

Not a War on Doctors, Continued... The Outrageous Case of Dr. Bernard Rottschaefer

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[See also: "[Convicted doc seeking new trial in sex-for-pills case](#)" by T. Ove; Pitts.Post Gazette; 2005]

Over the last few months, we've been following the case of Bernard Rottschaefer, the Pennsylvania physician convicted of trading sex for OxyContin prescriptions. The prosecution's star witness was a prostitute named Jennifer Riggle, who testified she'd given Rottschaefer oral sex several times in exchange for opiate painkillers. Under cross-examination, Rottschaefer's attorney asked another woman making the same claims whether or not the doctor was circumcised. She couldn't answer. For reasons I can't fathom, Rottschaefer was still convicted.

As for Riggle, after the trial her boyfriend -- who had been in prison throughout the trial - released a series of letters she'd written to him in which she admitted to lying under oath. She told her boyfriend in the letters that she'd made up the stories about oral sex in exchange for leniency from the U.S. Attorney's office on her own drug charges. The letters were stamped and dated, the handwriting was determined to be authentically Riggle's, and the boyfriend has signed sworn affidavits. The release of those letters should have at least won Rottschaefer a new trial, if not a judge-ordered acquittal. Neither happened.

Not only that, but the U.S. Attorney in charge of the case -- a law-and-order Republican and "rising star" named Mary Beth Buchanan -- has since steadfastly refused to press perjury charges against Riggle. It's a particularly glaring omission of duty, given that Buchanan has aggressively pursued a slate of Democratic officials on perjury charges. In fact, not only has Buchanan's office not prosecuted Riggle, they're rewarding her. In May 2004, the U.S. Attorney's office requested leniency for Riggle in her own drug charges, writing:

"The defendant was fully cooperative and appeared to be truthful and candid. The defendant's cooperation significantly strengthened the government's case against Dr. Bernard Rottschaefer."

Of course, backing down from the plea would amount to an admission of wrongful prosecution on Buchanan's part. Better to let an innocent man go to jail and the lying dope dealer who put him there go free than admit to a mistaken, overly aggressive, politically damaging prosecution.

This case is an outrage. [END]