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September 30, 1988

Federal Bureau of Investigation  
Violations Department  
110 South 4th Street  
Minneapolis, MN 55402

Re: Letter & Documents  
Mary Jane Duchene

Dear Sir:

Ms. Duchene sent me copies of a letter and a list of documents she reportedly mailed to you recently. I am the B. William Murphy, M.D. referred to in her communication to you. I know Ms. Duchene had been considering bringing her concerns to the attention of federal authorities. I was not aware where or how she would approach this but clearly I know now.

The purpose of this letter is to urge you and others who may have access to her letter and other data to give what Ms. Duchene presents truly serious and discriminating attention.

I am writing to you without informing Mary Jane Duchene of my doing so as I feel I have something valid to say about this extraordinary series of occurrences. I have seen, heard and read so much from diverse sources relevant to the issues, in the course of functioning as a consultant then as expert witness in a comprehensive psychiatric evaluation of the psychiatric and some medical aspects of Mrs. Jane Duchene's terminal illness and death. Inescapably I've become very aware of the bizarre, near-incredible psychosocial, legal and criminal aberrations attending Mrs. Jane Duchene's last months, persisting to this day and victimizing Mary Jane Duchene.

I feel impelled to write this letter urging the most thorough examination of what Ms. Duchene has brought to your attention for another reason. If you do evaluate the data you will need to examine a large body of evidence obtained over two and one-half years or more because it will be recognized that a series of grave offenses have been committed, including homicide and that these offenses have not been investigated in a competent way, if investigated at all, by state authorities or other organizations.

This absence of any recognizable investigations by state or county authorities, this absence of rational, realistic law enforcement, in view of much evidence of illegal, criminal conduct on the part of people savaging Mrs. Jane Duchene and her daughter, Mary Jane, is more disturbing than the criminality. If what has been done and is being done to a terminally ill, now dead woman and to her surviving daughter passes without investigation and due process, then no one is secure from anti-social predators.

I have practiced forensic psychiatry for over 30 years and have examined many offenders guilty of a wide range of criminal activities and I am not prone to jump to conclusions or make unfounded charges. My response when Ms. Duchene called me first from Copenhagen was one of benign skepticism. As the quantity and range of data available to me increased it became clear that, whatever Mary Jane Duchene was, there had been peculiarities and inappropriate qualities and practices surrounding the treatment of Mrs. Jane Duchene and the management or mismanagement of her affairs, legally and financially by others than her daughter.

Let me give one or two examples.

When first called by Mary Jane I advised obtaining expert psychiatric, psychological and neurologic consultations for her mother. This was an obvious recommendation. The account given suggested a complication of the mother's bronchogenic carcinoma, i.e. metastases to the brain from the primary cancer. Mrs. Duchene's condition as described suggested a possible organic brain syndrome and lung cancer often leads to secondary cancer in the brain.

Now, that possibility raises urgent medical and legal questions. Diagnoses should be made and correctly, so that whatever treatment available could be given. It may have been beneficial to the patient to have had radiation therapy for the brain cancer.

Legally there was a pressing need to assess accurately Jane Duchene's testamentary capacity. Expert opinion clarifying the mental condition and helping establish Mrs. Duchene's competency or lack of it would be desired if not required by competent attorneys and doctors I know.

Instead, an unscrupulous attorney who deceitfully intruded in this situation made great effort to obstruct and prevent these

diagnostic steps. This attorney, whose marked propensity for perjury is equalled by his abusive unscrupulous aggressions against Ms. Duchene and her interests, financial and otherwise, illegally revoked one power of attorney sworn by the dying woman and illegally transferred a power of attorney to the patient's brother who, in concert with this lawyer, Dennis Briguet, was attempting to gain control of his sister's and niece's money, house and assets. So this lawyer opposed effort to clarify the competency status and Mrs. Duchene's doctor, a specialist in internal medicine, pronounced himself more capable than any psychologist, psychiatrist or neurologist of assessing Mrs. Duchene's legal competence.

The doctor had treated this patient's diabetes for years. The quality of his service and his knowledge of his patient as a person may be assessed when you consider these facts. The doctor saw his dying patient three times only, from January 1986 when a tardy diagnosis of lung cancer was made in United Hospital, until she died in November 1986. Each time she was brought to his office, once by Roger Krause on March 21, 1986 the day Roger had her put his name on her bank accounts, twice from the nursing home (where she was warehoused from April on) to be seen by the doctor. These three visits were occasioned by some legal move to gain control of her money. These manipulations instigated an appointment with the doctor to make a small note concerning her being mentally competent and "oriented". The last occasion was three weeks before her death.

In other words this doctor neglected a frightened, confused woman dying slowly in a nursing home, never made a nursing home visit to check her condition--but saw her only to further financial change sought by others in the demented woman's affairs. I suggest that the certifying of his patient's mental competence was as barren of substance as the rest of his "care" of his patient.

The doctor will need to explain the rationale he had for abruptly reducing Mrs. Duchene's daily insulin dosage by approximately two-thirds late in October 1986. This reduction of essential insulin was followed by abrupt change for the worse in Mrs. Duchene's condition. She rapidly developed symptoms of untreated diabetes and lapsed into a fatal coma within a month of change in doctor's orders. Dehydration and emaciation had reduced her to 68 pounds in weight four days before her death on November 19, 1986.

Further oddities followed. Mary Jane Duchene had ordered that an autopsy be done and Dr. Plunkett did one in his private capacity. He happens to be the Coroner also and he found that the body had been embalmed before it reached him. No one produces legally required documentation for embalming the body. The funeral home people state in a letter that Plunkett ordered it. I don't know what Dr. Plunkett says about it. Dr. Plunkett has not replied to two letters I have written him in his capacity as Coroner suggesting that, in the light of the order to eliminate so much insulin and the subsequent appearance of incipient diabetic coma, then coma and death an inquiry or investigation is indicated. A first degree murder is not insignificant and if Dr. Corbett, the "treating" physician, did kill Jane Duchene by bringing her death about in this way, then it should be known.

As a final example, the precipitation of Mrs. Duchene's death could well have been required, as follows. Her brother, Roger, had become beneficiary of half of Jane Duchene's estate via a will Mr. Briguet had drawn up. She could sign her name. The brother developed a malignant pancreatic cancer and was dying faster than his sister. For the will to work for the benefit of the brother's wife, Mrs. Duchene must die first. So she did.

I hope I have conveyed some of the repellent inhuman qualities of what has been done. The essence of it is akin to grave robbing, to robbing corpses of dying people and a medical murder.

This widow was known to be dying, in United Hospital. A Ms. Massman, Continuum of Care Nurse, was interested. Ms. Massman worked a lot with oncology patients--who tend to die, may have estates, money, possessions. Somehow Ms. Massman got to talk with Jane Duchene's brother, Roger Krause, and his wife, Bessie. They got to talk with Ken Reichstadt who was associated with a Detective Sergeant Jeff Batzel as co-investigators of the Vulnerable Adult Statute complaints for Dakota County, Minnesota.

Out of the purposeful coalescence of this improbable cluster of conspirators with the aid of the attorney Briguet, Mrs. Duchene who was by then sinking into dementia and clearly incompetent and helpless signed a so-called power of attorney to her brother, Roger Krause. The proceedings were illegal. Briguet had no authority nor had this gang of greedy, ruthless relatives and corrupt, incompetent governmental employees, the

social worker and the cop, any grounds or any right to, in effect, try Ms. Duchene as a perpetrator of abuse of her mother, which in effect they did on March 20, 1986.

The training and supervision of these so-called investigators by the Dakota County Attorney's Office appears to be negligent and indifferent. These men clearly used the Vulnerable Adult Statute to libel and slander Mary Jane Duchene with their despicable bullying of the deteriorating patient and the character assassination of Mary Jane Duchene.

It should not be continued to be overlooked that Ms. Nancy Massman, the R.N. who made the anonymous accusations against Miss Duchene, must have known she was recklessly and with malice in a legal sense falsely informing against Mary Jane in concert with the other conspirators. This woman's deposition should be read for its contemptuous disregard for the truth, its sanctimonious, hypocritical tone and its admission of taking the Fifth Amendment to avoid self incrimination in refusing to give testimony under oath on her conversations with Reichstadt and with Roger Krause. Ms. Massman defied a District Court order to produce notes and other documents concerning the patient and was thus in contempt of court.

It is almost beyond belief that a nurse could do this. I have never known of a person with responsibility for patients defying a court and taking the Fifth at least twice. Yet she is, I believe, still employed by the same organization.

Finally, I'd like to offer a vignette illustrating the plotting, planning, lying and crookedness characterizing these people.

Batzel, the police sergeant, i.e. interrogator of Mrs. Duchene, asserts that she wants an attorney after the parody of an investigation and calls in Mr. Briguet who he purports to be utterly unaware of the case or to know the people involved. Attorney Briguet appears, makes a show of solemn legal talk with a competent client and gets her to sign the second power of attorney she'd signed on March 20, 1986, this time to Roger Krause. Briguet's claim that he had no contacts with and knowledge of these people is a demonstrable lie. The document he had Roger Krause, who was out to rob his niece of all he could, sign was one that included detailed real estate information on the house owned in joint tenancy with the daughter, Mary Jane.

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Briguet could not have had this data unless he had detailed prior knowledge and made preparations before his cue to appear on stage.

A probate hearing in District Court Hastings, Dakota County before Judge Lacy resulted in the learned Judge finding the deceased woman to have been competent on March 20th, a decision flying in the face of competent psychiatric, psychological and neurological findings. That appalling decision is under appeal and will be argued before an appeals court in October 1988, Mary Jane Duchene being represented now by really competent counsel, Barry Reed, Esq., of Zimmerman & Reed, 280 Lumber Exchange Building, Minneapolis, Minnesota 55402 (340-0400).

I do not understand the resistances to recognition and decent investigation of so gross a collection of criminal actions centering on the invasion of an estate held in joint tenancy by a mother and daughter.

That a woman who returns to her mother's home in order to care for her mother and their joint interests should be subjected to the gruesome ordeal that goes on and on is outrage. It should have been stopped by the Dakota County attorney. That a dying woman whose brain is atrophying and invaded by cancer, who is severely impaired despite a shell of apparent normality should be coerced and manipulated by playing on her psychotic delusional thinking into incompetently and illegally surrendering her money to the brother is an atrocity.

The despicable qualities of these crimes, their repulsive quality, the unwelcome facts that then things were done, instigates tendencies to deny, avoid, disbelieve they have occurred. The frightening negation of the protective role supposedly played by investigators of abuse of vulnerable adults and its twisting into a destructive force to drive a wedge between mother and daughter and to irreparably damage Mary Jane's life and eliminate her, for the money, is horrible and provokes incredulity. They couldn't possibly do that. No? Look at the evidence. Look at Batzel's "report". Listen to the kangaroo court 22 minute tape staged to make a record of the "investigation". Are these invasions of the women's civil rights by criminal agents of government? Are they possible federal offenses?

And, if Dr. Corbett by denying his patient vitally necessary amounts of insulin daily brought about her death within three to four weeks, in a nursing home, by causing ketosis and death from diabetic coma, did he not commit murder in the first degree? Did he not thus deprive Jane Duchene of her civil rights? I think he did.

The reversal of a doctor from healer to killer is terrifying and deeply shameful. It is said of all the horrible things spawned by the Nazi regime in Germany, the Nazi doctors who became killers under the guise of healing, the SS doctors in the concentration camps and other extermination centers evoked the deepest shame in the German population after World War II. There was a period of "wild euthanasia" then in Germany, when doctors could essentially kill people as they wished, without government investigation. The appearances indicate that this doctor in Minnesota behaved like a Nazi doctor and chose to kill his patient. It produces feelings of unreality in people. They want to deny or disbelieve although they know it happened. As with the contemptible behavior of Batzel and Reichstadt, people avoid looking at ugly facts in order to avoid responsibility facing painful reality and having to act responsibly.

The indications are that this little group came together to rip off the dying woman's estate. Briguet, Massman, Batzel and Reichstadt operated together in a slick fashion on March 20, 1986 and had conferred with the Krauses before Mary Jane returned from Europe.

It is improbable this was the first case of such crime. With or without utilizing the Minnesota Vulnerable Adult Statute it is more than possible that such callous and cruel people have preyed on other dying or dead people and their stricken and vulnerable families and would again in time.

In this instance a mistake was made in attacking a woman of strong character, Ms. Duchene.

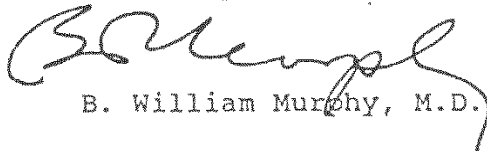
There are strong emotional forces militating against straight forward looking at the facts. If what has and is being done is identified for what it is; repulsive criminality involving professional people, plus failure to investigate, i.e. avoidance of law enforcement by state and county officials with responsibility to uphold the law, then a not inconsiderable

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scandal becomes public probably on a national scale. No doubt cover up attempts and evasions are seen as preferable to public accountability by some unwise persons.

I hope what I have tried to do--to convey some of the reality of what has happened--has succeeded. Federal laws may have been violated here. I don't know. The ignominious failure of the State to act is disappointing, to use a euphemism. I cannot tell how much more disillusion and stress Mary Jane Duchene can endure. I hope enough to see responsible legal process expose the crimes and abuses. Rationally there is no excuse for continued failure to do so.

Sincerely,



B. William Murphy, M.D.

BWM/dl

cc: Mr. William Sessions, FBI Director  
Senator Rudy Boschwitz  
Senator Dave Durenberger  
W Senator Paul Sarbanes  
Senator Barbara A. Mikulski  
Herbert Humphrey, III  
✓ Mary Jane Duchene  
Barry Reed, Esq.  
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