

**Medical Examiner fired for refusing to falsify evidence  
says she suspected a frame-up in case  
Prosecutors upset analysis didn't back theory**

**County pays her \$375,000 to settle whistleblower suit**

County settles suit / Whistleblowing doctor gets \$375,000

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Harris County agreed Tuesday to pay a former employee of the Medical Examiner's Office \$375,000 and to drop the county's appeal of her successful whistleblower lawsuit.

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Harris County Commissioners Court accepted County Attorney Michael P. Fleming's recommendation to settle the case with Dr. Elizabeth "Libby" Johnson. Johnson sued the county in March 1997, contending that Chief Medical Examiner Dr. Joye Carter wrongly fired her for reporting potentially illegal cover-ups and sabotage at the office.

A jury sided with Johnson in February and awarded her \$315,000 plus attorney's fees. The county immediately appealed the verdict to the First Court of Appeals.

Fleming said Tuesday that, in the intervening months, the county's bill has risen to \$453,000. With the potential that costs would rise and the unlikely prospect of getting the verdict overturned, Fleming suggested the county cut its losses.

Fleming proposed settling the case for \$375,000 and dropping the appeal - a suggestion Commissioners Court accepted unanimously Tuesday.

[http://www.google.com/search?q=cache:0PTN8Yj7CwgC:www.informed.org/Medical Examiner.htm+dr+joye+carter+&hl=en](http://www.google.com/search?q=cache:0PTN8Yj7CwgC:www.informed.org/Medical+Examiner.htm+dr+joye+carter+&hl=en)

Sunday, February 4, 2001

**Harris County medical examiner fined for illegal autopsies, keeps job**

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HOUSTON (AP) — Harris County's chief medical examiner was fined \$1,000 on Friday as part of a settlement reach with the Texas State Board of Medical Examiners for allowing an unlicensed pathologist to perform autopsies.

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Dr. Joye Carter had faced stiffer punishment, including revocation of her medical license and the loss of her job, as a result of the investigation.

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The agreement ends a three-year controversy that erupted when it was revealed that Carter had hired Delbert Van Dusen and allowed him to perform autopsies, including some in homicide cases, without a Texas medical license.

Under the Medical Practice Act, performing autopsies constitutes the practice of medicine. The state board said Carter denied she knowingly violated the act. Key