

Speculative Realms

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The Girl Who Saved Her Own Life, Part II: Did Temple University Cover-up Misconduct?

Goblin Guru Gasbags and Busy University Bureaucrats Establish Human Subjects Research Law as American Joke

By Gary Haden

Preamble to a Cover-Up

Believe me, no one wants to wake with bad headlines.

—Richard C. Thom, Director, Office of Human Subjects Protections, Temple University

If Temple's IRBs [institution reviewboards] were to fail to properly monitor research on human subjects, the University could lose federal funding and suffer permanent damage to its reputation.

—Hillel Hoffman, Temple Times Online

Temple University's Office for Human Subjects Protections contacted Emma Woods in late October 2008 addressing her claims that alien-abduction researcher David Jacobs may have violated her confidentiality rights and may have been guilty of misconduct toward her. They instructed Miss Woods that David Jacobs would honor her withdrawal of permission to publish his results. They did not address the misconduct charges Woods brought against Jacobs.

Such an action could not have been taken had the Temple Office for Human Subjects Protections felt it had *NO AUTHORITY OVER DAVID JACOBS'S RESEARCH*.

Subsequently, Miss Woods registered a complaint with the federal Office of Human Research Protections (OHRP) over Temple University's actions. Upon investigation, Temple University informed the OHRP that David Jacobs was not conducting research and that he was just recording "oral history." After Woods complained to Temple about that result, Temple informed her that they had asked Jacobs to remove all references to Temple and to research in his FUTURE work with abductees.

The actions taken by the University in October 2008 directly contradict its later contentions to the OHRP that Jacobs was not conducting research. If David Jacobs was not conducting research, and Temple University had no authority over him, why did they instruct him to honor her withdrawal of permission to publish her results?

If this account is true, the statements made to the OHRP by Temple University in the matter are *FALSE*.

If what follows is true, the purported basis for the existence of the Temple Office for Human Subjects Protections is also false and it appears that office is in truth a public relations firm designed to protect investments in research at Temple University and is in no way an ethics board exposing and/or correcting researcher misconduct.

Temple University's Office of Human Subjects Protection

"On any given day, hundreds of volunteers participate as human subjects in scientific research projects at Temple," reported Temple University's Temple Times Online on November 18, 2004, "from clinical trials that could lead to new drugs, to behavioral studies that could provide a better understanding of the human psyche."

"A new office at Temple looks after the welfare of every one of those volunteers: the Office of Human Subjects Protection[(OHSP)]," reported [Temple Times Online writer Hillel J. Hoffmann](#).

"The OHSP and its first director, Richard C. Thom, made their debut this August

[2004]," Hoffman continued. "The office ... coordinates Temple's Institutional Review Boards[(IRBs)], the bodies watching over all research at Temple involving human subjects."

"Throm and the IRBs have the authority to modify or reject any research protocols involving human subjects submitted by Temple faculty, staff or students," Hoffman reported. "Their responsibility is enormous. If Temple's IRBs were to fail to properly monitor research on human subjects, the University could lose federal funding and suffer permanent damage to its reputation."

Richard C. Throm was the man Temple University charged with inquiring into the Emma Woods Case.

I'll remind the reader that Emma Woods is a foreign national seeking redress for wrongs she feels were committed upon her person in a country whose human rights record with regard to foreign nationals for the last decade has been deplorable AND she has been doing it on her own without legal representation. Also take note that Miss Woods is seeking redress through an oversight body at an American institution dedicated to the protection of the human rights of research subjects.

"Acknowledgement of the need," Hoffman wrote, "to respect and preserve the rights and well-being of human subjects emerged from some of the darkest — and frighteningly recent — chapters in the history of science: Nazi sterilization programs in the 1930s and '40s and experimentation on prisoners during World War II, the experimental injection of retarded children with hepatitis in New York state in the 1960s, and the infamous Tuskegee Syphilis Experiment of 1932–1972, in which black men with syphilis were denied treatment to study the natural course of the disease."

"The disclosure of these horrors inspired a series of international and federal codes," Hoffman continued. "In this country, the Belmont Report (1979) and the Code of Federal Regulations (a.k.a. "The Common Rule," 1991) are the rule books for scientific research on human subjects. The Belmont Code spells out the ethical principles that all researchers must follow: 'respect for persons' (including those with diminished autonomy), 'beneficence' (maximizing benefits and minimizing harm) and 'justice' (fairness in the selection of human subjects). The Code of Federal Regulations, which is updated constantly, outlines in detail the proper conduct of research on human subjects — including the rules of informed consent — and mandates the creation of review boards at institutions conducting research on humans."

The foundation of the attempt to hold researchers accountable is the notion that research subjects are autonomous human beings. They have a right to be listened to. Their religious or spiritual or philosophical beliefs do not invalidate their rights to be treated humanely and with respect.

In the Emma Woods case, it appears her beliefs regarding the paranormal world, which could be determined to be religious in character, establish her as fair game in abusive tactics, at least as a result of Temple University's contemplation of her case. Even though the basis of human research subject protection is founded historically on the abuse of people with religious or cultural views those in authority deemed freakish, belief, for instance, in UFOs or alien life evidently qualifies as an exclusion in human rights law. In other words, it is *OPEN SEASON*, at least with regard to Human Subjects Protection and as far as Temple University is concerned, on people *AUTHORITY FIGURES* deem to be adherents of freakish beliefs, such as the belief that aliens are abducting human beings.

I'll remind the reader that the belief system of the victims of Nazi horrors was deemed freakish by Nazi experimenters, no doubt aiding them in their determination that experimenting on them was no different than experimenting on rats.

The new rat population, excluded from human rights law because not human, and if Richard C. Throm's handling of the Emma Woods Case is any indication, appears to consist in part of members of the "UFO community" or believers in alien life.

"Keeping tabs on Temple's volunteers gets more complicated every day — not because of any fundamental change in the way research on human subjects is conducted," Hoffman wrote, "but because the volume of research just keeps growing. In July 2003, the latest month for which figures are available, there were nearly 1,000 active research projects (about half clinical trials and half social or behavior studies) involving human subjects at Temple."

"And the numbers increase annually," Hoffman reports Throm as saying.

On the job three months and Richard C. Throm was already complaining. His evaluation of his workload no doubt factored heavily in his assessment of the Emma Woods Case.

"We are viewed as a roadblock by some investigators — they think we put volunteers' interests ahead of theirs," Throm told Hoffman. "And it's true, our No. 1 mission is protecting our human subjects. But we also want to protect the faculty, staff and students of the University by making sure the quality of their work is high and that it complies with the law. Believe me, no one wants to wake with bad headlines."

In the fall of 2008, Richard C. Throm seems to have ethically caved in to the pressure to keep federal funds flowing into Temple University coffers. In order to avoid bad headlines, he seems to have spearheaded burial of the Emma Woods Case. In an effort to reduce his workload, Throm seems to have swept evidence of misconduct by a Temple Researcher under the carpet.

Emma Woods's Complaint to Temple University

In September 2008, Emma Woods filed a complaint (see footnote (1) below) with Richard Throm regarding David Jacobs's alleged researcher misconduct towards her. The date and addressee are extracted below.

From: "[my name]" <[my email address]>
Subject: Dr David M Jacobs
Date: Fri, September 19, 2008 [time]
To: [REDACTED]

Mr. Richard C. Throm
Program Manager & Coordinator
Temple University Institutional Review Board

In that document, (2), Miss Woods made allegations of psychological abuse.

• Dr. Jacobs' behavior towards me became increasingly bizarre and psychologically abusive. One example is his insisting for a period that we communicate pretending that I had multiple personality disorder so that hostile "aliens" would not know that he was researching my experiences. He eventually claimed to be "on the run" from alien-human "hybrids" associated with his webmaster who considered his work to be a "serious threat" to "them." There are many other examples of this sort of behavior. (See the end of this letter for links to my website where I provide detailed information about this.) Dr. Jacobs also received instant messaging communications from his webmaster's computer which she apparently told him were written by "hybrids". When I questioned this, Dr. Jacobs began to imply that I had mental health problems.

Richard C. Throm is presumed to have read the above paragraph. If he had conducted a thorough review of the case, he'd have discovered that David Jacobs was not on the run from aliens, was comfortably appointed, and was happily ensconced as history professor, Temple University.

Later, after Miss Woods had made her complaint, she discovered, after listening to the audio recordings of her hypnosis sessions with David Jacobs, that Jacobs had implanted a post-hypnotic suggestion in her mind that she had multiple personality disorder and should take medication for it. That act had potentially devastating consequences for her mental health and would have been uncovered in a thorough investigation.

Had Temple University thoroughly investigated her claims, the University would inevitably have uncovered evidence that Emma Woods had been psychologically abused.

But they did *NOT* conduct a thorough investigation. Temple University, in fact, in an apparent attempt to reduce caseload, conducted half an investigation.

On October 8, 2008, after Emma Woods contacted the University pursuant to the instruction articulated in paragraph 5 of the Consent Form below, she received a letter from Larry F. Lemanski, then Senior Vice President for Research and Strategic Initiatives. He stated as follows:

I am sending this letter to notify you pursuant to Temple University policies and procedures I have appointed Mr. Throm as Acting Research Integrity Officer to make an initial confidential inquiry into this matter. I will be in further contact with you upon completion of the inquiry.

Image extract from the *Letter to Emma Woods from Larry F. Lemanski*, October 8, 2008.

Mr. Throm is Richard C. Throm, Director, Office for Human Subject Protections, and Institutional Review Board Coordinator.

His appointment and his inquiry into the matter established Miss Woods as a

research subject and Mr. Jacobs as a researcher.

If it did not establish Miss Woods as a research subject and Mr. Jacobs as a researcher, *no inquiry would have been made. An inquiry by Temple University into David Jacobs's conduct WAS MADE.*

It was pathetic. It was lazy. But it was made.

To restate: Temple University's Office of Human Subjects Protections *DID TAKE ACTION* in response to Emma Woods's complaint of September 19, 2008.

A Self-Supervised Guru Laughs at the Oversight Pretensions of the Federal Government

"In October 2009," David Jacobs laughs in his Defamation Campaign post on his website, as of November 2010, "she [Emma Woods] went so far as to send the dossier and a complaint to the United States Department of Health and Human Services (HHS)!"

David Jacobs doesn't simply believe his detractors are stupid. He believes his believers are stupid.

The University, at least initially, seemed to take Miss Woods's complaint seriously.

David Jacobs did not take it seriously. In fact, Mr. Jacobs demonstrably considers human research subject law to be funny and its applicability to or oversight of him *he considers laughable.*

Yet, as of October 8, 2008, Temple University considered Miss Woods a research subject and Mr. Jacobs a researcher. Apparently, the University's considerations are also *laughable* by implication. *Ah ha ha ha ha ha!*

In point of fact, every time Jacobs publicly discusses Emma Woods's attempts to hold him accountable pursuant to human research subjects law, he snickers. It is instructive to review what he found so funny.

One of the consent forms *DAVID JACOBS* had Emma Woods sign was what prompted her to seek redress under Human Subjects Research Law.(3) Paragraph 5 of that document, to which David Jacobs is a signatory, references the Office of the Vice Provost for Research of Temple University.(4)

Doing a Google search of the "Office of the Vice Provost for Research of Temple University", an investigator is eventually directed to the Temple University Research Administration Webpage.(5) On it, if you use zoom to view, you will discover that under the heading "guidelines and regulations" the Temple University Institutional Review Board lists the Department of Health and Human Services and links to the DHHS Regulations for the Protection of Human Subjects, 45 CFR 46.

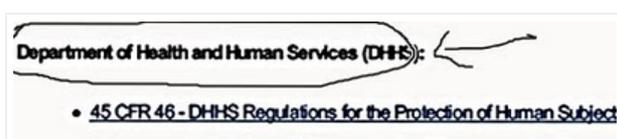
Here's a zoom of that citation:



She went so far as to send the dossier and a complaint to the United States Department of Health and Human Services (HHS)!

Ah ha ha ha ha ha!

If you still find that funny, here's a zoom with the specific reference to the DHHS Regulations, cited on Temple's Research Administration page. The citing authority is Temple University. Therefore, we should join Jacobs in laughing at the University. And we should also laugh with him at their paltry attempts at oversight.



The link above produces a page stating that the DHHS had been making changes to its website. The DHHS is constantly updating the website. But, if you post the link through the Wayback Machine, an internet utility available to anyone who wishes to research the history of a URL, you get a history of the link.(6)

Here's a zoom of the procedure:



Here's what happens when you link to one of the archived URLs:



You'll note, if you zoom to view, that the link was to 45 CFR 46. You'll note the Title's name is "Public Welfare: Department of Health and Human Services."

She went so far as to send the dossier and a complaint to the United States Department of Health and Human Services (HHS)!

Ah ha ha ha ha ha!

You'll note that the name of the part is "Protection of Human Subjects."

That's the law the Institutional Review Board of Temple University's Research Administration cites as applicable law governing their actions.

Pretty hysterical. Ah ha ha ha ha ha!

Miss Woods laid a claim on September 19, 2008 at the feet of the Temple University Institutional Review Board. A senior Vice President for research and strategic initiatives commenced an inquiry and appointed an investigator on October 8, 2008. That individual was the Director of Temple's Office for Human Subject Protections, Richard C. Thom. The law overseeing human subject protections is, as stated by the Institutional Review Board itself, 45 CFR 46. The law is entitled "Protection of Human Subjects." By deciding to make inquiry into the Emma Woods Case, Temple University invoked the authority of the Office of Human Research Protections for any potential review of its decisions.

David Jacobs finds that funny.

After a paltry 20-day review, which investigated and made decisions on exactly one-half of the complaint, the less serious half, and which could not possibly have been sufficient to review 190 hours of audio recordings and hundreds of pages of transcription, on October 28th, 2008 the Office of Human Subjects Protections, Institutional Review Board, Temple University, rendered a decision on Emma Woods's complaint against David Jacobs.

The decision placed constraints on David Jacobs's handling of Miss Woods's material.

David Jacobs found that action funny.

The decision to review the case on October 8th, 2008 and the decision ultimately

rendered on October 28th, 2008 established Temple's authority over David Jacobs's research, pursuant to paragraph 5 of the Consent Form above.

That's the funniest thing David Jacobs ever heard!

Here's Jacobs's take on all the comedy:

"Because the complaint was formally filed," smiles Jacobs, "Temple University was forced to investigate. I was called in and answered the questions. Temple found no improprieties and sent Alice [Jacobs's bigoted name for Emma Woods] a letter saying so. Her response was to conclude that Temple was engaged in a "cover up."(7)

If mental health consumers have rights, and they most assuredly do, and the Temple Office of Human Subjects Protections is supposed to uphold them, and the law of Human Subject Protections cites that population as protected, Emma Woods is the Rosa Parks of mental health consumers.

Calling Emma Woods "Alice", as David Jacobs does, is as bigoted as calling Rosa Parks Aunt Jemima.

David Jacobs does not hold mental health consumers in high esteem. He has a demonstrable, bigoted history of maligning noncompliant former research subjects as mentally ill.

"It's not even the *crazies* that pop up every now and then in our home life," Evan Jacobs wrote online of his father. "Not exactly. In the late '80s, a woman who claimed to be an abductee turned out to be an undiagnosed schizophrenic making up stories to get attention. She called our house over and over again until he finally cut ties with her."

"These aren't lone incidents. They come with the territory of his work. His having *lunatics as peers* has nurtured a tendency in Dad and me to get extremely defensive about our sanity."

David Jacobs has been through this process more than once. Had Richard C. Throm conducted a—and I'm smiling here—"thorough review" of the case, Jacobs's serial bigotry would have been uncovered.

Temple had to investigate because paragraph 5 of the Consent Form Jacobs had Woods sign recited that Temple had oversight authority. Temple evidently agreed and conducted an inquiry into Jacobs's conduct. The statement that Miss Woods got no satisfaction from Temple University was half-correct but mostly wrong.

"Getting no satisfaction from Temple University," Jacobs announces, "[Bigoted epithet] apparently decided to escalate her vengeful defamation campaign further. She put together a package of materials that is staggering in its quantity."(8)

While Emma Woods's leak of her data might be deemed to be considerable, Jacobs's first statement is false. Jacobs knows this. Regarding the volume of that data, Jacobs himself participated in its creation. He was partner to the production of over 190 hours of recorded audio. On a 24-hour a day basis that's eight days worth of material.

I'll admit: The prospect of listening to David Jacobs indoctrinating his victim about alien abduction *FOR EIGHT DAYS* is enough to make anyone sick. It no doubt sickened Emma Woods and it would sicken investigators listening to it.

That's the point. One hundred and ninety hours, *EIGHT DAYS*, of hypnotic indoctrination designed to convince the subject that she was being physically and sexually tortured by aliens was *prima facie* evidence of psychological abuse—necessitating a—smile here—*thorough review*.

In actuality, as well be seen below, the University did not investigate the misconduct charge. They neglected to do so undoubtedly on bureaucratic workload grounds. No bureaucrat at a major University is going to do a one-man investigation into the Emma Woods Case. The work is beneath them. Their job is to keep the University in the black.

Temple did not and could not contend their refusal to render a decision on the misconduct allegations was based on substantive review.

Temple University did not conduct a substantive review of Emma Woods's evidence. Temple found no improprieties because *they did not investigate the improprieties complained of*. If they had, they would have brought negative notoriety upon the University. They weren't going to do that on ethical grounds.

It's okay to laugh here.

That said, Temple *did take action* against David Jacobs.

Temple University's Office for Human Subjects Protections contacted Miss Woods in late October 2008 addressing her claims that David Jacobs may have violated her confidentiality rights and may have been guilty of misconduct toward her. They instructed Miss Woods that David Jacobs *would honor* her withdrawal of permission to publish his results. Though the first paragraph of their decision mentions misconduct, they did not specifically address those allegations.

Why?

"In July 2003," Hillel Hoffman wrote, "the latest month for which figures are available, there were nearly 1,000 active research projects (about half clinical trials and half social or behavior studies) involving human subjects at Temple."

The bureaucrat in question obviously thought an "alien abductee" didn't rate as exempt from abuse, the same way a chosen people of a different stripe didn't rate exemption when testing the efficacy of gas chambers.

Here is the October 28th, 2008 decision by Temple University's Office for Human Subjects Protections establishing Miss Woods's status as a research subject and David Jacobs's status as a researcher. Permission to publish the document was obtained from Miss Woods and third-party identifying material was blacked out:



TEMPLE UNIVERSITY
A Commonwealth University

Office for Human Subjects Protections
Institutional Review Board

3400 North Broad Street (509-00)
Philadelphia, Pennsylvania, 19140
(215)707-6757 Fax: (215)707-6387
e-mail: richard.throm@temple.edu

CONFIDENTIAL
Delivered Via Private E-Mail

To: [name]
From: Richard C. Throm
Director, Office for Human Subject Protections
Institutional Review Board Coordinator
Acting Research Integrity Officer
Date: October 28, 2008
Distribution: Larry F. Lemanski, PhD
Senior Vice President for Research and Strategic Initiatives
Stephana Colbert, Esq.
Associate University Counsel
Verbal Report: David M. Jacobs, PhD
File
RE: Subject complaint regarding David M. Jacobs, PhD

After a thorough review and inquiry into the matter of breach of confidentiality and misconduct as stated in your emails and conversations, the following finding is provided as the final outcome regarding the complaint:

The inquiry involving the investigator and [redacted] as outlined in your complaint concluded that no breach of confidentiality regarding you/your family identity (other than the self-disclosed information revealed to one of the individuals named in the complaint - webmaster) to any other person or agency or group was made by the investigator. Further, there is no forthcoming book, manuscript or publishing deal at this time. Any further actions by the investigator will not reveal you/your family identity in any way or form. Your withdrawal of permission for the use of any and all information gathered or in the possession of Dr. Jacobs has been reviewed and will be honored to the best of the ability under the control of Dr. Jacobs. Further, Dr. Jacobs will take necessary actions to the best of his ability to inform his webmaster to maintain any information they may have come to learn in a confidential manner. This inquiry is now complete and no further action is required or planned in this matter.

1

Note that the decision covered the breach of confidentiality question but did not address the misconduct question at all. Note as well that the overworked bureaucrat in question, possessed of a massive caseload, reduced his procedure to taking a *verbal report* from David Jacobs.

That verbal report constituted, to the overworked bureaucrat, a *thorough review*. If the overworked bureaucrat in question was seriously interested in protecting a human subject why did he not even bother to review her evidence? The *thorough review* apparently consisted of listening to a Temple employee babbling on about psychos.

How does that protect the person the Temple employee violated?

If that report consisted mainly of David Jacobs's recitations of Emma Woods's mental illness, the investigator, as well as David Jacobs, *violated* Emma Woods's

rights as a human research subject.

If it were found that Richard C. Throm based his decision, as Acting Research Integrity Officer, in the Emma Woods Case on Jacobs's presentation of the case as that of a vindictive, mentally ill person, which would have been, it is here contended, an act of bigotry, without further investigation, Richard C. Throm, Director, Office for Human Subject Protections, should himself be investigated for possible violation of the rights of a research subject.

Despite the fact that Temple's review was half-finished, such an action could not have been taken had the Temple Office for Human Subjects Protections felt it had *NO AUTHORITY OVER DAVID JACOBS'S RESEARCH*. If the Office of Human Subjects Protections cites the authority of the DHHS and addresses David Jacobs's research and constrains him from publishing the results of his research with Emma Woods, how does that constitute "getting no satisfaction" from Temple University or a joke about Emma Woods pursuing a claim with the Office of Human Research Protections at the U.S. Department of Health and Human Services?

Since Temple did not investigate the misconduct alleged, Miss Woods was entitled to apply to the Federal OHRP for relief.

Well, David Jacobs thought that was funny. Below, he rolls in the floor:

information that would put me in a bad light. In October 2009 she went so far as to send the dossier and a complaint to the United States Department of Health and Human Services (HHS)! In this complaint she added a new accusation—that I led her to false memories. Because it was a formal complaint, the HHS was required to begin an investigation at Temple University. Ultimately, the HHS found that the situation was not within its jurisdiction and took no further action.

The Defamation Campaign, PDF taken 11-4-2010.

"Ultimately," Jacobs laughs, "the HHS found that the situation was not within its jurisdiction and took no further action."

No such finding by the HHS was ever posted. Its jurisdiction was established by Jacobs's recitation of paragraph 5 in the Consent Form he had Miss Woods sign and by the review of the case by Temple University's Office of Human Subjects Protections.

The Federal OHRP was the right place to appeal Temple's ruling, even though David Jacobs finds that idea hilarious. That notion tickles Jacobs because he finds the idea to be quite laughable that anyone would ever be in a supervisory position *OVER* him in researching alien abduction or in holding him accountable for his actions.

Temple University Denies its Actions

"I wrote to Temple University on September 19, 2008, and laid a complaint about the conduct of Dr. David M. Jacobs towards me as his research subject," Emma Woods wrote to Larry Lemanski on June 11, 2009, "On October 31, 2008, Mr. Richard C. Throm, whom you appointed to conduct an initial inquiry into the matter, informed me that you had undertaken a 'thorough investigation' of my complaint, and that you had decided that no further action was required. I wrote to you on November 9, 2008, to express my serious concern about this, as I was not consulted at any time during the 'investigation', and neither was I asked to provide any of the large number of documents and taped conversations that I had with Dr. Jacobs that substantiated my complaint. I asked you for information about avenues I could pursue if I did not accept your decision, as the Temple University research consent form I signed when I became Dr. Jacobs' research subject said that you would provide me with information about my rights should I ask for it. You did not respond to my email."

In an email dated June 16, 2009, Richard C. Throm informed Miss Woods that Larry Lemanski was no longer with Temple University.

In August 2009, Emma Woods filed a complaint with the U. S. Department of Health & Human Services Office for Human Research Protections (OHRP), the institution Jacobs mocks, about Temple University's failure to investigate her complaint about David Jacobs's misconduct.

The OHRP has oversight authority by law Temple University itself cites. If their oversight is a joke, then Temple University, by citing that authority, is also a joke.

Emma Woods was told by the OHRP that Temple stated that Dr. Jacobs was not conducting "research", that he was just taking "oral history," and that the OHRP did not have the mandate to investigate it through the University.

In other words, the body deciding jurisdiction was *Temple University* and *NOT* the OHRP/DHHS.

The OHRP told Woods that they had accepted Temple's view that David Jacobs's work was not "research," and that therefore they could not investigate it. That determination is faulty because if Temple did not view David Jacobs's work as research, why did it bother to review Emma Woods's complaint in the first place?

Woods has contended in emails to this author that "although the OHRP determined that they could not investigate Dr. Jacobs's work through Temple University, they were nevertheless concerned about it. They told me that they would ask Temple University to investigate it voluntarily."

Woods contacted Temple to follow up.

Temple told her that Dr. Jacobs was not conducting "research," he was just taking "oral history", and that they could not investigate her complaint. Emma Woods pointed out that David Jacobs asked her to sign a form citing Temple University which stated that she was a "research subject", and that, based on paragraph 5 of that document, cited above, she could obtain information about her rights from the Office of the Vice Provost of Research at Temple University.

Temple's response was that the forms that David Jacobs had Emma Woods sign were "unauthorized" by Temple University, and that they were not legally binding.

In other words, Temple University was covering up David Jacobs's misconduct.

If the forms were unauthorized by Temple University, there was no need for the Office of Human Subjects Protections at Temple University *to review the case in the first place*. Temple's finding that the forms were not legally binding was *inconsistent* with its prior behavior.

Temple University *LEGALLY BOUND ITSELF TO THE CONSENT FORMS BY ITS INQUIRY INTO JACOBS'S BEHAVIOR!*

Woods was informed that Temple had told David Jacobs that in the future he was to remove all references to "Temple University" and to "research" in his work with abductees.

To reassert, Temple informed her that they had asked Jacobs to remove all references to Temple and to research in his *FUTURE* work with abductees.

In an email attributed to Throm, dated January 12, 2010, Emma Woods was told "[y]ou recently contacted the Temple University Institutional Review Board with a request to have the agreements you signed along with another individual regarding your participation in a protocol project to be rendered null and void."

The statement indicates that (1) the Temple University Institutional Review Board, by deeming the agreements signed by Woods to be a protocol project, saw Emma Woods as a Temple University Human Research Subject, that (2), therefore, Human Research Subject Law applied to Temple University, and that (3) whoever the individual was who sent this email was attempting to deny Temple University's liability in a project over which they had authority, as gathered from the above email and the actions the University took on October 8, 2008 and October 28, 2008.

More importantly, however, the email was an attempt to seduce Emma Woods into abdicating her human rights.

Temple University cannot confer upon or void out Emma Woods's human rights, Bozo the Clown's human rights, or the human rights of anyone on the planet, however sick, however stupid, however insane, however marginalized.

Temple University does not have the authority to decide what population *QUALIFIES FOR MISTREATMENT* and what population is *PROTECTED FROM* mistreatment.

Temple University *CANNOT ASK ANYONE*, even people they deem devoid of import such as people who believe in extraterrestrial life, to forfeit their human rights. Nor can any one member of its bureaucracy. The email above constitutes a violation of Emma Woods's rights as a human research subject.

No one on the planet can revoke human rights—their own or anyone else's.

The issue with regard to the consent forms David Jacobs had Emma Woods sign comes down to this: Did David Jacobs have consent to do what he did to Emma Woods? Nothing in the consent forms sufficiently educated Miss Woods on what she was about to encounter. Nothing in the consent forms exonerates or excuses

David Jacobs's behavior. Whether the forms are void in part or void in their entirety does not void Emma Woods's rights in the case.

To put it bluntly, the documents *DO NOT* have the power to determine whether Emma Woods has human rights. Paragraph 5 in the "Temple University Consent Form" is not a consent provision. It refers to Emma Woods's rights. It does not *CONFER* upon her those rights nor can it *TAKE AWAY* from her those rights based on the invalidity of *ANY OTHER PROVISION IN THE DOCUMENTS!* Where human rights are concerned, the consent forms in the Emma Woods Case simply *DO NOT HAVE THE POWER TO GRANT OR REVOKE HUMAN RIGHTS.*

Emma Woods *CANNOT REVOKE HER HUMAN RIGHTS!* To stipulate that *SHE CAN* opens up a cornucopia of opportunity for abuse. To stipulate that *SHE DID REVOKE HER HUMAN RIGHTS* is a backdoor admission she did not have the *CAPACITY* or *COMPETENCE* to consent to her treatment because *NO ONE IN THEIR RIGHT MINDS WOULD REVOKE THEIR HUMAN RIGHTS.*

Therefore, human subject research law, which is HUMAN RIGHTS LAW, applies to the behavior of Temple University and David Jacobs WHETHER OR NOT those two entities officially recognize human rights law in the first place.

It is not their place to decide who is human and who is not.

I'll remind the reader that David Jacobs's narrative implies that *HE CAN TELL* who is human and who isn't. *HE KNOWS WHO IS HUMAN AND WHO IS NOT HUMAN* and he knows where the people who aren't human live.

What does he plan to do to them?

Is this the behavior of a research institution protecting human subjects or is it the behavior of an institution attempting to deny human rights to human subjects, cover up misconduct, and deflect negative notoriety?

Conclusion

The actions taken by the University in October 2008 directly contradict its contentions to the Federal OHRP that Jacobs was not conducting research. If Jacobs was not conducting research, and Temple had no authority over him, why did Temple instruct him to honor her withdrawal of permission to publish her results?

If Temple University in fact made the statements in question, the statements made to the OHRP by Temple University in the matter are *false*.

To state it differently, if Emma Woods's document detailing Temple's decision concerning her case is authentic, it *establishes* her status *AS A HUMAN RESEARCH SUBJECT* and *establishes* David Jacobs's status as a *RESEARCHER* conducting research under the review authority of Temple University's Office of Human Subjects Protections, itself subject to oversight by the federal Office of Human Research Protections.

The email dated January 12, 2010 attributed to Richard C. Throm, wherein an attempt to void Temple's involvement in the case was made, also establishes Emma Woods's status as a human research subject at Temple University.

If Temple University contended to the OHRP that Emma Woods was *NOT* a Human Research Subject at Temple and that David Jacobs was *NOT A RESEARCHER* at Temple, that contention, by virtue of Temple's own actions, is *FALSE*.

The OHRP should reopen review of the case and investigate David Jacobs's behavior. Similarly, it should investigate the Temple University Office of Human Subjects Protections for possible involvement in covering up David Jacobs's conduct, impeding a federal investigation, violating Emma Woods's rights as a human research subject, and making false statements to federal investigators.

Temple's conduct suggests an effort to suppress evidence of wrongdoing in favor of the retention of federal funding for its research programs. Its conduct in the Emma Woods Case calls into question the integrity of its Office of Human Subjects Protections and casts doubt as to whether that office is truly protecting human research subjects.

What the Temple Office of Human Subjects Protections appears to be protecting is the University's bottom line. If that is the case, the office should be renamed.

It should call itself Temple University's Office of Research Institution Protection.

Notes

- (1) Emma Woods's Complaint to Temple University September 19, 2008.
- (2) Ibid.
- (3) The form, "The Temple University Consent Form", appears below:

12/13/2004 21:23 [REDACTED] JACOBS PAGE 02

Thank you for agreeing to participate in an interview on the subject of UFOs and abductions. Please take a moment to review the following information so that you may give informed consent to assist with this research. If after reading the information below you have any questions, please do not hesitate to ask.

1. I understand that this interview is being conducted in support of scholarly historical research on the subject of UFOs and abductions. I understand that I am being asked to participate because it is believed that I may have information valuable to this research.
2. I understand that my participation is voluntary and that I may stop at any time. (Non-participation in this research or withdrawal from this research will not prejudice future interactions with the researcher or Temple University.)
3. I understand that my remarks will be "on the record," i.e. they enter the public domain. I understand that information from this interview may be used in subsequent presentations and publications related to this research project. I understand that information derived from this interview may be deposited in my private files for safekeeping. I understand that every effort will be made to keep my identity confidential.
4. I understand that I will be given a signed copy of this consent form.
5. I understand that if I wish further information regarding my rights as a research subject, I may contact the Office of the Vice Provost for Research of Temple University by phoning (215) 204-7460.

With my signature below I agree to be interviewed, subject to the conditions explained above.

Interviewee: [REDACTED]

Date: _____

Interviewer: Robert Jacobs

Date: 12/13/04

City, State: _____

- (4) Paragraph 5 of the Temple University Consent Form states:

5. I understand that if I wish further information regarding my rights as a research subject, I may contact the Office of the Vice Provost for Research of Temple University by phoning (215) 204-7460.

With my signature below I agree to be interviewed, subject to the conditions explained above.

Interviewee: [REDACTED]

Date: _____

Interviewer: Robert Jacobs

Date: 12/13/04

City, State: _____

- (5) The Temple University Research Administration Webpage:

The screenshot shows the Temple University Research Administration website. The main heading is "IRB - Guidelines and Regulations". The page is organized into several sections:

- General:**
 - Belmont Report: Ethical Principles and Guidelines for the Protection of Human Subjects of Research
 - The Belmont code
 - Declaration of Helsinki
 - Guidelines for the Ethical Conduct of Studies to Evaluate Drugs in Pediatric Populations
 - Guidelines for Assessing the Decision-Making Capacities of Potential Research Subjects with Cognitive Impairment, Am J Psychiatry 155:11, November 1998
- Department of Health and Human Services (DHHS):**
 - 45 CFR 46 - DHHS Regulations for the Protection of Human Subjects
 - Institutional Review Board Guidebook - CHIRP guidance for IRB members & investigators
 - 45 CFR 46.100 and 104 - Health Insurance Portability and Accountability Act (HIPAA) Privacy Regulations
- Food and Drug Administration (FDA):**
 - 21 CFR 312 - FDA regulations for Protection of Human Subjects

On the right side, there is a "CONTACT US" section with phone and fax numbers, and a "MAILING ADDRESS" section with the physical address of the Institutional Review Board.

- 21 CFR 84 - Financial disclosures by clinical investigators
- 21 CFR 86 - FDA regulations for Institutional Review Boards
- 21 CFR 312 - FDA regulations for Investigational New Drugs
- 21 CFR 314 - Applications for FDA approval to market a new drug
- 21 CFR 312 - FDA regulations for Investigational Device Exemptions
- 21 CFR 814.100 - 126 - FDA regulations for Humanitarian Use Devices
- Good Clinical Practice in FDA-Regulated Clinical Trials - FDA web site for investigators conducting clinical trials

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(6) Wayback machine archive of the Temple Link:

INTERNET ARCHIVE
Wayback Machine

Enter Web Address: All Adv. Search. Cookies/Active Pages

Searched for <http://www.hhs.gov/ohrt/human Subjects/guidance/45c466.htm> **281 Results**

Note some duplicates are not shown. See all.
* denotes when site was updated.
Material typically becomes available here 6 months or more after collection, with some exceptions See FAQ.

Archived Results from Jan 01, 1996 - latest

1996	1997	1998	1999	2000	2001	2002	2003	2004	2005	2006	2007	2008	2009	2010	2011
0	0	0	0	0	0	0	0	3	98	87	62	11	0	0	0
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(7) David Jacobs's Defamation Campaign as of 11-4-2010.

Escalating Her Campaign

After a year of limited success in convincing people to visit her new website on which she posts her diatribes against me, Alice escalated her campaign in October 2008 by writing a formal complaint to Temple University, my employer of 35 years. In her complaint she not only charged that I had threatened her family but that I had psychologically abused her as well. She included a large number of materials and a list of questions for the Temple investigators to ask me. Nearly all of the questions focused on whether I had mentioned her name at talks I had given, to friends of mine in private conversations, to acquaintances of mine, to colleagues of mine, to my literary agent, and so forth. She also wanted to know whether I had a manuscript or a book about her. Because the complaint was formally filed, Temple University was forced to investigate. I was called in and answered the questions. Temple found no improprieties and sent Alice a letter saying so. Her response was to conclude that Temple was engaged in a "cover up."

Getting no satisfaction from Temple University, Alice apparently decided to escalate her vengeful defamation campaign further. She put together a package of materials that is staggering in its quantity. I was told that the dossier has over 150 pages. It contains out-of-context snippets of illegally recorded phone conversations, out-of-context sections of confidential hypnosis sessions, and any other false information that would put me in a bad light. In October 2009 she went so far as to send the dossier and a complaint to the United States Department of Health and Human Services (HHS)! In this complaint she added a new accusation—that I led her to false memories. Because it was a formal complaint, the HHS was required to begin an investigation at Temple University. Ultimately, the HHS found that the

(8) "Alice" can't get no satisfaction. The Defamation Campaign, jpeg from PDF, 11-4-2010:

mine, to my literary agent, and so forth. She also wanted to know whether I had a manuscript or a book about her. Because the complaint was formally filed, Temple University was forced to investigate. I was called in and answered the questions. Temple found no improprieties and sent Alice a letter saying so. Her response was to conclude that Temple was engaged in a "cover up."

Getting no satisfaction from Temple University, Alice apparently decided to escalate her vengeful defamation campaign further. She put together a package of materials that is staggering in its quantity. I was told that the dossier has over 150

Ups

[Dream Screams](#)

[The Girl Who Saved Her Own Life, Part I](#)

[All Emma Woods Posts](#)

Hillel J. Hoffman. [Subjects in experiments have new protector.](#) Temple Times Online, November 18, 2004.

Code of Federal Regulations, Protection of Human Subjects, [45 CFR 46](#)

Posted by Gary Haden at 7:42 AM

Labels: [Emma Woods](#), [Girl Who Saved Her Own Life](#)