Cecil Knox, the Roanoke, Virginia, physician whose case was discussed in Maia Szalavitz's *Reason* article ["Dr. Feelscared"] about pain doctor prosecutions, has entered a plea agreement ["Dr. Knox Pleads Guilty, Surrenders License"] that may allow him to avoid prison time. This is a remarkable turn of events for a man portrayed as a menace to society, an alleged pill mill operator who at one point faced 313 federal charges connected to his medical practice. That indictment eventually was whittled down to 69 counts, of which a federal jury rejected about half while failing to reach verdicts on the rest. Three months later federal prosecutors indicted Knox again, this time on 95 charges. Now, with his second trial scheduled to begin next month, the ailing physician, who is suffering from lymphoma, has pleaded guilty to "racketeering," two counts of marijuana distribution, and misdemeanor health care fraud. He also has agreed to surrender his medical license and his DEA registration (which makes it legal to prescribe controlled substances).

The racketeering charge is based not on the promiscuous, deadly narcotic prescribing of which he was originally accused but on two occasions when he prescribed diet pills for a patient who agreed to share them with him. Those infractions and his marijuana offenses both came to light in Knox's own testimony during the first trial. In other words, the Justice Department has almost entirely given up on its original case. U.S. Attorney John Brownlee, who declared Knox's plea agreement "the most significant conviction in this district...in the past 30 years," tried to obscure the government's humiliation by claiming his main goal was to prevent a bad doctor from practicing medicine. But if that was the case, he could have left matters to the state medical board instead of bringing criminal charges in federal court.

It's clear that Knox was not in all respects a by-the-book doctor. But it is equally clear that the Justice Department's indictments were ridiculously inflated (by a factor of 78, considering just the number of counts) and based on allegations it could not prove. As Szalavitz explained in her piece, the strategy of intimidating defendants into guilty pleas by turning every alleged act into multiple offenses is a conspicuous feature of the DEA's war on pain doctors. [END]