

# Andrew Rutland, M.D., J.D.

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Diplomate American Board of Obstetrics and Gynecology

Diplomate National Board Medical Examiner's

Fellow American College of Legal Medicine

July 15, 2010

The Honorable Maxine Waters  
United States House of Representatives  
Subcommittee on Crime, Terrorism and Homeland Security  
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The Honorable Judy Chu  
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The Honorable Susan Davis  
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Subcommittee on Oversight and Investigations  
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The Honorable Diane Watson  
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Subcommittee on Terrorism, Nonproliferation and Trade  
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The Honorable Zoe Lofgren  
United States House of Representatives  
House Committee on the Judiciary  
Subcommittee on Commercial and Administrative Law  
Subcommittee on Crime, Terrorism and Homeland Security  
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Re: Congressional Investigation of the Medical Board of California and Los Angeles Coroner's Office, et.al.

Dear Honorable Maxine Waters,

As my elected official, this serves as an official request of an immediate Congressional Investigation. The clandestine collaborations of national antiabortion organization groups and local antiabortion activists with the Medical Board of California has led to unbridled abuse of power by this state agency; its continued influencing interference with the decision making process and diagnosis upon physician licensees in the Los Angeles County Coroner's office is setting an ominous trend in the disproportionate increase in number of revocation and homicide charges brought against physician licensee abortion providers by the Medical Board of California. The American Civil Liberties Union (ACLU) study entitled **"Preventing Unfair Prosecution of Abortion Providers: An Investigation into Political Bias by the Medical Board of California"** <sup>(1)</sup> pointedly draws attention to this blatant abuse of power by the Medical Board of California.

The tenth amendment to the United States Constitution grants nearly unlimited power to the state with respect to health, safety and welfare, yet this power like all powers must be scrutinized to avoid non-discretionary abuse by individuals. This current tactic as it is allowed to continue without scrutiny and

modifications is having a profoundly chilling effect on the willingness of doctors to provide abortion services; this resultantly is limiting and depriving women of their State and Federal Constitutionally guaranteed reproductive rights of free choice. I presently stand as a whistleblower to focus attention on this cause.

This trend is lucidly illustrated by the recent statement of the success of the president of Operation Rescue, Troy Newman, and I quote, **“Newman reminded them that San Diego was the first test ground for cutting-edge Operation Rescue tactics. In a ten-year time span of pro-life ministry led by Newman in conjunction with local groups, over 40 abortionists quit killing in San Diego County and 18 abortion clinics closed. Today that trend is continuing”**.<sup>(2)</sup> It is epitomized in one of LDI Mark Crutcher’s (Life Dynamics founder) strategies, **“Reducing access to abortion services is the easiest way to end legalized abortion”**.<sup>(3)</sup>

Congress’s authority to investigate is broad and it has exercised this authority since the earliest days of the republic. Tremendous strides in the protection of Women’s Rights of Pro-Choice have been made since the United States Supreme Court decision in Roe v. Wade, however each year, (as noted above), more and more physician abortion providers are forced out of practice. The “anti-pro-choice” organizations through continuing harassment clandestine political collaborations and even murder (Dr. Tiller) are accomplishing their stated objectives. (Objective: “To close abortionists by all means necessary.”)

I am urgently requesting you investigation into this issue and as it impacts women’s reproductive rights. (My case is one more example.)

My case:

I am a 67 year old Board Certified African American Obstetrician Gynecologist and active Fellow of the American College of Legal Medicine. I am an inactive Lieutenant Colonel in the United States Air Force with Juris Doctorate (J.D.) and Medical Doctorate (M.D.) Degrees. In 67 years as a respected United States citizen and patriot of this country I have absolutely no criminal record however, at the present time consideration is under way by the Los Angeles District Attorney's office to charge me with the crime of homicide due to a medically known and unpreventable complication to a local anesthetic.

I have been in practice for over 30 years. Since 2009 the majority of my practice has been pregnancy terminations. One of the clinics where I am employed has been a pro-life target ever since. In July 2009 a patient receiving a paracervical block (local anesthesia) had a severe reaction and ultimately passed 6 days later. The Los Angeles County Coroner's office Dr. Wang closed the case after autopsy and ruled her death as accidental in August 2009. The Chief Medical Examiner/Coroner of Los Angeles County, Dr. Lakshmanan Sathyavagiswaran endorsed this decision and the closing of the case.

Since then, the Medical Board contrary to its stated policy not to bias experts, consultants and reviewers has provided the coroner's office with voluminous amounts of information of my previous medical board history and other irrelevant yet biasing information. The sole purpose of these meetings was to destroy the unbiased evaluation of the coroner's office.

Despite these meetings and violations Dr. Yulai Wang who performed the autopsy and reviewer of the case has maintained his original position to the present on at least 4 separate lengthy reports.

On 24 June 2010 Dr. Yulai Wang, Deputy Medical Examiner published the following statement:

“...After joint conference with DA, Detective Just, Medical Board of California Investigators, Dr. Lakshmanan, And Dr. Calmes on 5-18-2010. Additional information from medical board was reviewed.” ...

...”Evidence to support Accident Mode:

1. Paracervical block with lidocaine by OB-GYN physician was a routine standard practice for this elective procedure.
2. Any injection of local anesthetics carries the risks of intravascular injection or overdose. There is a higher risk for paracervical block because of vascular engorgement during pregnancy (4 months).
3. This can happen even in well equipped [the] hospital.
4. No intent to cause death.
5. No clear evidence of reckless conduct.
6. No sufficient medical evidence there was gross and wanton disregard for the well-being of the patient. ...

...”My opinion regarding cause and manner of death remains unchanged.”...

On 24 June 2010 contrary to Dr. Yulai Wang’s opinion, the Chief Medical Examiner, Dr. Lakshmanan Sathyavagiswaran changed the mode of death from accidental to homicide. The case was treated in a Catholic hospital, the police officer investigating the case is Catholic, the anesthesia consultant and questionably the medical examiner are anti-abortionists.

This case is about the Medical Board of California's attempt to close down an abortion provider very much like Dr. Bruce Steir. (“**Preventing Unfair**

**Prosecution of Abortion Providers: An Investigation into Political Bias by the Medical Board of California”<sup>(1)</sup>**

I believe that the Medical Board of California is unfairly prosecuting me in an attempt to appease the anti-abortion activists locally; i.e. Jeannette Dreisbach, Julianne D’Angelo Fellmeth (formerly paid watchdog for Medical Board of California and adjunct professor at a Catholic University as well as trial lawyer lobbyist) and nationally (namely Troy Newman and Cheryl Sullinger of Operation Rescue and Mark Crutcher of LDI).

"There is nothing more critical [than the shortage of abortionists]. If you don’t have people to provide the service, then political and legal victories become moot."<sup>(4)</sup>

Barbara Radford, Former Director  
National Abortion Federation

As a whistleblower I urge immediate investigation of the Los Angeles Coroner’s office and the Medical Board of California.

Sincerely,



Andrew Rutland, M.D., J.D.  
(Anti-pro-life Whistleblower)  
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(1) [http://www.aclunc.org/news/press\\_releases/aclu\\_investigates\\_political\\_bias\\_by\\_the\\_medical\\_board\\_of\\_california.shtml](http://www.aclunc.org/news/press_releases/aclu_investigates_political_bias_by_the_medical_board_of_california.shtml)

(2) <http://www.operationrescue.org/archives/newman-encourages-san-diego-pro-lifers-with-news-of-victories/>

(3) [http://www.lifedynamics.com/Prolife/Anti-Abortion\\_Profile/index.cfm?&print=1](http://www.lifedynamics.com/Prolife/Anti-Abortion_Profile/index.cfm?&print=1)

(4) [http://www.lifedynamics.com/Prolife/Pro-choice\\_Quotes/](http://www.lifedynamics.com/Prolife/Pro-choice_Quotes/)

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