

Inmate turns to U-M for heart transplant OK to save her life

BY PAT MURPHY
STAFF WRITER

In her quest to become the first prison inmate in Michigan to get a new heart, Mindy R. Brass has a major problem, according to the surgical director for the team of doctors who evaluated her case.

Even though Brass, 38 and otherwise healthy, has significant, life-threatening heart disease, she was denied transplant at Henry Ford, because she previously used cocaine, according to Dr. Robert Samuel DeCosta Higgins. The physician is surgical director for thoracic transplant for the Henry Ford Health System.

"Drug addiction is an absolute contradiction to transplantation," said Higgins, a Birmingham resident who is considered

to be one of the top heart specialists in the country.

Other heart specialists do not necessarily agree. Brass' prior cocaine use should preclude her getting a new heart, something they say is likely needed to save her life.

Brass' case — including the fact she's currently serving a mandatory life sentence for cocaine trafficking — is being evaluated by the transplant team at the University of Michigan Medical Center.

Brass has had one visit at the center, and she is expected to undergo additional evaluation. The center's decision to accept or reject her for transplant is expected later this year.

But Brass, arrested in 1991 after two associates tried to sell a kilo of cocaine in Troy, doesn't have much time. She had a serious heart attack in April 1994, and her condition has worsened since then, according to medical records.

Although the California resident had never set foot in Michigan prior to her arrest, Brass, then 34, was sentenced under Michigan's 1978 drug-lifer law that mandates life in prison, with no chance of parole, for anyone convicted of trafficking in 650 grams or more of cocaine or heroine.



Mindy Brass
awaiting heart transplant

Brass operated a consulting and marketing business in San Diego prior to her arrest, according to her presentence report prepared for the Oakland County Circuit Court. Her salary was in the \$100,000 range and her assets included a house valued near \$350,000, according to the report.

She admits using marijuana and cocaine occasionally, usually with friends who included business associates, lawyers and physicians. But her cocaine use never interfered with her business or her responsibilities as a single parent, she said.

"I'm no dope addict," Brass said, although she admits planning with three other people to sell a kilo of cocaine — on a one-time basis — in her home state of California. But she denies any knowledge the cocaine was destined for Michigan.

"I did something wrong and I



Dr. Robert DeCosta Higgins
surgical director, Henry Ford

deserve some punishment," Brass said. "But I'm not guilty of trying to sell cocaine in Michigan, and I don't deserve to be in prison for the rest of my life."

Brass said she is convinced her status as a convict is a major factor in her denial for heart transplant. "Prisoners are considered sub-human," she said. "The prison system doesn't want to pay for a transplant."

Prison spokesman Matt Davis said the Department of Corrections is mandated by law to provide medical treatment — including an organ transplant, if necessary. "We would approve a heart transplant for Mindy Brass, if it's deemed medically necessary and she's put on the list (national organ transplant list) by a transplant team."

"We wouldn't do any evaluation," he said, "we leave that to the transplant teams. But if they

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Legislator takes a dim view of inmate heart transplants

State Rep. Dave Jaye, R-Washington Twp., said the idea of providing organ transplants for prison inmates is a "slap in the face" to law-abiding citizens who don't have health insurance.

Jaye, a member of the House Corrections Committee that oversees legislation pertaining to the Michigan Department of Corrections, said concerns about Mindy Brass and other inmates is "inappropriate and misdirected."

"Drug dealers cause a lot of pain," said Jaye. "Have you ever had a loved one hooked on drugs? It's not pretty."

Jaye is critical of prison officials who believe there is a legal requirement to provide expensive and often exotic health services to inmates — services most taxpayers can't afford. "They should have the guts to stand up

to unreasonable court rulings," he said.

Millions of tax dollars are wasted every year on things like frivolous lawsuits demanding exotic medical care among other things. "They want the state to pay for things like breast implants and sex changes," he said.

Inmates also routinely get free education and recreational activities such as ping pong tournaments.

Jaye has been a highly vocal advocate for conservative causes, including the death penalty.

He is also considered a leading candidate to replace another conservative, State Sen. Doug Carl, R-Sterling Heights, who died over the weekend.

Carl, 46, died Sunday of a heart attack. He was to be buried today in Sterling Heights.

OCC hosts benefit breakfast

The Pontiac Center of Oakland Community College will sponsor its 10th Annual Pontiac Pancake Breakfast from 7 a.m. to noon Saturday, Sept. 13, at the Betty Stogdill Pancake Shelter. The outdoor shelter is located on Water Street (just west of Wide Track Drive) in downtown Pontiac.

Money raised at breakfasts is used to underwrite the OCC Pontiac Center and Community Scholarship. Since 1990, 14 scholarships have been awarded.

The Pancake Breakfast is open to the public at a cost of only \$2. For information, call Gordon May at (248) 340-8786.

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The "Justice for Mindy" committee is largely a group of Oakland County residents who support Mindy R. Brass, 38, currently serving life in prison, with no chance of parole, under Michigan's drug-lifer law.

Members of the committee are supporting her for heart transplant, backing legal efforts to win her release from the State Correctional Facility in Plymouth and making it possible for Brass' 13-year-old daughter to move to Michigan so she can visit her mother more frequently.

At some point, if all else fails, the committee is ready to ask Gov. John Engler to grant her clemency, according to Rick Rosenhaus, a West Bloomfield resident — something no governor has done since Michigan's drug-lifer law was enacted in 1978.

"Mindy Brass was convicted of a crime and deserves to be punished," said Rabbi David Nelson of Congregation Beth Shalom in Oak Park and a member of the committee. "We don't minimize her crime or the need for punishment. But she doesn't deserve to die in prison."

That controversial law mandates a sentence of life in prison, with no parole, for anyone convicted of trafficking in 650 or more grams of cocaine.

The committee is also preparing for Brass' death.

While they're hoping Brass gets a much needed heart transplant, the committee is also working to assure she is buried in compliance with Jewish tradition, said Rabbi Bunny Freedman, director of Jewish Hospice Services in Southfield, part of Hospice of Michigan.

Physicians admit Brass' heart problems are life-threatening, and committee members fear she doesn't have much time.

Vicki and Sam Gross of Beverly Hills are members of the committee with a specific goal. They're trying to become foster parents to Erika Brass, Mindy's 13-year-old daughter who has been a ward of California since her mother's arrest.

Erika has visited the Gross family on several occasions and this week accompanied them on a brief vacation trip.



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