

Charges Against Knox Aide [Durham] Dropped

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[Id: <http://www.doctordeluca.com/Library/WOD/WPS5-Knox/Knox-DurhamChargesDropped06.htm>]

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Just one business day after Roanoke pain doctor Cecil Knox was sentenced to probation, a federal judge dismissed all charges against a former Knox assistant who cooperated with the prosecution.

Tiffany Durham, 32, has waited two and a half years to find out whether she will serve prison time on the charges to which she pleaded guilty in the summer of 2003.

When she heard the news on Monday, she said she felt "numb."

"It's been going on for four years, and it's been a horrible nightmare," she said. "The whole situation, it just really hasn't felt real."

Durham, an emergency medical technician who worked a prescription refill hotline at Knox's Southwest Roanoke practice, was arrested in February 2002 along with Knox, his office manager, Beverly Boone, and two other associates, Kathleen O'Gee and Willard Newbill James. The government alleged they had overprescribed painkillers, leading to the deaths of some patients.

Durham was originally charged with conspiracy to possess narcotics with the intent to distribute for no legitimate medical purpose, resulting in the death or serious bodily injury of at least one patient. She was also charged with 56 other narcotics-related counts.

She originally faced up to life in prison and hundreds of thousands of dollars in fines.

Initially, Durham declared her innocence. But in August 2003, she pleaded guilty to knowledge that narcotics were being illegally distributed at the clinic and that they were being distributed for no legitimate medical purpose. The plea deal dropped her possible sentence to a maximum of six years.

Durham said it was hard for her to accept that she had done something wrong, because she thought she was doing her job correctly. But when the government showed her its evidence, she said, it changed her mind.

Durham testified during Knox's trial in October 2003, saying she took part in the overprescription of medication.

The trial resulted in acquittals and a hung jury.

Although Knox, Boone and James were indicted again, only Knox eventually was convicted after pleading guilty to felony racketeering, felony marijuana distribution and misdemeanor health care fraud. Charges against everyone else have been dropped.

On Friday, after Knox was sentenced to five years' probation, the government entered a motion to dismiss the charges against Durham. U.S. District Judge James Jones entered the order on Monday.

According to the government's motion, three other defendants "who were far more culpable than Durham" had their charges dismissed, making it only fair that Durham's also be dismissed.

Jeff Dorsey, Durham's attorney, said he knew it was possible that Durham's charges would be dismissed once the government knew it no longer needed her help.

Durham said the case has changed her. She is afraid to work outside the home now, instead baby-sitting at her house to make money.

She said she has tried to live day by day and avoid thinking about the case. She has not been allowed to talk to her co-defendants until now.

"I had friendships with each one of them that I worked with and I would love to see them again and say that I am still thinking of them," she said.

Boone said she has no hard feelings against Durham and believes she pleaded guilty in order to avoid "immense intimidation and threat of loss of freedom" from the government.

Now that the case is finally over, Durham said she will celebrate by thinking freely about the future with her husband and three children. It is their dream, she said, to build a house.

"It's been a long road and a long time getting here," she said. "I'm glad that it's over and I have a future to look forward to."

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