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Mentally Ill, but Insanity Plea Is Long Shot

Published: April 3, 2013

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Mr. Trebilcock was so sure of his delusion that he did not flee the crime scene. Defendants who carefully plan and execute a crime in secret, or who try to escape after the fact, will see those actions used by prosecutors to show that they knew they had done wrong.

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Tarloff Confession

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It is a point prosecutors in Mr. Tarloff's trial have returned to time and again. Mr. Tarloff came to Dr. Faughey's office to rob Dr. Kent D. Shinbach, a psychiatrist with whom she shared the office suite and whom Mr. Tarloff had known 17 years earlier. He hoped to get enough money to take his mother from a nursing home and care for her himself in Hawaii.

Prosecutors have repeatedly noted that Mr. Tarloff prepared for the robbery over several days. He lurked in the back halls of the building and lied to a resident about why he was there. While beating Dr. Shinbach, who barely survived, Mr. Tarloff identified himself by another name. After the attacks, Mr. Tarloff fled, bought a change of clothes and threw away his bloodied ones.

"These actions indicate an acute awareness, certainly, that what he was doing placed him in legal jeopardy," and was wrong, said Charles R. Clark, a forensic psychologist, in his testimony as an expert for the prosecution.

Experts for the defense testified that Mr. Tarloff came to Dr. Faughey's office under an active delusion that God had sanctioned his plan, something he told doctors came to him while sitting on the toilet, and that his mother's life was in grave danger.

"That's what makes him, in my opinion, not able to have appreciated that what he had done was wrong," said Dr. Eric Goldsmith, clinical professor of psychiatry at New York University School of Medicine, in testimony for the defense.

Dr. Clark later countered that Mr. Tarloff's first claim that God had directed him came about six weeks after the attacks, and that the claim was invented to save himself.

Deliberations will continue on Thursday.

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A version of this article appears in print on April 4, 2013, on page A23 of the New York edition with the headline: Mental Illness Is No Guarantee Insanity Defense Will Work for Psychologist's Killer.

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