

Albuquerque Journal (New Mexico)

Sunday, November 14, 2004

Convicted Felon Wants to Practice Medicine at UNM

By Jackie Jadrnak

Journal Staff Writer

An incident the victim's family has dubbed "**Chappaquiddick on Bayou St. John**" is making waves in New Mexico.

More than nine years after drunkenly driving his car into a Louisiana bayou, killing the woman with him, Christopher Nabors wants to practice medicine here.

There appears to be nothing in the law to stop him.

Nabors was able to get conditional admission this year to the University of New Mexico's residency program and a one-year resident's medical license, again with conditions. In both cases, officials were aware of his background.

UNM rescinded his admission to the residency program after the Department of Health ruled that he had a disqualifying conviction under the Caregivers Criminal History Screening Act. But when Nabors asked for reconsideration, the Department of Health found out he was a physician, determined he didn't fall under the act and on Tuesday lifted its prior ruling.

That puts the ball back in UNM's court. Officials there haven't decided what to do, according to spokesman Sam Giammo.

Herbert Larson Jr., Nabors' attorney in New Orleans, said Friday that Nabors will likely lose the job because UNM officials fear unfavorable publicity. "Basically, the message he's getting (from UNM officials) is they want to either put it to a vote of the Board of Regents ... or he's getting strong indications they would like him to withdraw (his application)," Larson said.

"It would be New Mexico's loss," he said.

This is Nabors' first attempt to enter a residency program since leaving prison, Larson said. He added that Nabors, who is in Pennsylvania, declined to comment for this story.

The question of whether a felon could practice medicine in New Mexico rests on whether those doing the hiring or granting the medical license believe he has been rehabilitated.

How do you decide if someone has reformed and should be able to go on with his life?

Talk to William Haensel and the answer is easy. His daughter, Michelle "Shelly" Haensel, 25, was unable to escape Nabors' sunken car and died. "His actions prove he is not eligible to work with human beings," Haensel said.

But Dr. Mario Pacheco, who chose Nabors to participate in UNM's residency program in Santa Fe, said, "I think he (Nabors) has become a different person."

Damning evidence

The picture of Nabors in February 1995 was not a pretty one.

News reports from the time indicate he was drinking heavily the night of the incident, ran a stop sign and soared into a shallow bayou. Nabors escaped through the sun roof of his small sports car but apparently did nothing to help his passenger disengage her seat belt. Some reports suggest he delayed telling people who came to the scene that someone else was in the car—a detail Larson disputes.

Nabors was quoted as worrying about his Eagle Talon, career and insurance rates when he reached a local

hospital. When asked the victim's name, witnesses said, Nabors told them he didn't know "the bitch's" name, since he had just met her in a bar.

Those details and others prompted the judge to impose a maximum sentence of 15 years in prison. "Ultimately, it is the lack of respect for the memory of this victim, as you later referred to her as a 'bitch,' that is something that will remain with me forever," Judge Dennis Waldron told Nabors during the February 1996 sentencing. "She deserves far greater than that on her tombstone."

With reductions for "good time," Nabors was released in March 2003. He entered an addiction recovery program upon his release, according to his résumé.

Larson contends, "He (Nabors) told the first person on the scene almost immediately someone else was in the car."

Larson also said a psychologist told him that Nabors' reference to Michelle Haensel as "a bitch" indicated Nabors' self-loathing and remorse. "It was not a cold and callous remark directed toward her," he said. "It was an ill-chosen, horrible, inappropriate comment on how much Chris at that point despised himself for what happened."

Nabors' sentence, Larson said, was the longest ever issued for such a crime—he was convicted of vehicular homicide—in the state. "The average sentence is about two years in Louisiana," Larson said. "There are cases where people committed multiple vehicular homicide but received much lower sentences in my survey."

'He has been rehabilitated'

Pacheco said everyone he has talked to who has interacted with Nabors "indicated beyond a doubt he has been rehabilitated."

Pacheco is residency director for UNM's Northern New Mexico family practice residency program. He is not a UNM employee or faculty member, though, and he made clear he was speaking for himself and not the university in discussing Nabors' case.

That residency program has four positions, three of which were filled through the usual "Match Day" program. In that process, medical school graduates indicate their preferred positions and universities, in turn, rank the applicants.

Pacheco said the remaining opening was advertised and a number of students applied, including Nabors.

Now 39, Nabors has a dental degree as well as a Ph.D. in anatomy. His dental residency focused on oral and maxillo-facial surgery, according to a résumé he submitted to New Mexico's Medical Board. He completed his medical degree at Louisiana State University in June 1995 and began an internship in surgery there before he was sentenced to prison.

Why would someone with that background look for a residency in family practice? "He was on track to be the best, the brightest, the best-educated," Pacheco said. "During his time in prison ... he realized he wanted to have a different orientation than just making a lot of money, to serve the best he could serve. He felt primary care fit best his new priorities."

Pacheco said he was initially disturbed by Nabors' past, adding that Nabors immediately revealed it when Pacheco called him about the position. "In my mind, it boils down to forgiveness and rehabilitation," Pacheco said.

Nabors' own experience with the tragedy of drunken driving could "be a huge asset to help us address the ongoing tragedy we face in New Mexico," Pacheco said. And Nabors' experience in dentistry could help New Mexico's shortage in oral health care, Pacheco said.

And, Pacheco added, "his test scores were among the highest I've ever seen."

Haensel has been writing letters to state and university officials, giving what he sees as full background of the incident. He said Nabors, at the least, shouldn't have a medical license during the full 15 years of his sentence, despite his early release.

And the fact that Nabors continued to appeal his conviction and sentence, Haensel contended, indicated that Nabors did not accept responsibility for his wrongdoing.