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Personal and CONFIDENTIAL

Mr Donal Campbell, Commissioner
Alabama Department of Corrections
50 Ripley street
Montgomery AL 36130

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CHARLOTTE NC 28205

FORENSIC PATHOLOGY • LEGAL MEDICINE

704-531-2981 Ext 235

20 August 2005

Mr. Donal Campbell, Commissioner
50 Ripley street
Montgomery AL 36130

Re: Inmate Patrick Swiney # 154406,
Inmate David Earls #147103
and others who were denied prescribed medication

PERSONAL AND CONFIDENTIAL

Dear Mr. Campbell,

Patrick Swiney will not go away. Ignoring his medical condition cannot be pushed under the rug this time. When I wrote to you about his condition two years ago, you did not answer my request, and Patrick Swiney's condition worsened until he was finally seen, years later, by a competent cardiologist, who did a minimal evaluation, and set up a treatment plan.

This plan was totally ignored, and previously prescribed medication inexplicably stopped by employees of the Alabama DOC, or Prison Health Services staff. This is inexplicable and inexcusable behavior, and both morally and legally unacceptable. Swiney needs his medication NOW and not after a delay through the red tape used to delay immediate treatment. The medication stopped is not expensive, so a financial claim cannot be used to justify discontinuing the medication.

Is this part of a system effort to kill "troublesome" inmate, or those with a viable claim of innocence? If that is the case, there will be law suits that will totally gut the DOC and probably end up with criminal convictions for some of the participants.

The guards who mock Patrick for his inability to breathe are sadistic misfits and should be terminated summarily. If this is not standard operative procedure at DOC, your condemnation of this heinous response should be loud and clearly unambiguous. You already know that you have a legal and moral imperative to maintain the health of those in your custody. Fulfill your mission, sir, and do not let Patrick Swiney die like Jeff Dicks, denied emergency treatment for several hours while you were in Tennessee, because the paper work took that much time, and the car—not the ambulance

he needed took over half an hour to drive the five miles to the nearest hospital late in the night.

Patrick needs treatment now to slow down his heart failure. He needs treatment TODAY if not sooner--- Patrick Swiney needs his nitroglycerine, and probably a digitalis preparation, as well as oxygen. Tomorrow may be too late.

Neglect and refusal to follow the treatment plan suggested by the cardiologist is not “benign” neglect, but “malicious” neglect. I urge you to follow through and treat this man appropriately. The malicious neglect removes your immunity. The treatment plan ordered by the cardiologist states that Patrick is to be seen by a cardiovascular surgeon for evaluation (arteriogram) and treatment.

There are other prisoners claiming to be denied their life-sustaining medication – David Earls, Alabama DOC # 147103, for example who has allegedly been denied his heart medication for months now because of a nurse’s refusal to honor doctor’s orders.

Sir, the buck stops with you; either you condone murder of inmates through deliberate and malicious neglect and inaction by you once you are made aware, or you will take steps to prevent what seems to be a department wide policy. I hope for your sake that you will correct this apparent policy. I request a return mail by you that: (1) this denial of life sustaining medication is not department policy; (2) both Swiney and Earls have gotten their life sustaining medication appropriately, and for Swiney appropriate testing to determine the extent of his cardio-respiratory damage; (3) that those who have laughed at Swiney’s disability –his inability to breathe easily—be promptly terminated.

This is the “right thing to do” and I expect you to do it. Any retaliation against Patrick Swiney or David Earls will be found out, and you sir, will be held accountable, under *respondent superior*. This is not a threat, but a promise.

Sincerely,

G M Larkin MD

G M Larkin MD DABFM FACFE

cc Patrick Swiney 154406 Dorm G79, 100 Warrior Lane, Bessemer, AL 35023
Sherry Swiney P.O. Box 1891, Alabaster, AL 35007
David Earls 147103 Dorm 16/18, PO Box 5107, Union Springs, AL 36069