Jaxon was born prematurely at 34 weeks and large for gestational age.

Ally's mother, Nurse Sandy Smith, was present at the labor and birth. She said that it was "difficult and traumatic." She said that Jaxon was "stuck for so long" that manual manipulation was used, which is "a huge risk of clavicle break" for a premature baby. She said that Ally's time of pushing went on "way too long," to the point that Ally and the baby were at risk. Even though Ally desperately wanted to avoid a C-section, Sandy said that towards the end she was "about to jump in" and say, "Enough is enough!"

Smith said that there was an extended period of "way beyond mid-arm manual manipulation" that went on, and Ally "lost way too much blood," so much that she had to have a transfusion. She describes the birth:

It was a bloody, gory mess.

Ally's mother went on to say that, given the events of his traumatic birth and the extent of manual manipulation that occurred, Jaxon's rib and clavicle injuries are "easily explainable." She also said that Jaxon was given oxygen because he "had a dusky, bluish" color. After he was born, Jaxon was in the NICU for 33 days.



Ally and John with their newborn after a rough birth. Source: Kremitzki family.

Medical Experts Speak Out Regarding Medical Explanations for Jaxon's Condition

Dr. David Ayoub is a radiologist who is considered an expert on the subject of infantile rickets and brittle bones conditions. He “has been involved in hundreds of cases of misdiagnosed rickets worldwide and has testified on the behalf of many innocent parents.” (See: [Is Shaken Baby Syndrome Often Misdiagnosed and Caused by Vaccine-Induced Rickets?](#)) Ally and John consulted Dr. Ayoub about their son's case.

In his report, Dr. Ayoub said that during Jaxon's stay in the NICU, he experienced “multiple episodes of apnea, neonatal

hypocalcemia, hypoglycemia, gastroesophageal reflux (GERD), requiring H₂ blocker therapy ranitidine, hypermagnesemia, hyperbilirubinemia, and anemia.”

Dr. Ayoub said that prematurely born infants are at a significantly greater risk of osteopenia, rickets, and fractures, which typically occur several weeks to months after birth. Further, he said that “even infants of 34 weeks gestation are at increased risk for fractures, and not just extreme forms of prematurity.”

His report said that Jaxon’s X-rays indicate metabolic bone disease, evidenced in several areas/points. He stated:

“It is consistent with unexplained fractures in various stages of healing and consistent with numerous risk factors and characteristics of maternal/infantile vitamin D deficiency.” He went on to say, “Apnea is a known complication of rickets, as well as external hydrocephalus.” Further, he said that John’s having to pry Jaxon’s mouth open to give him CPR “suggests a possible seizure as a cause of apnea.”

Dr. Ayoub noted that Jaxon’s father suffered scoliosis and arthritis and that Ally described easy bruising in Jason, as well as in other family members. Additionally, he said that the notes from Jaxon’s circumcision described “prolonged oozing consistent with bleeding tendency and mother’s claims of easy bruising.”

According to Dr. Ayoub’s report, Ally “exhibited signs and/or risk factors of vitamin D deficiency.” He stated:

“Gestational diabetes is also associated with a greater risk of

maternal vitamin D deficiency,” as well as “decreased mineral content in the newborn.” He went on to say, “Preeclampsia is also associated with maternal vitamin D deficiency.”

Further, he pointed out that Ally had a history of recurrent miscarriages, which he said is also linked to vitamin D deficiency.

Ally’s vitamin D levels were checked in July of 2016 and shown to be deficient at 27. Dr. Ayoub explains in his report that those levels would still pertain to her levels two years ago. At the time, Dr. Ayoub could not open the digital copies of the birth X-rays to determine if the clavicle fractures, which are signs of metabolic bone disease, were birth-related. However, his report said that the bilateral clavicle fractures were in “a state of advanced healing.”

He concluded with saying that the fact that Jaxon:

“had risk factors for bone fragility is undeniable and his skeletal X-rays proved that he suffered at least from rickets.”

John and Ally also consulted with Eugene Wilson of the Center for Ehlers-Danlos syndrome Alliance. Ally said that Wilson told her that it is possible that both boys could have the Ehlers-Danlos syndrome (EDS), the same genetic disorder with which Ally has been diagnosed.

Since birth, both boys have had all recommended vaccines on the standard schedule.

Second Son Taken Away at Birth – Suffers in Foster Care

When Ally gave birth to Jaxon's little brother Jameson on November 30, 2015, this baby was allegedly seized by the state simply because of the ongoing case with Jaxon. Jameson, like his brother, has a history of apnea. In December of 2015, Jameson stopped breathing and an ambulance was called. Reportedly, he was taken to Greene County Hospital.

This happened while Jameson was in foster care. A notable difference between the treatment of real parents and foster parents is the fact that the hospital did no blood work or X-rays on the baby taken to the hospital for apnea by foster parents. It was only the child taken to the hospital by his biological parents who had the complete skeletal workup done.

CPS allegedly never informed Ally and John about the episode with Jameson. They allegedly only learned about it from the baby's foster parents.



John visiting with his sons. Source: Kremitzki family.

A Broken System that Robs Families

The couple remarked on the broken system that hinders parents' ability to do what is best for their children. Ally told

Health Impact News:

It's disturbing that parents aren't allowed to have their basic rights as parents and request a second opinion from a doctor that isn't biased towards CPS or their affiliates.

She said that it is frustrating that the system further complicates matters when a possible sibling, who is taken into custody, has a similar medical condition. Ally said:

Jameson, we now know, had to be born vitamin D deficient like Jaxon was. He could have had rickets as well.

But, we won't know until he comes home, because when he stopped breathing he was already in foster care.

So, the hospital didn't feel a need to run the same tests they did for Jaxon. All of this could have been avoided with a second opinion, and Jaxon could have had this diagnosis over two years ago.

We only have the answers that we do now because our GAL did what she was asked to do and became the voice for my child. She gave us the second opinion that we have been begging for. Without her our children could have been permanently stolen from us.

CPS has stolen what can never be returned and that's time—two and a half years of milestones and life. And, Jameson's entire life has been stolen. His entire infancy has been spent apart from his parents.



The brothers could have the same genetic disorder, but doctors are not investigating that. Source: Kremitzki family.

Media Attention Pressures CPS

Ally said that there has never been an attempt on behalf of CPS to work towards reunification.

Their own goal was termination from the beginning, and that has been obvious to everyone involved in the case.

With regards to reunification, she said that CPS has not made any efforts towards bringing their boys home. However, a few months ago, reunification became the “new and only goal” after Ally sent a text in October of 2016, requesting a team meeting as soon as possible. Her text said:

There’s proof we will be showing you that we didn’t abuse Jaxon like we’ve been accused of for two years.

She and John had just returned from a taping of the Steve Wilkos Show where they had taken a polygraph test and passed it.

Ally said that word got around to CPS, and they began to “connect the dots.” She was told by the Department of Children’s Services County Supervisor that after consulting about it, they decided to change the plan from a termination of parental rights to reunification.

Judge Refuses Evidence from Other Doctors

Reportedly, although the polygraph was submitted as evidence, the judge disregarded it. Ally said:

The judge got mad. He looked at our lawyer and said, “They are digging themselves a hole.” The judge didn’t want to hear anything. It wasn’t a fair court proceeding.

Further, she said that one of their medical experts was not allowed to testify and that the judge disregarded the other experts’ report because they contradicted Dr. Thompson’s findings. Ally said:

It was calling out Thompson—what she had done wrong.

Additionally, Ally said that the judge criticized the Guardian ad litem (GAL) for “choosing to believe this doctor [medical expert].” The GAL, according to Ally, was troubled that Dr. Thompson did not take Jaxon’s medical history and Ally’s pregnancy into consideration. She had never even spoken to Ally or John. The GAL wanted to hear from someone who had done those things.



Ally playing with her boys during a visit. Source: Kremitzki family.

False Photos Showing Bruises Used in Court to Justify Keeping Children?

Dr. Shannon Thompson allegedly presented a photo to the court that was said to be Jaxon but was actually of another child. According to Ally:

The first one is of Jaxon's foot, and the second picture shows a child that has a bruise from the shoulder and part of the way down the arm, almost to elbow. I was instantly confused and infuriated. In two and a half years I've never seen that second picture. Jaxon never had a bruise that severe, so there was no way that it was even possible that the child in that picture is Jaxon

She said it had been two years since the case began, and this was the first time she had seen that photo. Ally compared Thompson's photo to three different photos that she and John took of Jaxon while he was in the hospital on the day that he was taken. She said:

In each picture Jaxon is shirtless. The area where this bruise was is clearly shown, and in each picture there is no bruise. On the next few pages there are X-rays. Each picture, especially the chest X-ray, I am certain has been altered or photo shopped. I have personally seen the X-rays from the disks, and they looked significantly different than what Dr. Shannon Thompson had in her report.

Ally said that another thing that was unsettling was the lack of X-ray markers along the top of each image. She said:

This typically includes the name, hospital that gave the X-ray, birthday, and date the image was taken (among other things). Every X-ray image that was in her report lacked this proof, that these were in fact my son's X-rays. Out of the five images that were included in her report, I can only say, for a fact, that one is, in fact, my son, and that is the picture of his foot.

In almost all other SBS stories *Health Impact News* has covered, police got involved and at least one of the parents was arrested and faced charges. Only law enforcement is trained in forensic evidence, and when a doctor with the title of “Child Abuse Specialist” has the authority to convince CPS to remove a child based on allegations of child abuse without law enforcement involved, due process of law is not being followed. The cloak of secrecy surrounding the family court system comes into play and allows the system to keep the child even when no criminal charges have been made against the parents. See:

[Are New Pediatric “Child Abuse Specialists” Causing an Increase in Medical Kidnappings?](#)

[Child Abuse Pediatricians: An “Ethically Bankrupt” Profession that Destroys Families](#)

New Judge and Caseworker Give Hope

In January, the judge on the case, Robert Springer, had just retired, and the caseworker who had made things very difficult for Ally and John went on maternity leave. It was not until recently that the couple was allowed to have unsupervised visits. Ally said:

I was told, “It was the longest [time of waiting for unsupervised visits] anyone has ever heard of.”

However, she went on to say:

The fill-in caseworker has made things extremely easy and

wants to push this along. We've noticed a drastic change.

The new caseworker contacted Ally last Tuesday to say that a 90-day trial home visit would start later that week. Ally said:

For two and half years, our case didn't move. We weren't moving at all. And now we're doing a home trial in a matter of three months. It's not even been three months.

They have court in June, which will be the three-year mark of having their son taken from them. The couple will present evidence to show that they did not harm Jaxon. Ally said:

We're still not giving up. We're never going to admit to something that we didn't do. We're still going to request that our names be cleared, since we've not done anything.

Ally and John feel that this medical kidnapping of their children has gone on way too long. They are ready for their boys to come home, where they belong.

Family's TV appearances:

Steve Wilkos Show appearance

[My Wabash Valley clip](#)

How You Can Help

Supporters have set up a Facebook group that other

supporters are welcome to join called [Bring Jaxon and Jameson Home](#).



The Governor of Indiana is Eric J. Holcomb. He can be reached at 317-232-4545. He can be contacted [here](#). His Facebook page is [here](#). His Twitter is [here](#).

Here are the legislators for Vigo county, where the family lives:

Senator Jon Ford is at 317-234-9443. He may be contacted [here](#). His Facebook is [here](#). His Twitter is [here](#).

Representative Robert Heaton is at 800-382-9841. He may be contacted [here](#). His Twitter is [here](#).

Here are the legislators for the district where the case is (Sullivan County):

Senator Eric Bassler is at 800-382-9467. He may be contacted [here](#). His Facebook is [here](#). His Twitter is [here](#).

Representative Bruce Borders is at 800-382-9841. He may be contacted [here](#).

Sullivan County Department of Child Services Director is Mike Goodwin. He may be reached at 812-268-3905.

85% of Reports to Indiana Child Protective Services Unsubstantiated - Families Destroyed Needlessly



Julie Baumer was wrongfully accused of shaking her sister's baby. Image source [TV 6 TheIndyChannel](#).

Health Impact News Editor Comments

Kara Kenney of ABC TV6 has [reported](#) on an investigation into the Indiana Department of Child Services (DCS). She interviewed Bryan Ciyou and Robert Schembs, Indianapolis attorneys who represent families in cases involving DCS. They give good advice to parents who are being investigated by DCS.

They explain many of the problems and corruption found in

Child Social Services that Health Impact News and MedicalKidnap.com report about regularly, including the fact that only 15% of children taken away from their parents are ever substantiated for abuse or neglect.

And as we have reported many times, often the category of “neglect” is used very broadly for poor living conditions where abuse is not present.

Know your rights in DCS investigation, attorneys say

by [Kara Kenney](#)
TheIndyChannel.com

Excerpts:

A DCS investigation can start with a neighbor, teacher, coach, family member, doctor, or anyone who perceives your child is being neglected or abused.

However, the state agency makes mistakes, according to families, attorneys and the DCS Ombudsman.

With 600 calls to the state hotline every day, it’s important to protect yourself if DCS comes knocking.

Julie Baumer of Michigan was [wrongfully accused of shaking her sister’s baby](#), whom she had taken in and offered to adopt.

An expert later proved little Phillip suffered a stroke, not trauma. However by then Phillip had been permanently adopted. Baumer had no right to see him.

Bryan Ciyou is an Indianapolis attorney who has represented families in cases involving DCS, and said even the innocent can find themselves under investigation for child abuse.

“It can happen to anybody,” said Ciyou. “It’s a phone call or an allegation.”

A DCS investigation can start at a hospital with an unexplained illness or if your child says something at school that raises a red flag.

“A doctor can make a report, a therapist, a teacher, and DCS has to investigate,” said Ciyou.

Ciyou said false allegations happen, such as in custody battles, so it’s important to know what your rights are.

“A lot of it is fabricated, but the problem is trying to disprove something that never happened,” said Ciyou.

You have the right to ask for identification from a DCS worker, ask what the allegations are, and consult an attorney first before responding to DCS.

You do not have to let DCS inside your house.

“What happens is, you get sucked in, and ‘oh just talk to us for a little bit’, but they’re in the house and they’re looking around,” said Ciyou.

To read how you can protect yourself from DCS investigations according to Indiana lawyers, continue reading the article at [TheIndyChannel.com](https://www.theindychannel.com)

Medical Tyranny: Indiana Hospital and CPS Force Parents to Give Toddler Dangerous Drug After Seeking Second Opinion



Jelah Sue. [Image from Facebook.](#)

UPDATE:

Indiana CPS Drops Case Against Family Giving Daughter Hemp Oil for Epilepsy

Health Impact News

An Evansville, Indiana couple has had the medical care of their toddler taken over by Riley Children's Hospital in Indianapolis, and Indiana Child Protective Services (CPS).

Jade and Lehla Jerger, parents of Jaelah Jerger, sought answers for more than 8 months for their daughter's "uncontrollable jerk of her body."

When a neurologist at Riley Children's Hospital diagnosed her with epilepsy, they began to research the best treatments for their daughter.

A Chiropractic Neurologist began treating Jaelah with CBD oil (also known as "Charlotte's Web Hemp Oil"), and reportedly at the lowest dosage they saw a reduction in seizures from 50+ a day to 2-4 a day.

CBD oil is derived from industrial hemp, and is not psychoactive due to almost no THC (the chemical that makes one "high"). It was made famous through national TV exposure from Dr. Gupta Sanjay's CNN documentary "Weed," featuring a young girl's struggle with a life threatening type of chronic epilepsy called Dravet's syndrome. Her name was Charlotte Figi and she was experiencing hundreds of seizures weekly.

<https://youtu.be/9XHEoUeAD7s>

The sale of industrial hemp is legal in all 50 states, and if the CBD oil is also derived from industrial hemp (different from

marijuana), it is also legal. Apparently, law enforcement and other agencies in Indiana have not yet figured this out, as [WTHR Channel 13 in Indiana recently reported](#) .

However, this treatment with CBD oil was allegedly not received favorably by doctors at Riley Children's Hospital, as the parents note on their [GoFundMe page](#):

We found a Chiropractic Neurologist who would treat Jelah with CBD oil. A healthy alternative method with virtually no side effects. AND IT WORKED! On the lowest dose, we saw a reduction in seizures. From 50+ a day to 2-4 a day! The results were amazing!

However, the doctor's at the children's hospital in Indy did not agree with that method. We were told we were killing our daughter because we are not treating her.

We told them we wanted a second opinion, so we went to another pediatric neurologist.

On Thursday 9/14, we took her to see one, who agreed to keep her on the CBD oil, but also wanted to add a low dose of Keppra in addition to hopefully get Jelah seizure-free. Jade and I were still reluctant, but we agreed to try it. We started the Keppra and cut all ties with the neurologists at the children's hospital in Indy.

Since we started the Keppra, we already noticed a difference in our daughter's behavior. She cries all the time, she gets upset easily, and she hasn't eaten as much as she usually does. She's not the same Jelah. We will continue the Keppra until our new neurologist can monitor the reduction.

And here comes the problem, the children's hospital in Indy

reported us to CPS because we are not treating our daughter. CPS is forcing us to give our daughter the Keppra. They are forcing us to get our daughter's blood drawn weekly to show proof that we are giving her the Keppra. We have no choice in the matter. If we do not comply, they will get a court order and remove our daughter from our home.

WEVV Channel 44 News has picked up the [Jerger's story here](#), and [Indiana for Medical Freedom](#) has also issued a press release on the Jerger's situation.

Huntingburg, IN Family Fights For Medical Rights For Their Daughter With Epilepsy

[Indiana for Medical Freedom](#)

FOR IMMEDIATE RELEASE

Indiana For Medical Freedom

Contact: Melissa Sfura, President and Co-Founder

317-417-3011

melissa@indianaformedicalfreedom.org

44 News, Evansville journalist, Jeff Goldberg broke the story [here](#). One of our over 2,000 informed and thoughtful parents brought this to our attention yesterday, Sunday, September 24, 2017.

Since that time, our organization has researched the forced pharmaceutical, Keppra, and found several concerning issues. You can read the package insert yourself [here](#). We found the following information:

- Not approved for kids under age 6 (this “toddler” doesn’t even look 2 years old)

- Only studied in 24 kids and they were all older than age 6
- No one even knows how this drug works
- All the double blind studies were done on adults
- Contraindications include: “If you are worse on this drug, stop taking it”
- Meant to be used in adjunct therapy (not primary)
- Side Effects include: renal failure, suicidal thought and infertility (as the informed and concerned father mentions in the news article)

Press Release

An epileptic Evansville toddler’s medical care was taken over by Indiana CPS last week over a dispute in medical treatment. The Jerger family seeks public support in reestablishing parental rights for their sick toddler, Jaelah, despite cooperating with their physician.

Jade and Lehla Jerger, parents of Jaelah Jerger, say their daughter suffers from epilepsy and can have up to 100 seizures a day. KEPPRA, a common seizure medication was prescribed by a physician affiliated with Riley Children’s Hospital in Indianapolis, but according to Jaelah’s family, the medication did not reduce the number of daily seizures and, in fact, came with serious side effects that included trouble eating and sleeping and increased irritability. The family maintains they were cooperative with doctors and gave her the medication as prescribed.

According to the manufacturer package insert page for KEPPRA, this medication is not FDA approved for children

under the age of 6 and is primarily used as an adjunctive therapy. Side effects can include: renal failure, infertility, suicidal thoughts and warns that those who worsen on this drug should cease taking it and talk to their physician.

Desperate to give their daughter some relief, Jaelah's parents decided to try CBD oil, a somewhat new alternative treatment for epilepsy, in addition to the medication prescribed by her physician. CBD oil is derived from the cannabis plant but is legal in the state of Indiana and does not require a prescription.

Jaelah's parents say her seizures decreased from 100 per day, down to around 2. Jaelah's physician did not agree with this experimental treatment and called CPS, who removed Jergers' rights to oversee their daughter's medical care, citing medical neglect. Jaelah must submit to weekly tests to prove she is taking the prescribed medication. Noncompliance could result in Jaelah being removed from her home.

Now the Jergers are fighting the state to resume medical decisions on Jaelah's behalf. Now under state care, Jaelah is being forced to take a medication that may not be best for her condition.

Source: Jeff Goldberg, 44 News, Evansville <http://44news.wevv.com/family-fights-childcare-decision-making/>

Indiana For Medical Freedom condemns this overreach into the lives of thoughtful, loving and informed parents that are within their rights per Public Law 188, which allows the use of CBD Oil for seizures in Indiana. Indiana For Medical Freedom condemns *any forced medical procedures*,

pharmaceuticals and biologicals in Indiana or anywhere else. Indiana For Medical freedom respectfully demands the Jergers' CPS file be immediately closed and ***any and all*** medical decision rights be immediately returned to the parents, as we believe parental rights are fundamental and supreme.

Additionally, we have been on the phone with the legislative assistant to an Indiana state senator that is working on this important matter with many other state senators.

The Jergers aren't backing down. They're within their legal rights. The use of CBD oil for seizures is legal, disagreeing with your doctor is legal, seeking a second opinion is legal. Forcing parents to give their children medication, treatments or procedures is something that Indiana For Medical Freedom opposes.

Our support goes to the parents and we will rally behind them for whatever they need at this time. According to the "Justice for Jaelah" Facebook page [here](#) and current GoFundMe (which we've advised will probably be taken down, because you can't ask for donations for attorney fees), this all started when parents went against the recommendations of Riley Children's Hospital in Indianapolis and severed the relationship. The hospital then reported the parents to CPS for "medical neglect."

CPS intervened on September 20, 2017. Parents are now supposed to submit to weekly blood draws at Memorial Hospital in Evansville, Indiana to ***prove*** they're drugging their baby with medication ***never approved*** for her age. They've been advised by their attorney and state senator to "proactively fight" CPS and Riley Children's Hospital.

Indiana for Medical Freedom.

Learn More about CBD Oil.

Indiana CPS Drops Case Against Family Giving Daughter Hemp Oil for Epilepsy



Jaelah Sue. Image from [Justice For Jaelah Facebook Page](#).

Health Impact News Staff

Last month (September 2017) we published the story about Jaelah Sue from Indiana, and the struggle her parents were having with CPS and Riley Children's Hospital in Indianapolis over her medical care.

Jaelah Sue was diagnosed with epilepsy at Riley Children's Hospital, and her parents had great success in allegedly reducing her seizures from 50+ a day to 2-4 a day using CBD

Oil (also known as “Charlotte’s Web Hemp Oil”).

CBD Oil is made from hemp (not marijuana), which is not psycho-active (produces a “high”) and is legal in all 50 states.

Doctors from Riley Children’s Hospital allegedly did not approve of the parents’ use of CBD Oil, and allegedly told the parents they were “killing her daughter” and reported them to CPS for medical neglect. CPS then forced the family to put Jaelah on a dangerous drug that gave her a negative reaction.

See our original story:

[Medical Tyranny: Indiana Hospital and CPS Force Parents to Give Toddler Dangerous Drug After Seeking Second Opinion](#)

Indiana for Medical Freedom, a group that has advocated for the Jerger family, has reported that CPS has closed the case, due to *refuted evidence*.

Late Thursday night, September 28, 2017, we were updated by Lelah Jerger. Her Senator had just called to let her know that he’d just gotten off the phone with a CPS attorney and our Governor’s office and that CPS would no longer intervene. However, it took until Monday October 2, 2017 for a CPS representative to contact the family with this update. Apparently, CPS only acts quickly when there are parental rights to steal. Too harsh? Perhaps, but no less “harsh” than what the Jergers endured for a 13 day period. Read it for yourself.

Fearful. Helpless. Terrified. Restricted. Cornered.

Every time I walked past a window in our home, I would look out. I was terrified that Child Protective Services would be pulling into my driveway with the police to take my baby girl, Jaelah, away. This was my life from September 20, 2017 (notification of CPS report) to October 3, 2017. I cannot describe how that made me, my husband, or our other children feel.

Why? Because instead of choosing a mainstream, traditional method of treatment for our daughter's epilepsy, my husband and I had chosen to use Charlotte's Web Hemp Extract, which showed a significant decrease in the frequency of Jaelah's seizures.

On September 21, 2017, Child Protective Services came into our home and tried to implement an Informal Adjustment for my husband and I to follow. If we did not follow this plan, which included giving our daughter a pharmaceutical drug that had many side effects. Child Protective Services used intimidation and threats of removal if the drug was not given to our 19-month-old daughter and the drug was not found in her bloodstream.

My husband and I witnessed the horrible side effects of this medication. We had to try to get her to eat, which had never been a problem before. We had to do everything we could to try to get our happy-go-lucky baby to smile or laugh. Just one little smile was so hard to achieve. We witnessed her walking around the house crying for no apparent reason. We had to hold our baby on her side to prevent her from choking on her own vomit. It was a nightmare.

Our nightmare did not end there. We also incurred attorney fees to assist us in our battle to renew our parental rights to choose medical treatment for our daughter. Rights that never should have been taken away in the first place.

As parents, we believe that we have the right to choose a safe, effective method of treatment for our daughter. There is not one single person in this world who has Jaelah's best interest at heart besides us, her parents.

No one should be allowed to take away our parental right to make medical decisions for our children. No one should be allowed to use threats or intimidation which would force us to use a method of treatment that we do not agree with.

Jaelah's father, grandfather, great-grandfather and many more American soldiers fought for our freedom and for our rights. Our parental rights should be acknowledged and respected, and we should be the primary decision makers for our daughter's medical care.

The Jerger's attorney is waiting for an answer on exactly what the "refuted evidence" was, and we'll update when we know more. We cannot say for sure what prompted our Governor to move swiftly in defense of the Jergers. This is rare; practically unheard of. Specific to Mrs. Jerger's final paragraph about Jaelah coming from a long line of American Veterans, I'd like to acknowledge the "liberty warrior" that never enlisted; Lelah Jerger. Let her bravery, courage and strength in the face of fear encourage you all. It encourages all 2,000 families that support Indiana For Medical Freedom. We stand in support of the Jergers and all families against a tyrannical government that seeks to usurp our fundamental right to govern our own children.

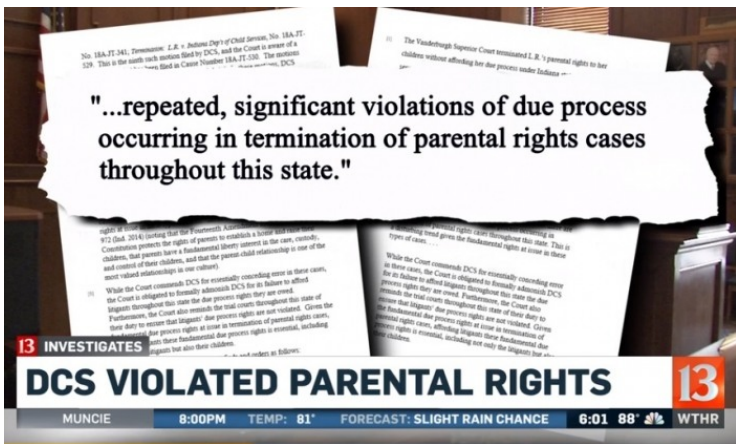
We thank the handful of Indiana Senators that stepped in at Jaelah's defense, Governor Holcomb, all of the concerned

citizens that contacted us to offer help, the media outlets that covered the story, and above all else, we thank God that custody and liberty was restored. We wish a lifetime of happiness to Jaelah Jerger and her family, and we hope this case sets a precedence in Indiana that parents are entitled to make medical decisions for their own children.

Read the [*full press release here.*](#)

Health Impact News also thanks its readership that intervened for the Jergers to help them end this nightmare.

Indiana High Court Accuses CPS of "Significant Violations of Due Process in Termination of Parental Rights"



Indiana Appeals Court judges rule that DCS is violating parents' rights. Photo from [NBC 13 Investigates](#).

Commentary by Terri LaPoint
Health Impact News

Cracks are starting to be exposed in the foundation of the state-sponsored child kidnapping structure of Child "Protective" Services. Parents who have been fighting the system for their children have seen these gaping flaws all along, but for decades anyone with power to change it has turned a blind eye to their plight.

Finally, it appears that the higher courts in one state are beginning to recognize that the system is, indeed, violating parental rights with alarming frequency.

Appellate judges from the Indiana Court of Appeals recently sent a strong rebuke to the Department of Child Services (DCS), citing “significant violations of due process occurring in termination of parental rights cases throughout the state.”

[Indianapolis NBC affiliate Channel 13](#) reports that the judges acknowledged that there is a pattern of “repeated violations” of parental and Constitutional due process rights by DCS.

While the fact that the agency routinely violates parents’ rights certainly comes as no surprise to anyone on the front lines of the battle, the admission by the appeals court and by DCS itself that it is happening comes as a shock, albeit a good one, to attorneys and parents alike.

Could this be the beginning of the dominoes falling? Will other states take notice and follow suit?



Photo [source](#).

13 Investigates: DCS violated parents' rights, took kids away

[Bob Segall of NBC 13](#) writes:

The Court of Appeals cited a “disturbing trend” with 10 cases it received between September 2017 and March of this year. In each of the cases, one or more parents appealed the termination of their rights, and DCS asked for the case to be sent back to the trial court rather than have the appellate judges issue a ruling.

In a July court order, the Court of Appeals formally admonished DCS. The judges wrote, “DCS essentially concedes that [the parent appealing the termination] has

either not been provided with adequate notice or that their due process rights have been violated.” The judges criticized DCS for repeatedly requesting that the cases be returned to a lower court rather than submitting a formal response to the appeals, thereby avoiding DCS having to defend its actions.

The Court of Appeals also took aim at the trial courts, reminding judges that they too have a “duty to ensure that litigants’ due process rights are not violated.”

In its most recent opinion, the judges were so frustrated by “repeated violations” of the parent’s rights and other failures of the trial court, they wrote,

We are at a loss as to any possible, just reason for such conduct.

While the orders of this Court carry weight, they do not carry the weight or the effect that an opinion from this Court does. By filing a motion to remand, DCS has successfully avoided defending repeated, significant violations of due process in termination of parental rights cases.

- [4] The increasing frequency of these motions suggest that there are repeated, significant violations of due process occurring in termination of parental rights cases throughout this state. This is a disturbing trend given the fundamental rights at issue in these types of cases. See *In re Adoption of O.R.*, 16 N.E.3d 965, 972 (Ind. 2014) (noting that the Fourteenth Amendment to the United States Constitution protects the rights of parents to establish a home and raise their children, that parents have a fundamental liberty interest in the care, custody, and control of their children, and that the parent-child relationship is one of the most valued relationships in our culture).

- [5] While the Court commends DCS for essentially conceding error in these cases, the Court is obligated to formally admonish DCS for its failure to afford litigants throughout this state the due process rights they are owed. Furthermore, the Court also reminds the trial courts throughout this state of their duty to ensure that litigants’ due process rights are not violated. Given the

From the Indiana Court of Appeals decision. Photo [source](#).

Public Defender Stunned at Turn of Events

Stephanie Thomas is an Indiana mother with mental health issues and a drug addiction history. Her daughter was placed into foster care in 2016. She learned in July that her parental rights had been terminated. DCS had held the hearing without notifying her:

I never got papers. I never got any notice. The only thing I got was a text after the hearing the case worker wouldn't talk to me no more and said 'your rights have been terminated.

She immediately filed for an appeal and was assigned public defender Dorothy Ferguson. According to *NBC 13 Investigates*, the attorney “immediately recognized problems with the way in which DCS handled the case.”

Nonetheless, as parents from all over America can attest, it was not unusual for DCS/CPS to violate their own policies and the law when taking children from their parents. In fact, dozens of people from many different states have told *Health Impact News* that they were told that “the Constitution doesn't apply in family court,” as they watched all semblance of due process and Constitutional principles dissipate before their very eyes.

Ferguson still believed that they had “a good chance of winning the appeal.”

What happened next was nothing short of amazing. *NBC 13 Investigates* reports:

Thomas' attorney then received a surprise phone call from

the Indiana Attorney General's office. She discovered the AG, who represents state agencies such as DCS, was also concerned by DCS's actions and wanted to help her client.

"They told me they agreed with our position and wanted to file a motion to send the case back to the trial court," recalled Ferguson. "I was like 'What? This is crazy!' This has never happened to me in my entire [career]. That's really unheard of."

DCS Director Agrees with Appeals Court

Terry J. Stigdon, MSN, RN, was appointed by Indiana governor Eric Holcomb in late 2017 to take over the position of director of the state's troubled DCS agency. The governor called for a review of the DCS department in partnership with the Child Welfare Policy and Practice Group.



DCS director Terry Stigdon admits that the DCS department is not doing well. Photo [source](#).

According to [FOX 59 News](#), Stigdon began her career working at the local children’s hospital as a pediatric intensive care nurse in 1998. At the time of her appointment, she was the “clinical director of operations at Riley Hospital for Children at IU Health in Indianapolis—overseeing strategy, finance, personnel, research and programs for several of the

hospital's key divisions, including emergency, trauma and nursing.”

After the Indiana Court of Appeals rendered their decision on almost a dozen cases, in which they found the department to be violating many parental rights, DCS director Terry Stigdon issued a statement to [NBC 13 Investigates](#):

After a thorough review of the cases in question, I believe our legal work has fallen short of the standards I have set for our agency. We are working to recruit and retain top legal talent and provide additional staff training.... as well as build and maintain strong relationships with judges across Indiana.

Riley Hospital Child Abuse Pediatricians Responsible for Multiple Medical Kidnappings

The director's previous employer, Riley Children's Hospital, has been involved with every *Medical Kidnap* case in the state of Indiana that we have covered previously. The hospital employs Child Abuse Pediatricians Dr. Roberta Hibbard and Dr. Shannon Thompson, both of whom accused parents of abuse instead of figuring out that the children had metabolic bone conditions which led to their broken bones.

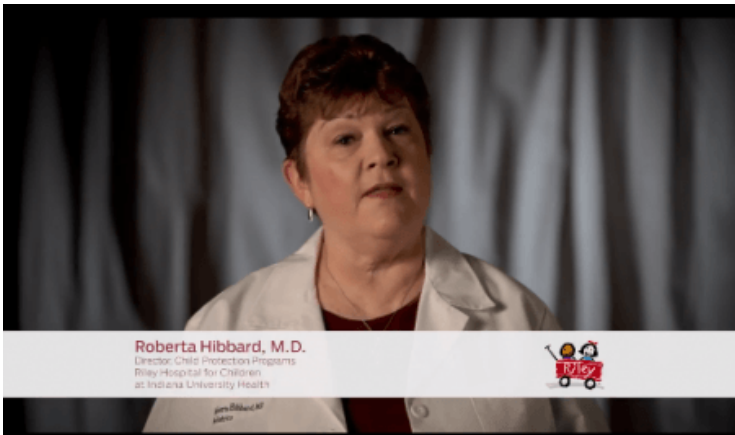
- Laura Gellinger and Dylan Day actually spent time in prison for “abuse” of their baby after Dr. Roberta Hibbard from Riley Hospital and Dr. Jamie Brummett of Reid Hospital said that x-rays showed multiple broken bones. The baby showed all the classic signs of metabolic bone disease, but the doctors refused to test for them. Baby Jackson was adopted out. See their

story:

[Indiana Parents Lose Their Baby and 2 Years of Their Lives in Jail for “Abuse” They Say Never Happened](#)

- Nikki and Rodney Wisler were arrested for accusations of abusing their baby. Dr. Roberta Hibbard said that baby Leigh Ann had a broken tibia, but when medical expert Dr. Ayoub said that there was no fracture on the x-ray, she retracted her diagnosis. See their story:

[Indiana Parents’ Trip to E.R. Results in Children Kidnapped – Names Slandered in Local Media – Lives Ruined](#)



Child Abuse Pediatrician Dr. Roberta Hibbard of Riley Children’s Hospital. Photo [source](#).

- Austin and Andrea Timmons had their boys seized by

DCS after Dr. Shannon Thompson found fractures in their youngest son and accused the parents of abuse. Other doctors later figured out that the baby had metabolic bone disease and Ehlers-Danlos Syndrome. The other doctors also could not find the rib fractures that Dr. Thompson had diagnosed. See their story:

Two Indiana Boys Medically Kidnapped Remain in CPS Custody Despite Testimony of Medical Experts

- Ally Allen and John Kremitzki were accused of abuse when Dr. Shannon Thompson diagnosed multiple fractures in their first son. The whites of his eyes had a blue tint, and he had other classic signs of osteogenesis imperfecta and other metabolic bone disease. Dr. Ayoub diagnosed infantile rickets. The couple's youngest son was taken when he was born, because DCS already had custody of his brother. Dr. Thompson reportedly showed the court an x-ray of their son, only it wasn't him. The x-ray belonged to another child. See their story:

Indiana Couple Loses over 2 Years of Their Babies' Lives because of Testimony of "Child Abuse Specialist"



Child Abuse Pediatrician Dr. Shannon Thompson. Photo [source](#).

- Jade and Lehla Jerger had their little girl taken away from them after Riley Children's Hospital got involved. The toddler was having up to 100 seizures a day with conventional medical treatment with Keppra, a dangerous drug with many side effects.

When the Jergers started treating her with CBD oil from hemp, the results were almost miraculous, but doctors at Riley called DCS and insisted that she be taken off of the CBD oil and put back on Keppra. See their story:

Medical Tyranny: Indiana Hospital and CPS Force Parents to Give Toddler Dangerous Drug After Seeking Second Opinion

Only 15% of the allegations against Indiana families are substantiated by the Department of Child Services. See:

85% of Reports to Indiana Child Protective Services Unsubstantiated – Families Destroyed Needlessly

How Many More?

Indiana public defender Dorothy Ferguson asked a question when she was being interviewed by *NBC 13 Investigates*:

How many other cases are out there without proper due process?

The answer is – too many, not only in Indiana.

Denial of due process is not the exception with Child or Adult Protective Services all across the nation. It is the norm.

After 4 years of our investigating cases of medical

kidnappings of children and adult from Massachusetts to California and everywhere in between, it is clear that families are routinely denied basic human and Constitutional rights when it comes to the seizure of family members by the state. The right to be secure in one's home, to be free from search and seizure without a warrant, and the right to familial attachment, in addition to the right to due process, are being denied to hundreds of thousands of American families every single year.

The Indiana Appeals Court judges cites the Indiana Supreme Court case [In re Adoption of O.R. 16 N.E.3d 965, 972 \(Ind. 2014\)](#), noting that:

the Fourteenth Amendment to the United States Constitution protects the rights of parents to establish a home and raise their children, that parents have a fundamental liberty interest in the care custody and control of their children, and that the parent-child relationship is one of the most valued relationships in our culture.

The [Troxel vs. Granville case](#) before the Supreme Court of the United States of America clarified that:

the Due Process Clause of the Fourteenth Amendment protects the fundamental right of parents to make decisions concerning the care, custody, and control of their children.

Yet, children, disabled adults, and senior citizens alike are being taken from their homes, sometimes permanently, based on false allegations, lies by social workers, misdiagnoses by (or egos of) doctors, or exaggerations of

parental shortcomings that the same system has no problem with in foster parents.

Tennessee attorney and family advocate Connie Reguli calls it “generational genocide.”

When will it stop? When will the public, elected officials, and government leaders demand that state actors stop ripping families apart unjustly and insist upon Constitutional rights not only in criminal courts, but in family, juvenile, and probate courts as well?

Until that happens, every family in America is at risk of the state stepping in and kidnapping loved ones, for profit, under the color of law.