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Chism case underlines difficulty of using insanity defense

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Philip Chism appeared in Salem Superior Court earlier this month.

By Milton J. Valencia and Matt Rocheleau

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In convicting Philip D. Chism of murdering Danvers High School teacher Colleen Ritzer, jurors on

Tuesday rejected claims by defense attorneys that Chism was so mentally ill at the time that he should be found not guilty by reason of insanity.

The case is the latest example of the uphill battle lawyers face when using the insanity defense in murder cases.

Here is a list of some high-profile cases from the past two decades in Massachusetts that featured the insanity defense:

Cases in which the insanity defense was unsuccessful

June 2015 — Jahvon Goodwin of Dorchester was convicted of the 2012 murder of Rashad Lesley-Barnes.


Goodwin admitted he followed Lesley-Barnes off an MBTA bus and stabbed him repeatedly. Goodwin told doctors he heard voices commanding him to kill Lesley-Barnes, and two forensic psychiatrists testified that Goodwin's severe mental illness made him unable to control his actions on the day of the murder.

June 2015 — Edwin Alemany was convicted of the 2013 slaying of Amy Lord, who was fatally stabbed after being kidnapped outside her South Boston apartment. During the trial, a psychiatrist testified that Alemany was raped as a child and beset by mental illness from a young age.

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Chism refuses to return to



Chism, accused of killing his teacher in 2013, told his lawyer that “he’s about to explode.”

2013 — Keith Luke was sentenced to two consecutive life terms after jurors convicted the self-described white supremacist of going on a violent rampage in Brockton in 2009, murdering Selma Goncalves and Arlindo DePina Goncalves and raping a third person. Luke’s attorney said his client had been in a psychiatric hospital for at least three years prior to the killings and believed that a “Zionist-occupied government” was planning to round up him and other white survivalists and put them in camps.

2013 — Nathaniel Fujita was convicted of luring his former high school girlfriend, Lauren Astley, to his Wayland home in 2011 and murdering her in his garage. The defense had argued that Fujita was psychotic at the time of the killing.

2013 — DeShawn Campbell was convicted of killing social worker Stephanie Moulton in a group home in Revere in 2011. Chappell had a history of mental illness and violence, including the vicious beating of his stepfather, for which he had served a prison sentence. Chappell’s defense attorney told the jury that his client was a schizophrenic who heard voices that “told him to do things.” Chappell’s family raised

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concerns with the group home days before the slaying that he was not taking prescribed medications.

2010 — John Odgren was convicted of fatally stabbing a fellow student inside Lincoln-Sudbury Regional High School in 2007. During trial, Odgren's attorney told jurors that Odgren had a break with reality when he murdered James Alenson.

2007 — Former New York banking executive Thomas Toolan III was convicted of murder for the 2004 fatal stabbing of his former girlfriend Elizabeth Lochtefeld on Nantucket. Toolan said he was not criminally responsible by reason of insanity because his abuse of alcohol and prescription drugs, including the day of the killing, caused brain damage and mental illness that impaired his ability to know what he was doing. The conviction was later thrown out by the Supreme Judicial Court, which found the verdict was tainted because jurors were not adequately screened for potential bias. But in 2013, Toolan was convicted of murder again.

2006 — Joseph Druce was convicted of the prison strangulation of dismissed Roman Catholic priest John Geoghan, a central figure in Boston's clergy sex abuse scandal. Druce admitted to sneaking into Geoghan's cell in August 2003, jamming the door shut with a book and then beating and strangling the 68-year-old priest. His lawyers argued that Druce was mentally ill and under the delusion that God had chosen him to kill Geoghan to send a message to pedophiles around the world.

2002 — Michael McDermott was convicted of opening fire the day after Christmas in 2000 at Edgewater Technology Inc. in Wakefield and killing seven co-workers. McDermott's lawyers said he suffered from a lifetime of mental illness and was delusional after taking a high dosage of Prozac. They argued McDermott thought he was killing Nazis.

1996 — Richard H. Rosenthal, a Framingham executive at John Hancock Mutual Life Insurance, was convicted of first-degree murder and sentenced to life in prison. Rosenthal butchered his wife in their yard and then impaled her heart and lungs with an 18-inch wooden stake. The defense said he was in a delusional state when he murdered Laura J. Rosenthal, thinking she was a homicidal space alien. They argued the death of the couple's child a year earlier had triggered Rosenthal's mental breakdown.

1996 — John C. Salvi III was convicted of opening fire on two Brookline reproductive clinics in 1994, killing 25-year-old Shannon Lowney and 38-year-old Lee Ann Nichols, and wounding five others.

The defense had claimed that Salvi was a paranoid schizophrenic living in a delusional world in which he linked the clinics to a conspiracy against Catholics. Salvi's convictions were later overturned on a technicality, because he killed himself before his appeal was decided.

Cases in which the insanity defense was successful

2013 — Li Rong Zhang of Quincy was found to be not guilty by reason of insanity in the killing of her 8-year-old son Brandon Yang in their home in 2011. The trial included testimony that she suffered from psychotic depression, paranoid delusions, paranoid schizophrenia, and acute suicidality.

2009 — Angela Vasquez of Roslindale was found not guilty by reason of insanity for the killing two years earlier of her two children, 10-year-old Dennis Burgos Jr. and 13-year-old Yasmine Burgos. Vasquez suffered from a life of depression and was deemed suicidal at the time of her trial.

2009 — Lee F. Chiero was found not guilty by reason of insanity for the 2007 fatal stabbing of his mother in their Uxbridge home. Chiero, then 35, videotaped his mother, Nancy Chiero, as she lay bleeding at the foot of the basement stairs. Three forensic mental health specialists, including one hired by prosecutors, concluded Chiero was legally insane at the time of the killing. His sister said Chiero had suffered from severe mental illness for years, and that he believed people were poisoning him and tapping his phone.

2009 — A judge found Jason Rivers not guilty by reason of insanity in the May 1999 shooting of Westminster Police Officer Lawrence Jupin. The judge declared Rivers lacked responsibility because he was delusional at the time. Rivers was schizophrenic but had never been treated for mental illness before the crime.

2007 — A judge found Richard A. Hartogenesis not guilty by reason of insanity in the 2005 killing of his wife Maria Hartogenesis in Marlborough. Family members said he had a history of mental illness and had been under care, but stopped taking his medications in the months before the killing and was paranoid.

Insanity defense cases with mixed results

2011 — The Supreme Judicial Court changed the first-degree murder conviction to a second-degree murder conviction in the case of a mentally ill woman who ran over her husband five times with a minivan in Palmer in 2004. The court said the judge in the trial should have told jurors they could

have considered whether Starleen A. Rutkowski's chronic mental health problems were responsible for her murdering her husband Richard Rutkowski.

2010 — Fitchburg father Brian Martel said he was in the grip of a psychotic episode when he fatally stabbed one son, Garrett Martel, and critically injured another son in 2004. He had suffered from multiple mental health problems, including bipolar disorder, and had been involuntarily hospitalized twice. Martel ultimately chose not to use an insanity defense and instead pleaded guilty to manslaughter. He was sentenced to 12 to 13 years in state prison, followed by 20 years of probation.

2007 — Nino DiPadova was convicted of murder for stabbing his former landlady Nancy Carignan 100 times in Lowell in 2004. Jurors rejected claims by DiPadova's lawyer that he was not criminally responsible because he heard voices commanding him to kill the victim. The conviction was later thrown out by the Supreme Judicial Court when it ruled that DiPadova's drug use should not have been considered when weighing whether he was insane. DiPadova later avoided retrial by pleading guilty to a lesser charge of second-degree murder.

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