

SUPREME JUDICIAL COURT OF MAINE

Beauchene v. State

2017 ME 153, 167 A.3d 569 · Decided July 11, 2017

SUMMARY

The Maine Supreme Judicial Court affirmed the denial of Donald Beauchene’s petition for discharge or modified release from psychiatric hospitalization under 15 M.R.S. § 104-A. The court held that the evidence supported findings that Beauchene continued to have a legally cognizable mental disease or defect and posed a risk of harm, and rejected his vagueness and due process challenges. The court concluded that continued confinement was permissible because he remained mentally ill and dangerous.

CASE DETAILS

COURT	Supreme Judicial Court of Maine
WRITING FOR THE COURT	Humphrey, J.; Alexander; Gorman; Humphrey; Jabar; Mead; Saufley
JURISDICTION	Maine
DECIDED	July 11, 2017
DISPOSITION	affirmed
PROCEDURAL POSTURE	Donald Beauchene appealed from a Superior Court judgment denying his petition for discharge or modified release from psychiatric hospitalization under 15 M.R.S. § 104-A.
STANDARD OF REVIEW	The court reviewed the sufficiency of the evidence to determine whether the evidence compelled a contrary finding, viewing the evidence and reasonable inferences in the light most favorable to the judgment. The unpreserved vagueness challenge was reviewed for obvious error.
PRECEDENTIAL VALUE	Published Maine Supreme Judicial Court opinion; precedential.
PARTIES	Donald Beauchene v. State of Maine

TOPICS

health law

due process

void for vagueness

appellate procedure

standard of review

PRACTICE AREAS

QUESTIONS PRESENTED

1. Whether the evidence compelled a finding that Beauchene did not suffer from a mental disease or defect or no longer posed a danger sufficient to justify continued commitment.
2. Whether 15 M.R.S. § 104-A is unconstitutionally vague because it does not define likelihood, injury, or the period over which the likelihood of injury must be assessed.
3. Whether Beauchene's continued confinement violated due process because the State could use an ordinary involuntary-commitment process instead.

HOLDINGS

1. The evidence did not compel a finding that Beauchene lacked a mental disease or defect or could be released without a likelihood of causing injury to himself or others. The denial of discharge or modified release was therefore proper.
2. Section 104-A is not unconstitutionally vague as applied to Beauchene.
3. Beauchene's continued confinement did not violate due process because the trial court found that he remained mentally ill and dangerous.

KEY QUOTATIONS

“courts—as opposed to medical experts—have the ultimate responsibility to determine whether a “mental disease or defect” exists.” (¶ 10)

“That “injury” and “likelihood” are undefined does not render the statute unconstitutional.” (¶ 15)

FACTUAL BACKGROUND

Beauchene was acquitted of murder by reason of mental disease or defect in 1970 and has remained committed since then. The trial court found that his mental-health symptoms, including rigidity, deceitfulness, lack of remorse, and lack of insight, had changed little since 1970 and that he continued to pose a risk of harm to himself or others if discharged or released. His history also included escapes from psychiatric custody and later convictions in New York for rape, sodomy, and assault.

PROCEDURAL HISTORY

Beauchene was acquitted of murder by reason of mental disease or defect in 1970 and committed to the custody of the Department of Health and Human Services. He filed a petition for discharge or a modified treatment plan in February 2016. After a September 2016 hearing at which three mental-health professionals testified, the Superior Court denied the petition, and the Supreme Judicial Court affirmed.

DISPOSITION

affirmed

CASES CITED

- Begin v. State, 2016 ME 186, ¶¶ 8-9, 153 A.3d 93
- Green v. Comm'r of Mental Health & Mental Retardation, 2000 ME 92, ¶¶ 16, 27-28, 750 A.2d 1265
- In re Beauchene, 2008 ME 110, ¶ 10, 951 A.2d 81
- Beal v. State, 2016 ME 169, ¶ 6, 151 A.3d 502
- Parrish v. Colorado, 78 F.3d 1477, 1478 (10th Cir. 1996)
- Gessner v. State, 2017 ME 139, ¶ 7, 166 A.3d 980
- State v. Cromptley, 544 A.2d 302, 304 (Me. 1988)
- State v. Dolloff, 2012 ME 130, ¶ 35, 58 A.3d 1032
- State v. Reckards, 2015 ME 31, ¶¶ 4-5, 113 A.3d 589
- State v. Krol, 68 N.J. 236, 344 A.2d 289, 301 (1975)
- James v. State, 2015 ME 111, ¶ 8, 121 A.3d 1290
- In re Fleming, 431 A.2d 616, 618 (Me. 1981)
- Taylor v. Comm'r of Mental Health & Mental Retardation, 481 A.2d 139, 145-152 (Me. 1984)
- Foucha v. Louisiana, 504 U.S. 71, 77-78 (1992)