

27 January, 2006

NC Attorney General Roy Cooper
NC Attorney General's Office
9001 Mail Service Center
Raleigh, N.C. 27699-9001

Mr. Attorney General,

I have corresponded with both your office and that of Governor Mike Easley about my experience as a NC Rural Health Physician at RMA & Randolph Hospital in Asheboro, North Carolina.

In all previous instances, you have referred my back to Randolph County District Attorney, Garland Yates – citing his absolute “prosecutorial discretion”. Forgive me Sir, but Garland Yates’ actions in this case, as well as recent news reports regarding the unethical behavior of other prosecutors in this state, have done little to shore up my faith in North Carolina’s justice system.

The enclosed letter to Asheboro Police Chief Gary Mason is self-explanatory. The re-drafted criminal complaint that it cites, along with correspondence to my state & federal representatives, Asheboro’s City Council, and Randolph Hospital’s medical staff are posted on my website, www.asheboropediatrics.com. I will be happy to provide all supporting documentation for the criminal complaint (currently in the hands of Chief Mason) to your office upon request.

I certainly applaud your initiative, announced this week, to hold public officials more accountable for their actions and to curb public corruption. But you do not go far enough. Again, recent headlines (“disproportionate share”, BCBSNC) are clear that the non-profit sector suffers virtually no oversight.

My case screams to that fact, and there ARE laws on the books that, if enforced, would allow me to find some closure and “justice”. District Attorney Yates simply refuses to take action – I believe in deference to his political supporters. As I received both state and federal assistance to return home to Asheboro and develop a practice that I was supposed to be able to transition, I believe the state does have a broader jurisdiction in this case than it has previously been willing to claim. And your office certainly has influence. I am informed that you could bring pressure to bear on both Mr. Yates and Randolph Hospital (which the state licenses and regularly gifts with Certificates of Need for various projects) to resolve this matter in a fashion that reflects both the intent of the law and the integrity of the medical and legal systems – something that both you and Governor Easley claim to champion.

So the question begs . . . why hasn’t the state stepped in to protect a public servant wronged? I’d like to hear an answer to that question.

Sincerely,

Mary H. Johnson, M.D., FAAP

