

## US judges rule in favour of abortion “hit list”

Fred Charatan *Florida*

Antiabortionists in the United States have won the right to run a website publicising the names and addresses of doctors who provide abortions to pregnant women.

A three judge panel of a federal appeals court in San Francisco ruled that a website called “The Nuremberg Files” which depicted severed limbs dripping blood and listed the names and addresses of abortion providers, crossing their names off after they were killed, was constitutionally protected. It threw out a \$109m (£78m) damages award against militant abortion opponents (*BMJ* 1999;318:214, 415).

The panel held that the rhetoric was protected by First Amendment guarantees of the right of free speech that does not “authorise, ratify, or directly threaten violence.” The same ruling applied to old-style “Wanted” posters that branded a “Deadly Dozen” abortion doctors as “baby butchers.”

The ruling came two years after a jury in Portland, Oregon, ordered a dozen abortion opponents to pay damages to the Planned Parenthood Federation



FBI agent Hardrick Crawford Jr (left) announces the arrest of James Kopp in Dinan, France

of America and four doctors who had sued under federal racketeering laws, and after another law that makes it illegal to incite violence against doctors who perform abortions.

“If defendants threatened to commit violent acts, by working alone or with others” then their works could properly support the earlier verdict, Judge Alex Kozinski wrote for the appeals court. But if their works “merely encouraged unrelated terrorists,” he said, “then their words are protected by the First Amendment.”

Seven doctors who carried out terminations have been murdered in the United States,

including Dr Barnett Slepian, who was shot dead at his home near Buffalo, New York, in 1998. James Kopp, the man wanted for his murder, was arrested in France last week after two and a half years on the run.

Gloria Feldt, the president of Planned Parenthood Federation of America, said: “We are outraged by the decision today. Our lawyers are reviewing the decision so we can consider our options.

“Reasonable people understand the difference between free speech and harassment that creates a violent social climate. This website represents the latter.

Regardless of the next steps, Planned Parenthood remains committed to doing everything we can within the law to protect our patients, doctors, staff, and facilities—and bringing to justice terrorists who threaten them.”

Maria Vullo, the lead lawyer for Planned Parenthood in the 1999 trial, said: “We are obviously disappointed with the 9th Circuit Court’s panel decision and firmly believe it is wrong. We plan to appeal to the full 9th Circuit Court and to the United States Supreme Court if necessary and to continue in our efforts to protect our clients from intimidation and violence.” □

## New stroke drug in trials

Abi Berger *BMJ*

A new drug that limits brain damage after a stroke has entered large scale (phase III) clinical trials which, if successful, could lead to its being licensed. The drug, made by Bristol-Myers Squibb in the United States, has been designed to prevent the cell death that tends to follow an ischaemic episode (*Nature Medicine* 2001;7:471-7).

Soon after an ischaemic stroke occurs, the core area of the brain immediately around the occluded blood vessel loses most of its oxygen supply and dies. Cell death is mediated by rising calcium levels inside the cells.

The area of tissue that surrounds the core (the penumbra) is also at risk and, without intervention, is also likely to be permanently damaged. This happens partly because of the connections between neurons in the core and in the penumbra and partly because of the reduction in oxygen.

Although the exact time scale for prevention of neurotoxicity has yet to be determined, the compromised penumbral cells have at least several hours before they die, making successful intervention a practical proposition.

Dr Valentin Gribkoff and

his team at the Bristol-Myers Squibb Pharmaceutical Research Institute in Wallingford, Connecticut, had been looking at ways to limit the levels of intracellular calcium that occur after an ischaemic event.

Ischaemia triggers an uncontrolled release of excitatory amino acids, such as glutamate. This causes cell depolarisation, which allows the calcium channels in the cell membrane to open, allowing calcium to flood inside. Cells that are already compromised by low energy production (owing to lack of oxygen) cannot expel the calcium, and a whole cascade of biochemical events is triggered, resulting in cell death.

The scientists first tried to tweak the adenosine system that had already naturally evolved

for neuroprotection, but this resulted in hypotension. They went on to target potassium channels (known as maxi-K channels) that are activated by intracellular calcium. Their aim was to identify molecules that would keep these channels open only when calcium levels inside the cell rise. Opening such channels releases potassium, which in turn prevents more calcium from entering. At the same time it allows cells to expel calcium at a reasonable level.

Dr Gribkoff’s team has now created such a molecule (BMS-204352). This enters the brain at high levels, modulates maxi-K channels on the detection of rising levels of intracellular calcium, and seems to be safe and free of serious side effects in animals and humans. □