

## Richard Busch Back in the Public Eye

EXTRADITED TO ALABAMA AFTER 7 YEARS

Editorial Staff

The chiropractic profession has a long history of successes, with a few complications along the way. There are lessons to be learned from the story of Richard Busch, DC, whose run-in with the law has made headlines across the country.

### The Back-Story

The saga began more than two decades ago, in 1986, when an unscrupulous chiropractor, William Rose, was ordered to serve 20 years in prison for four counts of criminal solicitation to commit murder. In 1985, police videotaped Dr. Rose offering a man \$5,000 each for the murders of four individuals, plus a \$100,000 bonus if he completed all four murders.

After serving a portion of his sentence and being released on parole in 1993, Dr. Rose was again arrested, booked and released after posting bond for unlawful practice of medicine without a license. Specifically, Dr. Rose falsely represented himself as Dr. Richard Busch while ordering 42 prescriptions for various drugs and controlled substances, including the narcotic Lortab.

At the same time, in 1993, multiple states issued cease-and-desist orders against the Chiropractic Association for Research and Education (CARE), a chiropractic malpractice insurer, for not being licensed or authorized to solicit or transact insurance business. Dr. Rose was managing director of CARE and Dr. Busch served as president.<sup>1</sup> Prior to 1993, CARE published *The American Chiropractor* with Dr. Busch as its publisher. After CARE came under fire, Dr. Rose reportedly became inaccessible, and Dr. Busch moved to Panama and disappeared from the public eye.

After his relocation, a new Panama-based company "Asociacion Quiropractica para la Investigacion y la Educacion" (which, loosely translated, means Chiropractic Association for Research and Education) began publishing *The American Chiropractor*, with Dr. Busch as its chairman and publisher. Interestingly, this organization also goes by the acronym CARE.

### The Case Against Busch

Fourteen years later, Dr. Busch reappeared on March 30, 2007, when the Department of Justice announced he had been extradited from Panama after an indictment had been filed in 2003. The indictment charged that Dr. Busch and four others had conspired to sell unregistered securities through an investment fund, "The Millenium Fund."<sup>2</sup> Busch allegedly misappropriated investor funds from 14 Alabama residents,<sup>3</sup> including Florida State football coach Bobby Bowden (\$1.6 million invested),<sup>4</sup> who invested in a series of Panamanian foreign foundations and international business corporations.

According to U.S. Marshal for the Northern District of Alabama, Martin Keely, "The United States Marshal Service (USMS) has been pursuing Dr. Busch since April 2000, after a bench warrant was issued when Dr. Busch failed to comply with a civil order issued by U.S. District Court Judge Edwin

Nelson. On two recent occasions, the international branch of USMS traveled to Panama to work with local authorities to bring Dr. Busch back to the United States."<sup>2</sup>

Special agents of the Federal Bureau of Investigation, the Internal Revenue Service, the Alabama Securities and Exchange Commission, and the U.S. Marshal Service were involved in investigating the case, with the aid of foreign law enforcement. Assistant U.S. Attorney Michael W. Whisonant is responsible for prosecuting Dr. Busch.<sup>2</sup>

"You can run and you can hide, but eventually we will work through extradition issues with foreign countries, and bring U.S. fugitives back to face our judicial process," said U.S. Attorney Alice Martin. "We welcome this fugitive back to Alabama and will resume our prosecution efforts at his Monday court appearance. We are pleased for the many victims to have him in custody."

The alleged victims of "The Millenium Fund" scam are seeking criminal forfeiture of aggregate funds amounting to more than \$10 million. The maximum potential sentence is five years in prison and a fine of \$250,000. Three of the alleged co-conspirators pled guilty to charges and received a sentence of home detention, payment of restitution and probation. The fourth, Jacques Latourette, remains at-large. Federal marshals request that anyone with information about his whereabouts call (205) 731-0100.<sup>2</sup>

#### Recent Developments

Dr. Busch continues to be listed as chairman and publisher of *The American Chiropractor*. At 64 years old, he appeared before U.S. Magistrate Judge John Ott on April 2, 2007. *The Birmingham News* reported that Busch's attorney, Tommy Spina, sought bond for Busch, indicating that Busch is a great-grandfather who has been married for 40 years, with family in Fort Wayne, Ind.<sup>5</sup>

According to Jill Ellis, spokesperson for the U.S. Attorney's office for the Northern District of Alabama, Dr. Busch is currently in federal custody without bail in Alabama. With a pre-trial conference scheduled for April 30, 2007, the prosecution of his case is currently underway. Our inquiry with Dr. Busch received a "no comment" from his attorney.

Look for an update on Dr. Busch's trial in a future issue.

#### References

1. "Who's Minding the CARE Store?" *Dynamic Chiropractic*, Jan. 14, 1994. [www.chiroweb.com/archives/12/02/03.html](http://www.chiroweb.com/archives/12/02/03.html).
2. "Fugitive Extradited From Panama." Department of Justice Press Release, March 30, 2007. Available [online](#). Accessed April 23, 2007.
3. *Busch v. Commodity Futures Trading Commission*, Brief for the Respondent in Opposition. Available [online](#). Accessed April 23, 2007.
4. Walton V. "Man Returns to Face Charges in Scam." *The Birmingham News*, April 1, 2007. Available [online](#). Accessed April 23, 2007.
5. Walton V. "Man to Stay in Custody Until Fund Scam Hearing." *The Birmingham News*, April 3, 2007. Available [online](#). Accessed April 23, 2007.

MAY 2007