

Independent Opinion

Recently there has been much discussion regarding the topic of Italian justice . Italians have felt criticized and some perhaps even felt there was merit to the criticism .

One Asks :

Are we truly one of the most degraded and uncivilized countries of the world's great democracies?

This paper concerns the case of Carlo Parlanti, an Italian national imprisoned in California, one of the most discussed criminal cases in the recent past .

(A complete transcription of the trial is available on the websites <http://www.carloparlanti.com> and <http://www.thepeoplevscarloparlanti.com>) There are also many medical reports published on this website, but we wanted yet another technical and medical opinion .The first person to collaborate by providing answers our questions has been de Vittorio Zingales a surgeon of 29 years, and for the last 18 years a department director for the largest psychiatric hospital in Italy in addition, he has had over sight of the "Madia" judicial psychiatric hospital in Barcellona for almost 15 years . Since 1982 he has served as C.T.U. in four separate court : Messina, Barcellona, Patti and Milazzo. He has been a social security administration physician since June 1995 the following is our interview with dr Zingales :

Q. From the trial transcripts we discover that the most damaging testimony against the defendant comes from a doctor dr Manchester of "doctors on duty" who discussed the matter of fractured ribs . Is a doctor with his credential qualified to analyze and discuss x-rays?

A . The only doctors competent to judge the stage of a healing fracture, evaluate the different phase and read x-rays are radiologists, orthopedics and physicians who specialize in muscular rehabilitation . From a medical – legal perspective, however, it is the opinion of the radiologist that clearly counts . An "MD Internal Medicine Physician" has no legal title nor specific competence no matter how prepared he might be. [SIC]

Q: Considering the medical condition of the patient, what healing time could an intercostals fracture have?

A: In a 44 year old female with personal antecedents of hysterectomy [SIC] at the age of 30 ,who undergoes a bone fracture , the fracture's healing time lengthens in comparison with a person of the same age .

This happens because there is a modified bone turn over .Therefore while in a

patient with perfect health the bone "callus" is visible within 30 days ,for the patient in question it could be visible in approximately 40 days .

Q. How should a doctor respond when a patient reports an attack with the same dynamics alleged by the accuser of Carlo Parlanti in her medical report?

A: The doctor in question is required to request a specialized gynecological examination in order to ascertain if the alleged violence reported by the patient has resulted in laceration that would for certain still be in the healing or scarring phase, as would be very likely anticipated (remember that the patient has affirmed that foreign objects had been forced into her intimal areas 20 days prior morphology? Dimensions? Consistency?) . Irreversible anterior bladder damage and posterior anus damage could have been produced .

This kind of examination is also necessary to verify if these probable injures could constitute the cause of the reported pain . In any event the doctor is required to immediately [SIC] Report to judicial authorities, because he has learned of and is verifying a violent occurrence (and the woman was not consenting) .

Q: Given the violence that allegedly happened to the accuser of Mr. Parlanti, with a hand inserted above the wrist into her intimal parts, could we still today detect injuries?

A: Given that the patient has referred in her personal medical history to having undergone a total hysterectomy 14 years prior .it is clear that as a result of this surgical procedure the vagina will terminate in a "cul de sac" . This is caused by the complete removal of the uterus ; re residual vaginal breech is sewed, rebuilding the so called "vaginal dome, that before the surgery included the neck of uterus, physically leading to the end of the vagina . This anatomical revision determines a reduction of the vagina (a virtual channel that normally has a length of approximately 10 cm and a diameter of approximately 5 cm); because of the loss of the uterus above it which has providing mobility and suspension with its ligaments the vaginal recess surgically obtained and the resulting surgical scarring present certain rigidity and therefore a higher resistance to deep introduction of either a male member or more to the point [sic] . A foreign object ,especially. If attempted with violence .

Obviously ,if the violence exceeds a curtain limit, there will be a breakthrough of the vaginal dome [sic] as a consequence there will be laceration of the vagina in the region of the Douglas pelvic excavation, with a subsequent visceral prolapsed (intestine) [sic]

Question number 4 also assumes vaginal penetration to the extent of above the wrist performed by a man with a weight of 75 kg and a height 183 cm. This portion of the arm together with the hand, would have an overall length of approximately 30 cm and diameter of approximately 10 cm .Given the above premise, we can easily deduct how such an action, performed with violence and without the patient's consent (a patient with a total hysterectomy) would by itself cause deep laceration large hemorrhaging and a possible visceral prolapse, therefore requiring the urgent and proper surgical correction of the condition in a specialized surgical environment . The prognosis of such an injury, even if repaired in a timely fashion would still be much more than the 20 days mentioned in another question .

I want to clarify that the results of all of this, together with the possible breakage of the vaginal end, would be permanent and could therefore be examined at any given point in time following the event .

Q. If a woman with a weight of 68 kg and a height of 1.60 is thrown against a solid, load bearing column (post),violently banging her head against it, and if her aggressor a man of a height of 1.83 cm and weight of 75 kg Repeatedly bangs her 30 times against that post with all. His strength, so much as to cause her to lose consciousness, what type of injury should she have sustained?

Is it possible that she would have healed in a period of 20 days?

A: The woman in question would not be devoid of evidence of mistreatment after such a violent event perpetrated by a man with the described imposing physical characteristics, only 20 days following the aggression . This is absolutely unlikely and contrary to every scientific fundament.

The repeated contusions, many of which were likely received at the same location of the body would have of necessity caused ecchymosis with major swelling of tissue. Last but not least lacerated wounds would have been caused by exceeding the skin's elasticity. Therefore because of characteristics of the violence, complete healing could not have occurred with a period of less than 60 days ; and only after the due attention of a specialist (sic)

Q. Could a woman who is the victim of human bites on her nipples, with laceration and subsequent loss of blood, be devoid of any physical evidence after a period of 20 days without having undergone any treatment?

A: It's impossible for a violent trauma to the nipple (in this case a human bite) to no result in bleeding wounds ,leaks, cuts, rips or lacerations that require immediate specialized attention and eventually even suturing of the wounds, In any event,

healing within 30-40 days is not possible in this instance , even as I said, with specialized treatment, that' assuming that the bite has caused even slight traumatic laceration to the tissue. It would appear obvious that a surgeon specializing in breast surgery, should have been consulted Or at least a general or plastic surgeon at a specialized center. At the same time the hemorrhage. would have caused a state of shock requiring the immediate admission to a hospital environment .

Q. If a woman reports an act of violence, then three years after that report is filed, sends a letter to the physician that examined her reminding the doctor that she had three broken teeth and after injuries which were never recorded in the medical report, what should that doctor do?

A: It seems clear and obvious that a person that is the victim of a violent attack and reports it to a physician after three years declaring that she had broken teeth by sending a note describing the three broken teeth", is not a psychological condition of normality, but is instead in the space of psychiatric pathology. The doctor, would be an expert in dentistry , is obliged to report it to the judicial authorities and in any case cannot establish a link with a violent attack (after a three years gap) .The woman could have broken her teeth (assuming it did, in fact, happen) by any number of natural causes (car accident, a simple fall, or any dental trauma which could be, attributed to any other event not linked to a violent attack)

Q : Could a man, with the physical characteristics mentioned above, have an erection after drinking four liters of wine in five hours? And, if the same man consumes in his diet, for the following 15 days, 2 liters of wine every night (with 12.5 percent alcohol by volume) could he participate in sport activities and work 8 hours a day without negative consequences in his profession?

A: I am going to run a computation of the blood/alcohol content using the formula of Widmark. We can also perform a computation using the modified formula (the one that takes into consideration the total quantity of water in the body : TBW)

With the Widmark computation we obtain the following result :

(Percent of alcohol in the beverage x 1.055) divided by (Weight x Widmark factor)

---> Therefore :

$(12.5 \times 1.055) / (75 \times 0.73) = 2.4086757...$ (Quantity x 1 liter)

$2.4086757... \times 4 \text{ (Lit)} = 9.63470319....$

Therefore according to this formula we can say that the blood alcohol content was 9.634 .

Using the formula that has been modified in recent times and that takes into

consideration the water content of the body , the blood alcohol content for a man (with the above physical characteristics) that has drunk 4 liters at 12,5 % is approximately 7.70 (quite different from the pure Wdmark formula)!

There are online programs which can calculate similar results i I think this is the most reliable results :7.70 .

From a generic analysis a man that drinks 4 liters of wine, even if a habitual drinker who has a high tolerance to alcohol absolutely cannot have an erection. It is well known that alcohol crosses the encephalic barrier quickly and the effects of an over intoxicated state causes the loss of attention capabilities and inhibits and sexual desire inducing instead sleep and deprivation of a sensory capabilities. If the same man drinks the following 15 days 2 liters of wine every night, he absolutely cannot be capable of conducting a normal and profitable working routine, because of the large amount of alcohol still circulating in his blood .

The cognitive analysis capabilities would be enormously impaired along with physical capabilities and those of detective reasoning , It is absurd to think that a man with a that quantity of alcohol could practice sports in a gym in the street run or in any way perform any physical activity requiring even minimal mental and physical effort . There could even be a state of intoxication that would bring once pre-comatose condition or a full alcohol - induced coma.

Q . Is it possible for a woman who has fractured her sixth and seventh ribs 4 days prior to lift weight, perform domestic chores , and have sex while on top of her companion?

A: Fractured ribs are injuries which are highly incapacitating for a person. This is because they cause respiratory difficulties due to the movement of the rib cage during normal breathing .

There are related limits because this symptomatology prevents bending lifting weight (even minimal loads) and difficulties in resting which force a patient to use two or more pillows to stay in a semi upright position. During a clinical exam a patient with rib fractures is highly apprehensive when the physician starts the finger pressure probing of the wounded thorax. All these symptoms and limitation last at least 30 - 40 days then they start fading due to the formation of bone callus which prevent mobility of the fracture. The woman in question could not therefore, have had sexual intercourse and in the acute period, have exerted herself what severe because this would have caused an unbearable fracture .

Symptomatology in addition to exposing her to a concrete risk of rupturing the pleura (because of the position during the sexual act) and of the related traumatic

pneumothorax. If these activities had really happened the fracture of the sixth and seventh ribs must have occurred well before the date reported (at least 40-50 days prior)

Q. If a 44 year-old woman who is not in perfect shape is kicked in the right side of the rib cage so severely as to fracture the sixth and seventh ribs and is then made to curl in to a fetal position on the right side of her body is bound with a plastic tie from the left wrist to the left ankle is then moved to the other side and bound right wrist to right ankle, and afterward is placed on the floor in a supine position with the limbs bound in front, then is finally penetrated in her vagina by a partner of a significant weight while laying on top of her and is afterward lifted and placed in the opposite position (her on top of him) is it possible that she didn't worsen the condition of her fractures and that she didn't need medical treatment for 20 days ? And if the kicks were instead directed to her back, is it realistic to find after 20 days only 2 fractured ribs , the sixth and seventh, and already a growth of bone callus visible in a x-ray?

A. In the examined case, the woman while trying to move during the recounted sexual acts, would have caused the division of the fractured ribs. Therefore the trauma to the thoracic region (if it was detected radiologically immediately after) should have been attributed to an event prior to sexual intercourse. The trunk is composed of a rib cage in front and by a "RACHIDE" in the back .The rib case is composed of 12 pairs of bone arches called ribs. The ribs originate from the dorsal vertebrae and going forward create the bone structure of the thorax that protects vital organs like the hearts, lungs, and esophagus . The ribs are connected to the dorsal vertebrae through the insertion point. They are elastic enough to allow for enlargements constrictions and movement of the ribcage (i.e during inhalation and exhalation) .

The first seven pairs of ribs are linked with cartilage (rib cartilage) to the sternum (the breast bone in the middle of the chest); these ribs are defined as "true ribs" the three pairs of ribs below linked indirectly to the sternum through the "cartilage of the pair above" are defined as "false ribs"? The length of the ribs increases from the first to the eighth the decreases from the eighth to the twelfth. The remaining two pairs of ribs not attached to sternum are called "fluctuating" or "free" ribs . Therefore, kicks to the "back" would eventually have caused serious injuries including possible fractures, to the spinal vertebrae, the hips, the pelvis the bilateral coxofemoral articulations, the kidneys, the spleen (eventually with

breakage of the same and in a conjunction with the very serious state of shock that should have occurred within a maximum of 30 minutes and would have required an urgent transfer to an hospital environment for a total splenectomy (removal of the injured spleen). Absolutely, kicks and blows delivered to the back would not be capable of causing fracture of the sixth and seventh ribs in the mammarial or lower mammarial region. Not even a fracture due to rebound.

Q. Can hair grow 7 cm (3 inch) in 18 days? What is the maximum length that hair can grow in one month?

A: The hair of a healthy person without alteration normally grows approximately 1 cm per month. In some particular cases, due to be ethnicity, color of hair or gender, the growth rate ca approach 1 1/2 per month. Like every other cell the hair follicle has "cycles"; that is a regular succession of steps ending with a return to the initial state, extending the concept: the weight of such succession. The circle of activity and cycle of rest alternates within the follicle. The life cycle of hairs is divided into three phases :

Anagen (growth)

Catagen(involution)

Telogen (rest)

Anagen is the growth phase and lasts an average 2-7 years (in a woman it lasts up to 7 year, in a man up to 4 years) :

The stem cells start to mitotic activity moving toward the lower portion of the follicle and reading the matrix building the epithelial sheath of the hair that grows crossing the follicle opening there are, therefore two different activities a proliferation and the a transformation of keratinocytes in to keratin.

The hair grows approximately 1 cm per month in a man and 1,5 cm in a woman . It is genetically determined and therefore may vary from person to person. A new hair grows toward the surface, sometimes coexisting with the old one which is not completely eliminated .

Q. can a person lose fistfuls of hair, including the follicle bulb because of beatings and violence and have a thick growth after 18 days?

A: A person who loses hair down to the bulb due to trauma (violent ripping, concussions) cannot experience regrowth of the lost hair in only 18 day. This event cannot physiologically happen, not even with the help of drugs which at the moment do not exist. At any rate, certainly not in one month, and not at the rate of 1 cm

per month. If we are talking about a woman, but without hormonal pathology, 1,5 cm .

Q. Can a person experience leakage of spinal fluid from the nose caused by severe blows to the head? If so what would be the consequence?

A. After repeated blows to the head, one can experience head injuries ranging from concussion or trauma up to fracture of the skull .

In the case of this examination, a leak of blood and spinal fluid from the nose is highly unlikely. In fact, such a cerebral fluid, not spinal, could have flowed only after a complex fracture of the skull involving the skull itself the "sfenoide" and the "etmoide" bones. This would cause a comatose state, which was not reported .

Q. Where would a person struck in the face with front and back of the hand by a man of average build, using all his possible strength manifest bruising? Assuming that after, the violence, the jaw is dislocated, is it possible for the victim to have no evidence of the injury after 18-20 days without medical treatment?

A. Striking a person violently in the face with the palm or back of the hand will procure swelling of the cheeks, zygomatic region, orbs, nose (with possible fracture of the nose bones per se) and also the temporal mandibular joint, obviously even bilaterally. The violent impact of the palm onto the face, because of the movement dynamics produced by that action, has a noticeable effect that often can cause rebound traumas to the cervical "rachide". On the other hand, blows from a back - handed strike can cause even greater injury to the cutaneous and subcutaneous tissues because of the presence of kneckles.

If there is a dislocation of the mandible because of trauma including one caused by violent action, it is necessary to immediately go to an emergency room or obtain the help of a specialist who could recompose the dislocation. It is not possible to carry such a burden without evidence (pain, articulatory, masticatory) for a period of 20 days and without treatment.

Q. During the initial medical examination, a doctor is obliged to ascertain, in addition to objective sings, a brief medical history, especially if the patient is recounting a violent act. Is it allowable to forgo the medical history? I am refereeing specifically to the first examination that doesn't mention the total hysterectomy surgery which occurred 14 years prior .

A: The doctor is required to respond promptly to urgencies and, at the same time, is required too collect a medical history, both long-term and recent (this is an integral part at the medical examination). If the patient, during such a consultation, relates

event of a violent nature, the doctor is obliged to report immediately to the appropriate authorities the information which he has learned. Therefore foregoing the collection of the medical history is omissive and is punishable by law and by the medical board .

In the case we are examining, the doctor did not collect the medical history, and in this regard became omissive and negligent; another possibility, assuming the doctor had followed professional canons, is that the woman in question kept hidden a very important fact, committing an omission herself.

From all of this we can deduce that either the doctor has been negligent and acted in bad faith (there by becoming an accomplice of the woman), or that the woman has lied in order to gain some dishonest advantage .

Q. Can you give us your opinion on this case, having verified the questions asked are, in fact, based upon what has (or has not) actually happened to the Italian national Carlo Parlanti, sentenced to 9 years in prison in California?

A : I don't want to get into merits of the judicial evaluation made by attorneys, district attorneys or judges, although in this case a distortion of justice seems evident (especially for a country that considers itself the defender of democracy and justice) and one feels as if faced with a case handled and judged by a Turkish court of 40 year ago. The unheard of thing here, incredible as it may seem and leaving no rooms for rebuttal, is that all the physicians who have examined and filed reports have not understood the gravity involved in the facts contained in the questions you sent me.

There fore, as a consequence, they have not referred the woman to specialized facilities or specialist, or reported to the judicial authorities these violent actions and aggressions .

This conduct is completely omissive and in contrast with every elementary form of professional ethics and medical code; it's unheard of and should be prosecuted by the law and by the medical board with disciplinary and criminal proceeding against the doctors themselves. I cannot find words to define such omissive and criminal behaviors of professionals.