



United Press International

Dr. Mario E. Jascavevich, left, leaving the Bergen County Courthouse in Hackensack, N.J., after his arraignment.

'Dr. X' Indicted in Jersey In 5 Deaths From Curare

NYTimes

By M. A. FARBER MAY 20 1976

Special to The New York Times

HACKENSACK, N.J., May 19 —Dr. Mario E. Jascavevich, a 48-year-old New Jersey surgeon who has been referred to as Dr. X, has been indicted on charges of murdering five patients at Riverdell Hospital in Oradell a decade ago.

A sealed indictment in the bizarre case, handed up by a Bergen County grand jury late yesterday, was opened today shortly after Dr. Jascavevich was arrested at dawn as he was leaving his ranch-style house in Englewood Cliffs to perform three operations in Jersey City.

Although the spare, short-form indictment did not specify the manner in which the alleged murders had been committed, the prosecution will argue that Dr. Jascavevich "willfully killed the patients, including a 4-year-old girl, with curare.

Curare, a muscle relaxant that can be lethal if improperly used, has been found in the bodies of all five patients, ac-

ording to sources close to the six-month investigation conducted by Joseph C. Woodcock Jr. the Bergen County Prosecutor.

Mr. Woodcock's investigation was prompted by an extensive inquiry last fall by The New York Times into 13 "unusual or unexplained" deaths at Riverdell in 1965 and 1966. The first results of that inquiry were published last January.

Only five bodies were exhumed and chemically analyzed during Mr. Woodcock's investigation. However, other bodies, among the 13 and among several "suspicious" cases that have recently emerged, may also be exhumed before Dr. Jascavevich goes to trial.

"I don't think there is a more serious crime in the history of jurisprudence or in common law," Sybil R. Moses, an assistant Bergen County Prosecutor,

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said at Dr. Jascavevich's arraignment at 8:30 A.M. before Judge Theodore W. Trautwein in Superior Court here.

A court official said Dr. Jascavevich had appeared generally serene during the arraignment, but had raised his eyebrows and had seemed briefly shaken as Mrs. Moses had noted that the indictment charged multiple murders. His plea of "not guilty"—the surgeon had previously denied any responsibility for the deaths—was entered by his attorney Ray Brown.

The five persons whom Dr. Jascavevich was accused by the grand jury of murdering were Nancy Savino, 4 years old; Margaret Henderson (also known as Margaret Pearson), 26; Carl Rohrbeck, 73; Frank Biggs, 59; and Emma Arzt, 70. With the exception of Mr. Rohrbeck, all the patients had been recovering in their rooms from surgery, and had been operated on by colleagues of Dr. Jascavevich.

Judge Trautwein, rejecting a prosecution request that bail for Dr. Jascavevich be set at \$250,000, established bail of \$150,000. According to Mr. Woodcock, Dr. Jascavevich was to provide \$15,000 in cash and meet the remainder of the bail through a surety bond and pledges against real estate owned by him.

The surgeon, who emigrated to the United States from Argentina in 1955 and became an American citizen in 1961, was released from custody at 1:55 P.M.

Wearing a tan coat over a gray-blue suit, the slightly built, bespectacled doctor hurried silently out a courthouse door in the company of several men, and was immediately driven away in a waiting sedan. His scheduled operations at Jersey City Medical Center were canceled.

Last January Mr. Woodcock asked the New Jersey Board of Medical Examiners to consider whether Dr. Jascavevich's license to practice should be suspended pending the outcome of the case. Since then, the board has been conducting its own investigation of Dr. Jascavevich, but it has not decided yet on a course of action.

Board May Act

Anthony LaBue, a Deputy State Attorney General who is counsel to the board, said this afternoon that the board "will take whatever action may be appropriate" regarding Dr. Jascavevich.

He declined to say when such action, if taken at all, might occur. Normally, it was understood, an indictment alone does not constitute reason for suspension of a medical license.

Dr. Jascavevich performs most of his operations at Jersey City Medical Center and at Christ Hospital in Jersey City. Officials at the two hospitals said that the institutions had no plans to suspend or revoke Dr. Jascavevich's privileges.

Mr. Woodcock, who said at a news conference that the grand jury had heard 33 witnesses in 11 sessions in the last two months, said that he did not expect a case of "this magnitude and complexity to go to trial until late this year at the earliest."

The deaths at Riverdell—a small, osteopathic hospital at which Dr. Jascavevich was chief surgeon from 1963 to early 1967—were investigated in 1966 by Guy W. Calissi, then the Bergen County Prosecutor, but the investigation was dropped after two weeks, without presentation to a grand jury. The basis for Mr. Calissi's decision to close the matter is still in dispute.

Details regarding the deaths of the five patients named in the new indictment include the following:

CARL ROHRBECK

Of the 13 patients, Mr. Rohrbeck was the only one whose death occurred prior to 1966.

Mr. Rohrbeck entered Riverdell on Dec. 12, 1965, for an elective repair of a ventral hernia, and Dr. Jascavevich was scheduled to operate on him the following morning. A preoperative examination found no abnormality in Mr. Rohrbeck's heart or chest, according to the hospital chart. But either that evening or the next morning Dr. Jascavevich canceled the surgery, stating in a note that

he detected "minimal clinical signs of heart failure" that he wanted evaluated.

About 7:30 A.M. on Dec. 13 Dr. Jascavevich visited Mr. Rohrbeck. He then informed Mr. Rohrbeck's doctor, Jay Sklar, who was preparing for the operation in the hospital's dressing room, that the operation had been canceled.

Dr. Sklar, a director of the hospital, told Mr. Calissi in 1966 that he was mystified by the cancellation because Dr. Jascavevich had told him only that he had had a "premonition" and did not want to proceed with the operation as a result.

Dr. Sklar said he then went to see Mr. Rohrbeck who, he recalled, asked him, "What's holding up the show?"

"I listened to his heart, I listened to his lungs, and I took his blood pressure," Dr. Sklar told Mr. Calissi. "Everything was satisfactory to my way of thinking."

Dr. Sklar returned to the dressing room and said to Dr. Jascavevich:

"I just don't understand. This isn't the Dark Ages; you've got to give me a better reason."

At Dr. Sklar's request, Dr. Jascavevich went back to look at Mr. Rohrbeck at 7:45 A.M. and, at that time, started an intravenous feeding tube on the patient, the chart states. Again Dr. Jascavevich returned to Dr. Sklar and said he would not operate on Mr. Rohrbeck.

"He called for the next case," Dr. Sklar told Mr. Calissi. "I remember very vividly I was just going to say to him 'That's the last patient I'm ever going to send you' when the nurse came in and said 'Dr. Sklar, your Mr. Rohrbeck just died.'"

Dr. Sklar said he was "flabbergasted" by the sudden death and requested an autopsy by the County Medical Examiner.

On autopsy, Mr. Rohrbeck was found to have marked atherosclerosis in his left main coronary artery—a long-term condition—and his death was ascribed to "coronary occlusion."

Dr. Jascavevich, in his statement in 1966, said his decision to cancel the operation on Mr. Rohrbeck was "typical of how you can avoid an operating room death in the operating room." He denied saying he had had a "premonition" regarding the death. "That would carry this into the field of magic," he said.

NANCY SAVINO

The Savino child, who was first thought to have acute appendicitis, was admitted to Riverdell on March 19, 1966, and was operated on that evening by Dr. Harris, according to the hospital chart. The one-and-a-half-hour operation involved the removal of cysts affecting the small intestine and a small bowel resection. The child's course of recovery on March 20 was considered smooth and "uneventful."

From 11 o'clock that night until 7 A.M. on March 21, the child was attended by a private duty nurse. Although the child complained that her "belly didn't feel well" and she cried a little and said she was "homesick for mommy," she slept soundly most of the night, and her vital signs were "all within normal limits." At 7:40 A.M., the chart noted, she was sleeping.

At 8 A.M., a technician came into the child's room to draw blood and was unable to awaken the girl. Records show that an emergency call brought Dr. Jorge Ortega, an intern, and Dr. Jascavevich, who said he had been in the operating room. Dr. Ortega tried to revive the child with mouth-to-mouth resuscitation while Dr. Jascavevich checked her with a stethoscope. At 8:15 A.M., she was pronounced dead.

Dr. Jascavevich, in his 1966 statement to the Prosecutor, speculated that the Savino child might have died of an allergy to any medicine she was receiving, or of an "auto-allergy" to her own "materials and tissues," or of a heart attack that did not leave an imprint.

But an autopsy in 1966 on the girl, who had not been hospitalized previously, failed to establish any cause of death, and it was attributed to "unde-

termined physiological reaction."

MARGARET HENDERSON

Mrs. Henderson was admitted to Riverdell at 5:05 A.M. on April 22, 1966.

Mrs. Henderson had complained of severe abdominal pain, but when she was operated on by Dr. Harris and Dr. Robert Livingston at 6 A.M.—against the advice of Dr. Jascavevich, who, when called for consultation, wanted additional X-rays taken—the surgeons "found nothing," according to the hospital chart.

Mrs. Henderson's postoperative course throughout that day was apparently uneventful, but after a "fairly comfortable night" she was found to be "tense and apprehensive" at 6:30 A.M. on April 23. Around 7:30 A.M., she was given a bath.

Half an hour later, the chart shows, Mrs. Henderson complained of an inability to swallow and of pain in the legs and chest, and Dr. Jascavevich started an intravenous feeding of glucose and water. Whether this was set up before or after the patient's complaints is unclear. At 8:45 A.M., after Mrs. Henderson was found unconscious, she was pronounced dead.

An autopsy in 1966 ascribed Mrs. Henderson's death to acute hepatic necrosis—hepatitis. But the pathologist who had done the microscopic examination for the autopsy stated in

his separate report that he had found nothing in Mrs. Henderson's liver or other organs "which is clearly indicative of the cause of death."

FRANK BIGGS

Mr. Biggs underwent surgery at Riverdell in late August 1966 for a duodenal ulcer with obstruction. Mr. Biggs's recovery seemed uneventful until the night of Aug. 28. At 8 P.M., a nurse noted on the hospital chart that evening care had been given and that the patient who had been operated on by Dr. Briski, had no pains and "very good color."

At 9:10 P.M., Mr. Biggs was found cyanotic (blue) and was having difficulty breathing. Dr. Ortega, the intern, and Dr. Jascavevich responded to a nurse's call for help, according to the hospital chart. A respiratory stimulant was given, and Mr. Biggs's heart was massaged externally. But he was pronounced dead at 9:30 P.M.

An autopsy in 1966 revealed no anatomic cause of death. Although Mr. Biggs's heart was found to be entirely normal, it was noted that his death might have been caused by an excessively rapid heart beat caused by what was said to be a large amount of urine in his bladder.

EMMA M. ARZT

Mrs. Arzt was operated on by Dr. Harris on Sept. 22, 1966. In addition to removing her diseased gall bladder, Dr. Harris extracted a lipoma, or fatty

tumor, from Mrs. Arzt's head. The operation was described by Riverdell doctors in 1966 as "uneventful" and "uncomplicated."

According to the hospital chart, Mrs. Arzt had a fairly comfortable night on Sept. 22, and the next morning she was given a bath. As in all the 13 cases originally submitted by Riverdell officials to Mr. Calissi, an intravenous tube was being used.

About 8 A.M. on Sept. 23, the patient had a "red discharge" around the dressing from her operation, and the dressing was reinforced. Not long thereafter, Mrs. Arzt became "cyanotic" and ceased breathing," the chart states. Apparently responding to an emergency call, Dr. Jascavevich gave Mrs. Arzt artificial respiration and a heart massage.

Mrs. Arzt was then hooked up to a machine that would perform the breathing function for her, and she subsequently regained her ability to breathe for herself. Dr. Harris and another doctor treated her intermittently. At 2 P.M., however, she began perspiring profusely and stopped breathing. Ten minutes later she was pronounced dead.

A cardiogram, done on Mrs. Arzt after her first respiratory arrest, showed no problems with her heart. But her death was attributed in 1966 to acute circulatory failure due to a heart attack.