An Affair to Remember

...for all the wrong reasons

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Sex, adultery and deadly needles—the Lafayette, Louisiana trial of ex-lovers Dr. Richard Schmidt and nurse Janice Trahan Allen packed more scandal than *The Jerry Springer Show*. Last October, the 52-year-old gastroenterologist and father of four was found guilty of attempted second-degree murder for intentionally injecting Allen, 34, with HIV and hepatitis C. He could face up to 50 years behind bars.

Before convicting him, jurors heard about the couple's stormy 10-year affair, which Allen had finally ended when Schmidt refused to leave his wife. Soon after the breakup, Schmidt showed up at the nurse's place to give her a vitamin B-12 shot for chronic fatigue. But the B-12 turned out to be a cocktail that Schmidt had mixed from blood previously drawn from two patients—one HIVer and one hep C'er. Allen soon developed flu-like symptoms. Five months later, she tested positive for HIV.

The doc accused Allen of scapegoating him for viruses she got from someone else. Though none of her other paramours tested HIV positive, Schmidt and his backers stuck with the classic "slut" defense. His attorney, Michael Fawer, asked the jury: "Isn't it more likely that whoever gave her hep C also gave her HIV? This isn't exactly someone who practices safe sex." But the trial attracted national attention not only because of its salacious testimonies, but because of its use of viral DNA as evidence. Fawer attacked the prosecution for relying on "deeply flawed" tests to show that the nurse's HIV virus was closely related to that of Schmidt's patient. Jimmy Fahrenholtz of AIDS Law Louisiana suspects jurors were swayed by science rather than sympathy. "If the decision was based on either party's personalities," he said, "the jury would have put them both in jail."

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