

SE News; International

HD **Storm Threat Bringing Travel Woes; Colorado Gone to Pot; How Addictive is Pot?; Georgia Banker Arrested after Year and a Half; Banker Accused Of Defrauding Investors Captured After A Year And A Half On The Law; Family Fights To Keep Brain Dead 13-Year-Old Girl On Ventilator; Fifty Two Passengers Rescued After 10 Days Stuck Aboard A Ship Off Antarctica**

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WC 8,468 words

PD 2 January 2014

SN CNN: Anderson Cooper 360°

SC COOPER

LA English

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JOHN BERMAN, CNN ANCHOR: And as we said it is no better for air travelers. More than 2,000 flights canceled so far. The wave starting at Chicago's O'Hare working its way east now hammering one hub after another. Delays are just spreading through the system. Traffic in and out of Boston's Logan Airport being halted early tonight with no flights planned for tomorrow morning.

Then, after all that, which sounds plenty bad, it could get worse. As temperatures plunge on the backside of this storm.

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We're covering this from all the angles with Fred Pleitgen who's up in Boston, Ted Rowlands in Chicago, Sunlen Serfaty at Washington's Reagan National Airport, and Alexandra Steele in the Weather Center.

I want to start with Fred Pleitgen in Boston.

Fred, Boston has already declared a state of emergency, the city has. It's been snowing hard there all day. Pretty soon it will be snowing wicked hard as they like to say in Boston.

Give us a sense of the latest.

FREDERIK PLEITGEN, CNN CORRESPONDENT: I would say wicked hard pretty much describes it exactly, John. If you look at the snowflakes on the screen in front of me right now, you'll see that most of them were coming horizontally. That's because the wind has really been picking up in the last couple hours.

We're expected to come into that phase right now where the snowfall becomes worse, where the wind becomes the strongest and also where the temperatures really start to plummet.

I want to show you here. I would say we have about, six, seven inches of snow already on the ground and as you see, the wind is coming down -- is really blowing hard, and there is more snow coming.

If you look at the street here, this was cleared by a snowplow, I would say less than five minutes ago and now it is already completely white again. So those are the difficulties that the road crews are having coming to terms with all this and the mayor of Boston, who incidentally is due to leave office in just a couple of days, has said that people should stay off the roads, so the road crews can do their thing.

Clearly, it's going to be really severe tonight and very severe for the people as they're going to wake up tomorrow. In some places in Massachusetts, John, there are counties that are already reporting more than a foot of snow on the ground -- John.

BERMAN: It looks plenty unpleasant where you are, Fred. It could be even worse out on the cape and much of New England's coast.

PLEITGEN: Yes.

BERMAN: They are the ones who are getting the blizzard warnings. How bad are they expecting things to be?

PLEITGEN: Well, they're expecting things to be really bad especially in places like Cape Cod for instance. And the big difference between here and there is, first of all, the snowfall there is going to be worse. The winds, of course, are going to be much higher, as well.

But what you have here in this area, John, is that it sort of comes and goes. There's waves where you have really, really bad snow and really high winds, whereas there, the winds are going to be sustained and the snowfall is going to be more sustained, as well. So more is going to come down. It's going to come down to a more sustained manner, and so therefore, they are going to have even bigger problems when they wake up in the morning with snow on the ground.

People are going to be having very difficult to come out of the driveways. And one of the things that the state of Massachusetts is saying is it's urging people to stock up on supplies to be able to make it through at least three days in case things get really bad, in case they can't leave their homes and go out and **buy** things -- John.

BERMAN: All right. Fred Pleitgen up in Boston, thanks so much. Hang in there.

Again the temperature is falling along with the snow, falling into what is truly deadly territory. They are experiencing this already in Chicago. The temperatures dropping on the backside of the storm.

Ted Rowlands is there.

And Ted, you've been standing outside all morning. I've been talking to you since this morning but the temperatures have gone way, way down since then.

TED ROWLANDS, CNN CORRESPONDENT: Yes, it's dropped about 15 degrees just in the last few hours. We're in the single digits by tomorrow morning, John, when we may be talking again. It will be about nine below zero without the windchill here in Naperville, Illinois, just outside Chicago.

Throughout the Midwest temperatures have been plummeting well below zero. The farther north you go, the worse it gets. The snow is bad. We had that for a few days, but I'll tell you, this is worse. BERMAN: Yes. It doesn't look fun at all, but it pretty much snowed for three straight days there, Ted. What kind of problems did that cause?

ROWLANDS: Well, as you would imagine, the roads, it was very difficult to keep the roads clear because as it came down, they've cleared it and it kept coming down. Mother Nature did a good job of replenishing the snow. The good thing was, it was a holiday week, so there weren't many commuters going in and out of Chicago.

The biggest problem, you already talked about it, O'Hare. Two thousand flights nationwide canceled today, most of them coming out of O'Hare. It has been a tough couple of days.

BERMAN: And you get the sense that it might just be the beginning in terms of air travel.

Ted Rowlands down in Chicago, in Naperville, thank you so much, really appreciate it.

Here in New York, they are putting snow plows on garbage trucks, chains on buses, reconfiguring the subway system, doing anything and everything to keep people moving for as long as possible. But doing the same really all across the region.

When it comes to aviation, though, sometimes the best plan is a sort of strategic retreat, cancelling flights earlier rather than later which might be better in the grand scheme of things, but it's still causing so much chaos right now.

Sunlen Serfaty is at Reagan National Airport -- Washington's Reagan National Airport, I should say, right now where a roundup of the cancellations that are now happening really in a big chunk of the country -- Sunlen.

SUNLEN SERFATY, CNN CORRESPONDENT: John, just the anticipation of this storm has really wreaked havoc on many travelers across the nation.

We're here at Reagan National Airport just outside of Washington, D.C. And if you can check out these words right here. This is what many travelers encountered when they got here to the airport today. Many delays, many cancellations especially for those flights to New York or the Boston area. And Logan Airport in Boston, they've already announced that starting at 8:30 p.m. Eastern tonight, they are no longer going to fly any flights and that's going to last until noon potentially tomorrow.

Now nationwide it is a bleak picture. Two thousand flights have been canceled and over 6400 delays nationwide. As we've said, most of those were in the Chicago O'Hare Airport area. And individual airlines

we've seen all day preemptively cancel flights most in the northeast corridor. American Airlines 600 flights canceled, U.S. Airways over 200, United 550 flights canceled, Delta 300 and Southwest 100. And here at Reagan National Airport, if you can see behind me here, this is one of their main runways. As you can see, it's foggy, it started to snow. They're going to be dealing with this all night. They've called in an extra 40-person snow team here, John, to treat the runway, start to look at those airplanes. They know they have a long night ahead -- John.

BERMAN: I mean, it's great that they're ready and it's good that they will do what they can, but the situation is bad with a lot of cancellations, and it could get worse. There is a domino effect that we see so often especially with so many people traveling at the end of a vacation.

SERFATY: This really won't go away, John, tomorrow, and the airlines know that and that's why that they're already anticipating many delays and cancellations tomorrow because, as you said, it's that domino ripple effect that goes from one airline to the other, especially, John, when we're talking about these major airline hubs, Chicago, Boston, New York. Those are major hubs that no matter where you're flying through, you might connect through those airlines.

So the airlines know that. They're trying to get ahead of the problem. The best advice they can say is get to the airport early, call ahead, John?

BERMAN: All right. Sunlen Serfaty at Reagan National Airport -- Washington's Reagan National Airport, thanks so much.

Let's take a look again at that full screen now which gives us the flight cancellations. American Airlines, 600 flights canceled, U.S. Airways 112, United 550, Delta and Delta Connection, 300. Southwest 100. The total there, which includes some other airlines as well, up over 2,000 total flights canceled, and that's already the worst of the storm hitting the East Coast and some major hubs overnight and it could get worse.

Let's go now to the Weather Center where Alexandra Steele is monitoring all this from the grounded flight to the blizzard warnings, to what people need to know about the bitter cold and the cold here is one of the major problems and that will hit a large part of the county.

So, Alexandra, give us the big picture, lay it all out for us. What are we looking at from the storm?

ALEXANDRA STEELE, AMS METEOROLOGIST: All right. I just want to kind of keep up with Sunlen's theme here because this is the current picture. It's really kind of cool. These are all the flights that are currently in the air around -- here's New York. You can see, give you a little perspective, Long Island, Connecticut, Washington. So the flights are flying right now.

So if you kind of got in before this very moment or within the next hour, you've been OK, but otherwise, this is when the delays and all those cancellations are taking place, so this is the last kind of beginning of all the flights that are out there, just getting into their base camp.

All right. So here's the big picture, John. Here is all the snow. It's gotten here into Washington. It's gotten here into Boston, and to New York and Baltimore and Providence and Albany. So the snow is here. You know, we were hearing about in Boston, we've seen the snow come in waves that Fred was talking about. Not a lot of waves happening after this. This is kind of become an onslaught of snow. The snow is there now.

Accumulation totals, out in the cape where the winds will be the strongest, six to eight inches. In Boston eight to 16, Providence eight to 12, as I-91 corridor, six to 10, from Springfield to Hartford to New York City, six to eight.

So where is the snow now? I'll show you what we're going to see because that's far south as Washington even now. And getting into two to four inches. We've seen that rain change over to snow.

So here's the picture. The bull's eye for the snow and the wind, overnight tonight and into tomorrow. So tonight, you can see in constant snow still, all of New England, southern New England and in even West Virginia. As we head through the overnight hours, that's when the snow will be the worst coming down perhaps at one to two inches an hour but by 11:00 tomorrow, the snow is history but it will not be the winds.

The winds will be strong, and that's kind of the beginning of the very intense winds and that's why we've got blizzard warnings even along the coast because the snow will be there. It's light and fluffy.

Here come these very strong winds. John, windchill values. Tomorrow morning it will feel like 15 below in Boston. It will feel like 16 below by tomorrow tonight in Albany. So the cold there certainly won't come with these winds as well.

BERMAN: And the temperatures dropping with the windchill, even without the windchill below zero in some places, it is going to be ugly and uncomfortable.

Alexandra Steele, thank you so much. We'll check back in with you a little bit later.

STEELE: All right.

BERMAN: Just ahead, how Colorado's experiment in marijuana legalization is going, where it may take the rest of the country and what it means when it comes to issues like addiction and the health of children. We'll explore all of that with Dr. Sanjay Gupta and legal analyst Jeffrey Toobin straight ahead.

And later the remarkable before and after picture. Look at this. A guy who went from missing and declared dead to alive and in custody. See how authorities say he faked his death and how they caught him.

(COMMERCIAL BREAK) BERMAN: So it's been a couple of days of legal recreational pot sales now on the books in Colorado, and the big headline seems to be sticker shock. The price of high-quality product according to the "Denver Post", approaching \$400 an ounce with hefty taxes on top of that. The reason is Econ 101 plain and simple, limited supply and very heavy demand.

(BEGIN VIDEO CLIP)

TIM CULLEN, CO-OWNER, EVERGREEN APOTHECARY: There is no stereotype about it. There are -- there people who are 21 and I've seen people who are 75 years old come through the door today. It's a -- it's a big mix from all walks of life. I really think when people get the opportunity to choose a form of recreation, a lot of people in Colorado have said they would like to choose cannabis and that's what we're seeing today.

(END VIDEO CLIP)

BERMAN: I want to get more on what they are seeing today in Colorado. Let's check in with Miguel Marquez in Denver who is surrounded by marijuana at a growing operation called Canyon Harvest.

Good evening, Miguel.

MIGUEL MARQUEZ, CNN CORRESPONDENT: Good evening there, John. This is Canyon Harvest, this is grow facility for Evergreen Apothecary which just down the street here. These are younger plants that aren't yet budding out. There's another room over here where they -- where all the bud grows and that's the stuff that they end up selling.

It is running about \$50 for an eighth ounce plus taxes, so it comes out to about \$61, \$65 or so for an eighth of an ounce that you can buy up from there. If you're a Colorado citizen up to an ounce, if you're from out of state, a quarter or a half ounce.

It is going gang busters for retailers so far. I think beyond wildest expectations at this point. Medicine Man, which is a very large dispensary here, they were expecting 400 to 500 customers day one, got over 650. Turned people away. There was a line there today at Evergreen Apothecary that this place supplies, there was a line, 100- people long all day long today trying to get in there to buy.

There's only a handful of these places open right now. More will come online as they get their certification, their licenses down. But it is unbelievable. I think beyond all expectations of how it is being sold right now. And I met people from as far away as Maine, Maryland, Oregon, all across the country coming into Oregon.

I didn't think it would happen that way. It has. Amazing -- John.

BERMAN: Miguel Marquez, botanist, economist, journalist? Are there -- have there been any problems so far now that we've had two days of legal sales?

MARQUEZ: There have not been problems with the sales. All of that has gone relatively smoothly. The law enforcement reporting no concerns. That said, there are a lot of edibles coming on the market as well. There was an incident today in Longmont, Colorado, where a 2-year-old girl picked up a cookie her mother set on the grass outside of their home. She ingested it, she was taken to the hospital because she fell ill, and she tested positive for THC.

The mother said she does not smoke marijuana or use marijuana but she and her other child are now subjected to -- a test, basically, to see if they are using marijuana. The police searched the house to make sure that there was no marijuana paraphernalia in there.

The concern is that there's going to be a lot more kids in this situation. Doctors here saying that before 2009, no kids entered the hospital for marijuana, after 2009, you have 12 kids now who have entered the hospital on symptoms of THC -- John.

BERMAN: And these may be the problems, they are literally discovering every day there.

Miguel Marquez in Colorado for us. Thanks so much, Miguel.

I want to dig deeper now into the implications and perhaps the complications here. Supreme Court Justice Louis Brandeis famously called states the laboratories of democracy. Well, the experiment is now very underway in Colorado and soon also in Washington state with legal, medical and political and social dimensions to talk about.

Here to explore them, chief medical correspondent Dr. Sanjay Gupta and senior legal analyst Jeffrey Toobin.

So, Sanjay, clearly the laws have changed in some places. Public opinion has changed nationwide. But what about the science? Where is the science now on whether pot is addictive and what it might do to your brain?

DR. SANJAY GUPTA, CNN CHIEF MEDICAL CORRESPONDENT: The science is emerging but I'll preface by saying look, you know, this has been an illegal substance for a long time in this country. So science is hard to come by. And that's part of the problem.

Having said that, you know, if you look at addiction sort of across the **board**, addiction sort of means not only the idea that someone is physically addicted to something, they'll have physical withdraw if you take away that substance, but also is it interfering with the way of life? Do they seek out a substance that in order to get that substance, they're going to -- it's going to interfere with things that they should be doing as part of their normal lives.

And if you look at all of that, you know, Marijuana across the **board**, about 9 percent of people will become addicted to it, compared to heroin which is closer to 23 percent, cocaine is in the 20s, alcohol 15, 16 percent depending on studies that you look at. So it is addictive, although maybe not as addictive as some of these other substances.

BERMAN: And Jeffrey, let me bring you in here because as we said, the law is settled in Colorado, pot is now legal there for recreational use. But the legal conflicts nationally not settled, only just beginning. Pot is still illegal under federal law even though the attorney general has said that he's not going to really prosecute pot crimes in Colorado.

What does this all mean?

JEFFREY TOOBIN, CNN SENIOR LEGAL ANALYST: Well, what it means is that Colorado and Washington state where it's going to be legal shortly are essentially on probation from the federal government. The federal government has said we are not going to prosecute individual sellers, individual users as long as you meet several conditions, and that is keep pot away from children, keep pot away from criminal organizations, organized crime, maintain sort of the general discipline of law enforcement.

That's what the federal government has decided to do, and like so much of this, we'll see how it unfolds.

BERMAN: Sanjay, you've done so much work on this, studying really the evolution of marijuana for medical purposes and other things. What's your biggest concern now as it is fully legal in Colorado?

GUPTA: Well, look, I mean, one thing that we try to be very careful about with reporting is making a distinction between not just kids, adolescents and adults, but what I call the developing brain versus the developed brain.

Stick with me for a second on this. But you know, our brains really keep developing until our mid 20s and if you look at the science, some of the science you asked about earlier, a lot of the more concerning impact is on the developing brain. We know that kids and again, people up to their mid 20s who are using this marijuana regularly are going to have much more of an impact.

There was one study that people are quoting quite often that says teenagers who smoked marijuana regularly when -- between the ages of 12 and 38 years old, they lost IQ points. These are hard studies to do in part, again, because you're talking about an illegal substance and in part because, you know, these are survey studies often. Asking people about their marijuana usage.

But there is enough concern that the marijuana in a young brain affects the brain in more permanent ways. So I'm -- you know, look, you don't want to send the message that this is completely harmless substance,

especially to young people, and I think that would be the greatest concern of lawmakers and certainly a lot of parents out there.

BERMAN: Jeffrey, I know you follow the Wyoming Highway Patrol like I do on Twitter. They put out a really interesting tweet just a few hours ago. They said, do not bring your Colorado **purchased** marijuana into Wyoming.

This just shows what kind of a problem this is going to be. All kinds of tourists are going to Colorado right now to **buy** marijuana. They have to smoke it there, right?

TOOBIN: Absolutely or soon bring it to Washington, but they absolutely have to use it there. And there's a question of where they use it there. It's illegal to smoke it in a **park**. It's illegal to smoke it at a bar or restaurant. So, you know, people have to smoke it at home or in their car. Again, in their car raises a very big issue, which is what about the equivalent of drunk driving.

That law is very uncertain in Colorado at the moment because they have not found a formula the way we know with blood-alcohol level in terms of alcohol.

GUPTA: Right.

TOOBIN: They don't know what the THC percentage is that will be appropriate for the equivalent of drunk driving. That's something to keep an eye on because that is certain to be a big issue.

BERMAN: Sanjay, you nodded in approval right there.

GUPTA: Well --

BERMAN: You think there is a real issue in terms of driving while under the influence of marijuana?

GUPTA: Well, I think there's certainly an issue with that. But what I was referring to was this idea of transporting it across state lines. What we have found is that you take a state like Colorado who has medicinal marijuana laws and people will go to that state to obtain the medicine essentially for a particular condition.

We are following families who are taking their children for intractable epilepsy. They get the medicine over there. If it's working for their kids, it's great. But what that means then is that they essentially have to move to Colorado. There are medical refugees while they are there. They can't take that medicine back to their states.

And I'll tell you, we're working on some stories around this, but it makes for some incredibly heart-breaking situations and again just the craziness of the state and the federal law here.

BERMAN: And these laws are all so brand new, uncharted territory. We're learning so much every day.

Jeffrey Toobin, Dr. Sanjay Gupta, thanks so much for being us with.

GUPTA: You got it. Thank you.

BERMAN: And a quick program note, because this story has so many important facets to it, 360 will be exploring all of them, all the angles all next week in a special series of reports called "Gone to Pot 360" starting Monday night.

Coming up tonight, a banker accused of fraud and embezzlement who reportedly said he was going to kill himself after charges against him came to light. The FBI never really bought that. It turns out, they were right. We'll have the details next.

Also, ahead, the family of a brain-dead 13-year-old girl wins some time in their effort to keep her on a ventilator. The latest in their truly heart-wrenching legal battle when 360 continues.

(COMMERCIAL BREAK)

BERMAN: Welcome back. In "Crime and Punishment," a banker accused of defrauding investors and embezzling millions of dollars has been captured after a year and a half on the run. When the charges first came out, Aubrey Lee Price reportedly wrote a letter to business associates saying he planned to kill himself, but he's very much alive and according to the FBI, he is now in custody.

David Mattingly reports.

(BEGIN VIDEOTAPE)

DAVID MATTINGLY, CNN NATIONAL CORRESPONDENT (voice-over): The FBI never believed Georgia banker Aubrey Lee Price really went through with a plan to kill himself but for a year and a half investigators had no body and no clue where he could be. The elaborate hoax fell apart New Year's Eve when police in Georgia stopped the now long and dark haired and bearded Price for driving with windows too darkly tinted.

(On camera): Would you have recognized this guy?

(LAUGHTER)

WENDY CROSS, FRAUD VICTIM: Yes, every time I see that shot, it's -- it doesn't get old how shocking it is.

MATTINGLY (voice-over): Wendy Cross is among more than 100 people allegedly defrauded by Price in a \$40 million investment scheme. A federal complaint says Price confessed in a 22-page letter that he falsified statements with false returns in order to conceal more than \$20 million in investor losses.

CROSS: It was my life savings, so, yes, it was -- it was devastating.

MATTINGLY: Cross lost \$300,000. It put her food truck business in jeopardy and left her emotionally and financially ruined. A risk she says she never suspected she was taking.

CROSS: It was a clean-cut, soft-spoken guy that seemed extremely professional and, you know, that's how I knew him.

MATTINGLY: In 2012 law enforcement said Price told his family he was going to Latin America but instead flew to Key West, bought diving weights and a ticket to a ferry to make it look like he drowned himself. Security cameras caught him taking his last steps before he disappeared. The video stayed on the FBI wanted page in hopes he would make a mistake.

(On camera): Did you believe he was dead? CROSS: I never once thought that he was dead.

MATTINGLY: Why not?

CROSS: I saw the footage of him on the ferry in Key West and he had a backpack and a suitcase with him.

MATTINGLY (voice-over): An attorney representing victims says Price was declared legally dead last year. Now in the flesh and very much alive, Price was in federal court for his first appearance, shackled and planked by Marshals he faces charges of fraud.

(END VIDEOTAPE)

BERMAN: And David Mattingly joins me now.

David, you spoke with Price's landlord. Was he surprised to learn who was living there?

MATTINGLY: Very much so. In fact, he didn't know this man was wanted by the FBI until he saw his pictures on the news after his arrest New Year's Eve. The bigger surprise actually came when he went to the house. He found a marijuana growing operation in that house he was renting to Aubrey Price. When investigators went in there, they took out 225 marijuana plants in varying stages of development. In charges coming from that, but it might take steps towards the answer of what Price was doing while he was missing.

BERMAN: Marijuana simply all over the news today in unrelated stories. David, one of the big questions for me, what about Price's family? Do authorities believe that they didn't know anything about this?

MATTINGLY: No one has accused them of that, but right now it's very hard to tell how honest Price is because he was talking to local authorities when he was arrested in that traffic stop, and he was pleading with them not to alert the media until his family had been notified first, saying that they didn't know that he was still alive. So, we don't know if they compiled, but we do know now that his family obviously knows that he's alive, and of course, the news media knows about it, as well. We're waiting now to find out what the next steps will be in federal court as prosecutors continue to push the case.

BERMAN: I'm sure authorities have a lot of questions. The difference in the physical appearance is staggering. David Mattingly, thank you so much, a fascinating story.

Up next for us, new developments tonight in the heart-breaking legal dispute over a brain-dead girl whose family is fighting to keep her on a ventilator.

Also, an icy odyssey is one step closer to ending tonight. We'll show you how dozens of passengers on **board** that ice-trapped Antarctic ship finally got off.

(COMMERCIAL BREAK) BERMAN: Tonight we have new developments in a story that by every measure is hard breaking. You've probably heard about Jahi McMath. She's 13 years old and last month she suffered severe complications after having her tonsils removed. Her doctors and a judge had declared her brain-dead and under California law that means she is legally dead. Her family, though, believes she's still alive and could get better.

They are doing everything possible to keep her on a ventilator and move her to a facility where she will get the care that they say she needs and deserves. Tonight, CNN has learned that a federal judge has ordered settlement talks between both sides to take place in a court room tomorrow. Here is Randi Kaye with how we got here.

(BEGIN VIDEOTAPE)

RANDI KAYE, CNN INVESTIGATIVE CORRESPONDENT (voice-over): The surgery sounded simple enough. Remove Jahi McMath's tonsils, adenoids and extra sinus tissue so the 13-year-old would sleep better. She began bleeding heavily from her nose and mouth and then went into cardiac arrest. On December 12th, Jahi's doctors told her family she is brain dead.

NAILAH WINKFIELD, JAHİ MCMATH'S MOTHER: How can she be dead and her heart beats and blood flowing through her system and responds to my voice and touch? How can a dead person do that?

KAYE (on camera): That's the question at the center of this heart breaking case? Is Jahi alive as her family believes or is she dead as doctors at Children's Hospital in Oakland, California have declared? Jahi is still connected to a ventilator and her mother told reporters she has video of her daughter moving, but the hospital spokesman said it's quite common for muscles to move, even when someone is deceased. He says it is not a sign of life in the body of Jahi McMath.

(voice-over): The hospital wants to remove Jahi from the ventilator saying it has no legal or ethical obligation to continue to treat a deceased person. An independent physician and a judge all agree with Jahi's doctors that she is brain-dead yet her family is fighting the hospital's decision to remove the young girl from ventilator machines keeping her heart beating.

SAM SINGER, SPOKESMAN, CHILDREN'S HOSPITAL OF OAKLAND: Jahi McMath is deceased. There is no amount of hope. There are no medical instruments on this planet to bring her back. To suggest anything otherwise, is beyond misleading.

KAYE: Still, the girl's mother is so convinced Jahi can recover with proper treatment that she's hoping to transfer her to another facility that will care for her. They are in discussions with New Beginnings Community Center in Medford, New York and with an unnamed facility in Arizona.

WINKFIELD: The doctors think they know everything, but if they knew everything, my daughter wouldn't be brain-dead right now. KAYE: The family of Terri Schiavo who was taken off life support in 2005 after prolonged period in a vegetative state has joined the fight in support of Jahi's family. Schiavo's brother says the brain death diagnosis was made too quickly.

BOBBY SCHINDLER, TERRI SCHIAVO'S BROTHER: What's the rush? I mean, the brain -- the brain has been injured and it might be given some time, this young girl might be in a position to improve, and that's what the family is asking for.

KAYE: A California judge had ruled Jahi was to be taken off the ventilator last Monday at 5:00 p.m., but when the moment came, that same judge gave the family more time to work out a deal with the hospital.

WINKFIELD: As a parent, who wants to know the date and the time their child will die? Think about that if someone tells you on this day at this time your child is going to die?

KAYE: The rallies in support of Jahi's family continues, but a new deadline looms, the girl's family has until January 7th, Tuesday next week, to come to an agreement with the hospital, otherwise Jahi McMath's doctors will be legally allowed to remove the 13-year-old from her ventilator. Randi Kaye, CNN, New York.

(END VIDEOTAPE)

BERMAN: It's hard to hear the pain in the family's voice there. The legal and medical issues here are very, very complicated. Joining me now to talk about this, CNN legal analyst and criminal defense attorney, Mark Garegos and Areva Martin, an attorney and children's advocate.

Areva, in that piece, we heard representatives of the hospital refer to Jahi as deceased that's because state law in California says if you are declared brain-dead, you are in fact considered legally dead, but there is not a law on the flip side that prohibits continued ventilation of the body, correct?

AREVA MARTIN, ATTORNEY AND CHILDREN'S ADVOCATE: You're correct, John. There is no law that says what happens once someone is determined to be legally dead, based on that statute and it's important to also note that there is a minority in the medical community, distinguished doctors from Harvard and UCLA that believe once the heart is beating, and if there is any circulatory process, that someone is not dead.

So even though for the most part the medical community supports the definition of lack of brain activity as causing someone to be legally dead, there are some that disagree with that and this family says based on their religion, the fact her heart is still beating means for them there is still life and a possibility that she will recover and that's what makes this issue so thorny for the lawyers I think and the medical professionals that are involved in the case.

BERMAN: Mark, why is it so thorny do you think for the medical professionals here and why is the hospital taking the stand that it seems to be taking do you think?

MARTIN: Well --

BERMAN: Sorry, I was asking Mark, if he could answer that.

MARK GERAGOS, CRIMINAL DEFENSE ATTORNEY: The definition of death under the health and safety code here is actually kind of interesting. One of the components is brain-dead, which is what the doctors have said this young lady is. The other is circulatory. Here she is not dead under the circulatory provision of the Health and Safety Code. Now the cynic in me would say the reason that the doctors want her off or the hospital does is because the insurance companies no longer want to pay and the hospital doesn't want to absorb the financial downside to this.

So I suppose that's one of the reasons why they are so anxious to get her out of there. You wonder about the idea, however, and I just saw the PR flak for the hospital who was in your piece that Randi did, talking about the fact that there is no ethical reason. Well, clearly -- you know, the legal issue is that she is dead, under California law and under most jurisdictions. The ethical issue is something quite entirely different and I think that's why this resonates with so many people.

BERMAN: Areva, how do you deal with the ethical issue here and who should be dealing with it. Right now, you have these medical professionals struggling. You have this family struggling. Does the California legislature and these legislative bodies around the country have to make more clear laws so there is not this murky matter when something like this happens?

MARTIN: Absolutely, John, I think the legislature needs to step in and give more direction to the courts and in the essence of that, I think what the mother said is pretty powerful. She said if these doctors knew so much, my daughter who went in for a routine surgery wouldn't be in this position to begin with. You're asking her to further trust the decision making.

I know there are independent examinations that were done, but you have to ask the question if the parents can pay for this care at this hospital or this facility in new york, why does the Oakland facility, why are they holding on to this little girl and refusing to allow this parent to move her to another facility if it's no financial cost to them and there is no harm being done to the young girl?

BERMAN: Does it expose them?

MARTIN: Why they are fighting this -- why are they fighting?

BERMAN: You guys are both lawyers, you tell me. Mark, would it expose the hospital somehow if Jahi were moved to a different facility?

GERAGOS: Well, potentially, if there is a medical malpractice for a wrongful death suit, there is different valuations, I hate to be so cynical, but one could take the position that one of the reasons they are fighting so hard is because of their potential civil exposure and that unfortunately, the way you value a dead 13-year-old girl is not going to be nearly as expensive as the way you would value if they sue the hospital and sue the doctor for life-time care of some kind. So, yes, under the law, I can see where there is an economic benefit to the hospital to take her off and have her die now.

BERMAN: We should acknowledge again, the pain this family is going through and it's very hard to talk about it in terms like this. We also understand the judge has ordered both sides back into the courtroom to try to work out a settlement. What do you see as the parameters as a possible settlement?

MARTIN: Well, I think we've already seen some of that because the hospital has talked about the terms under which it would allow Jahi to move to this facility in New York. They talked about the insertion of feeding and a breathing tube. They talked about transportation and then clearance from the coroner. Now, Jahi's family attorney said we met those conditions and when we met those conditions and when we met them then the hospital later turned around and said we're not going to allow our physicians or any of our staff to assist with the insertion of these tubes.

So I hope the parties can come together and agree on some transfer that makes sense and allows this young girl to be transferred and if this is about money as Mark is suggesting, I'm no baby and I'm not naive to this and it probably is about money, I think that should be said, as well.

GERAGOS: Well --

BERMAN: We got to run, but I do appreciate you both coming and talking about this. As I said, it's a hard discussion to have especially with the pain this family is clearly going through. Thanks so much.

Other news, an arrest in the murder of a Roman Catholic priest in California and news about 52 passengers aboard that ship that's been stuck in the ice of Antarctica since Christmas Eve, their ordeal isn't quite over yet, but there has been a major development. Stay with us.

(COMMERCIAL BREAK)

BERMAN: A cold and icy ordeal is one major step closer to being over for passengers who were trapped on a ship off Antarctica for ten days. All the passengers aboard that Russian stranded ship have been rescued by helicopter. They are now on an Australian ice breaker. Twenty two crew members will stay on **board** the ship until it can move again. This is a story that started Christmas Eve after the ship got stuck in 10 feet of ice. Previous rescue attempts had to be abandoned because of treacherous conditions.

Over the past week, Anderson spoke to people on the ship several times via Skype including on New Year's Eve. They were in incredibly good spirits and kept their sense of humor despite being stranded far from friends and family over the holidays. Take a look.

(BEGIN VIDEOTAPE)

ANDERSON COOPER, CNN ANCHOR: So how did you guys ring in the New Year, we saw that video of you-all singing?

UNIDENTIFIED MALE: We had a special song, came up on the top deck and broadcast it live, looking good.

UNIDENTIFIED MALE: It's like the time of telling stories what happened. This is our odyssey and telling it as it goes along.

COOPER: Speaking of spirits, have you been inviting spirits because it looks like some of those folks in the video are red in the face.

UNIDENTIFIED MALE: Just a little bit of champagne, just a little bit.

UNIDENTIFIED MALE: There has been alcohol on the ship, and, well, you know, what do you expect us to do? It's cold out there and we're alone from everyone else and yes, we have to drink something.

(END VIDEOTAPE)

BERMAN: Who can blame them? They are stuck in about Antarctica. Now the 52 passengers are no longer stuck, but their journey home is really just beginning. Matthew Chance has the latest.

(BEGIN VIDEOTAPE)

MATTHEW CHANCE, CNN SENIOR INTERNATIONAL CORRESPONDENT (voice-over): This is the **Chinese** helicopter that finally plucked all 52 passengers off the stranded research vessel.

UNIDENTIFIED MALE: The helicopter to take us home. Thanks, everyone.

CHANCE: After more than a week, marooned in Antarctica packed ice, the team of scientists and tourists were air lifted to a nearby Australian ice breaker and are now heading into open seas, still expected to be mid-January before they make dry land.

PROFESSOR CHRIS TURNEY, EXPEDITION LEADER: I'm not sure if you can see, but just over my right shoulder is a **Chinese** ice breaker, Snow Dragon. It turned up about an hour ago and is making steady

progress at around two knots. It should be alongside if things go well in the next two to three hours. There is a lot of relief amongst the team and there is a lot of happy faces.

CHANCE: Since Christmas Eve hopes were raised repeatedly that a rescue of the ship, the Academic Shikowski, was imminent, at least three attempts failed to cut a path through the sea ice. But those on **board** kept their spirits high, bringing a great face on their ordeal even continuing the scientific experiments on climate change they were there to conduct.

It was the passengers who helped prepare the makeshift helipad stomping down the ice to smooth the landing zone. The 22-member Russian crew of the Academic Shikowski have decided to stay on **board**. Rescue teams say it could be weeks before the melting packed ice set them and their vessel free. Matthew Chance, CNN, London.

(END VIDEOTAPE)

BERMAN: It's going to be a long few weeks for those 22 crew members. Let's get the latest on the other stories we're following tonight. Randi Kaye has s 360 Bulletin -- Randi.

KAYE: John, the suspect is in custody in the murder of a Roman Catholic priest in Northern California. Reverend Erik Freed was found dead yesterday in a church residence. The suspect, Gary Lee Bullock, we arrested today. Bullock had been in police custody earlier on the same day the priest was found dead.

"The New York Times" and "The Guardian" are calling for clemency for NSA leaker, Edward Snowden. On the editorial pages, both newspapers called for mercy for Snowden or a deal that would let him return to the United States from Russia.

And in Abilene, Texas a woman gave birth to twin girls one minute apart in different years. Hanna was born at 11:59 on New Year's Eve and Danielle was born at midnight. Now during the pregnancy, doctors thought one of the twins would not survive so mom calls them a miracle and says they will each get their own birthday party.

BERMAN: It is wonderful news. You know, I have twins --

KAYE: Born in the same year?

BERMAN: The older girl will hang it over the younger girl for the rest of their lives. I'm a year older than you. But Randi Kaye, thank you so much. Appreciate it.

Up next, the latest on the breaking news coverage, the monster winter storm slamming much of the Midwest and east coast, more than 2,000 flights canceled already. Major interstates closed. This, folks, is only the beginning. We will get a live update next.

(COMMERCIAL BREAK)

BERMAN: All right, you have to look at this. This is not some Washington theme snow globe. It's actual, real life snow, lots of it. It's the White House, the U.S. capitol. Lawmakers luckily for them are out on recess and President Obama, warm in Hawaii. That picture is just part of the breaking news.

Twenty two states now getting hit, more than 2,000 flights have been canceled already and the worst of the snow is expected to come overnight, along with plunging temperatures. Let's get one last update from Alexandra Steel in the weather center. Looking ahead to tomorrow morning, what should people expect when they wake up?

ALEXANDRA STEELE, AMS METEOROLOGIST: This, John, they will open the window and see this, eight to 12 inches in Providence, six to ten from Springfield to Hartford. That's what you'll see, but this is what you're going to feel. Waking up, 14 below, it will feel like 21 below at 7:00 tomorrow in Albany and upstate New York. It will feel Friday night like 14 below, 16 below. So you get the picture. There is going to be snow on the ground. Temperatures even by Saturday morning will feel well below zero and expect delays at New York, in Boston, Hartford, Albany and Providence, Rhode **Island** -- John.

BERMAN: Alexandra Steele, thank you so much. Stay in bed is the message. I bet Fred Pleitgen wishes he were there. Instead, he's in Boston where it's been snowing for hours. Fred, what is the latest?

You can see Fred is in the snow right there. The snow probably wreaking havoc with his audio, but Fred telling us earlier, it's been snowing up to a foot in some places in Boston. You're looking at pictures right now of the snow coming down. Temperatures there could drop below zero over the next 24 hours.

Wind gusts on the coast would exceed 50 miles an hour. This is a storm that will last awhile and not just the snow that will be a problem, again, the high winds and bitter, bitter cold. Stay tuned in for the latest. That does it for this edition of 360.

Up next, CNN Films presents "March of Penguins." Have a good night.

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