

MASSACHUSETTS SUPREME JUDICIAL COURT

Commonwealth v. Piantedosi

Piantedosi · No. SJC-11802 · Decided December 18, 2017

SUMMARY

The Massachusetts Supreme Judicial Court affirmed Christopher Piantedosi's convictions for murder in the first degree and malicious destruction of property. The court rejected challenges concerning expert testimony about hearsay statements underlying a mental-health opinion, testimony about what drove the defendant's conduct, and the omission of an instruction regarding the potential consequences of a verdict of not guilty by reason of insanity. The court also declined to reduce the murder conviction under its extraordinary review authority pursuant to G. L. c. 278, § 33E.

CASE DETAILS

COURT	Massachusetts Supreme Judicial Court
WRITING FOR THE COURT	Gaziano, J.; Gants, C.J.; Budd, J.; Cypher, J.; Kafker, J.
JURISDICTION	Massachusetts
DECIDED	December 18, 2017
DOCKET	SJC-11802
DISPOSITION	affirmed
PROCEDURAL POSTURE	Direct appeal from convictions in the Superior Court for murder in the first degree and malicious destruction of personal property.
STANDARD OF REVIEW	For preserved evidentiary error, whether the exclusion was error and, if so, whether it was prejudicial. For unpreserved testimony concerning the Commonwealth's expert, whether there was error creating a substantial likelihood of a miscarriage of justice. The court also conducted plenary review under G. L. c. 278, § 33E.
PRECEDENTIAL VALUE	published precedential opinion of the Massachusetts Supreme Judicial Court
PARTIES	Christopher Piantedosi v. Commonwealth

TOPICS

- criminal procedure
- evidence
- expert testimony
- due process
- jury instructions

PRACTICE AREAS

criminal procedure

evidence

constitutional law

jury instructions

criminal responsibility

homicide

QUESTIONS PRESENTED

1. Whether the trial judge improperly excluded, on direct examination of the defense psychiatrist, hearsay statements the defendant made during a forensic interview that formed part of the basis for the psychiatrist's opinion.
2. Whether the Commonwealth's psychiatrist improperly testified that anger, sadness, and rage, rather than mental disease or defect, drove the defendant's behavior.
3. Whether the judge's instruction concerning the consequences of a verdict of not guilty by reason of lack of criminal responsibility was legally insufficient because it did not expressly state that psychiatric commitment could last for life.
4. Whether the Supreme Judicial Court should reduce the first-degree murder conviction under its extraordinary review authority pursuant to G. L. c. 278, § 33E.

HOLDINGS

1. An expert may rely on facts or data not admitted in evidence if they are independently admissible and a permissible basis for the opinion, but the expert may not testify on direct examination to the substance or contents of that otherwise unadmitted information.
2. A qualified expert may testify in medical or psychological terms that mental disease or defect did not drive the defendant's conduct and may identify other emotions as motivating the conduct, so long as the expert does not opine directly on guilt or criminal responsibility.
3. The Mutina instruction in the 2013 Model Jury Instructions on Homicide accurately stated Massachusetts law, and the judge did not err by failing to add the later Chappell language expressly stating that commitment could last for life.
4. After reviewing the entire record, the court found no reason to order a new trial or reduce the first-degree murder conviction to a lesser degree of guilt.

KEY QUOTATIONS

“Although an expert may formulate an opinion based on facts or data not admitted in evidence, but that would be admissible with the proper witness or foundation, “the expert may not testify to the substance or contents of that information on direct examination.”” (at 13-14)

“The judge's decision to require compliance with this rule of evidence did not violate the defendant's constitutional right to present a full defense.” (at 15)

“An expert witness is not precluded, however, from providing an opinion that reaches or approaches the ultimate issue in a case.” (at 22-23)

FACTUAL BACKGROUND

The defendant stabbed his longtime girlfriend repeatedly in the chest and neck at her home while their teenage daughter was present, causing her death. The defendant conceded that he killed the victim but claimed that involuntary intoxication from prescribed Prozac and Trazodone rendered him criminally irresponsible. Defense and prosecution psychiatrists offered competing opinions concerning bipolar disorder, medication effects, and whether mental disease or defect caused the killing.

PROCEDURAL HISTORY

A Middlesex County grand jury returned indictments in the Superior Court Department on June 7, 2012. A jury found the defendant guilty of murder in the first degree on theories of deliberate premeditation and extreme atrocity or cruelty, and also guilty of malicious destruction of personal property. The defendant appealed, challenging evidentiary rulings, the jury instruction concerning the consequences of an insanity acquittal, and the Supreme Judicial Court's authority under G. L. c. 278, § 33E to reduce the verdict.

DISPOSITION

affirmed

CASES CITED

- Commonwealth v. Aviles, 461 Mass. 60, 67 (2011)
- Department of Youth Servs. v. A Juvenile, 398 Mass. 516, 531 (1986)
- Commonwealth v. Barbosa, 457 Mass. 773, 784-785 (2010), cert. denied, 563 U.S. 990 (2011)
- Commonwealth v. Chappell, 473 Mass. 191, 203-206, 209 (2015)
- Commonwealth v. Goddard, 476 Mass. 443, 446-448 (2017)
- Commonwealth v. Greineder, 464 Mass. 580, 583, cert. denied, 134 S. Ct. 166 (2013)
- Commonwealth v. Nardi, 452 Mass. 379, 392 (2008)
- Commonwealth v. Markvart, 437 Mass. 331, 338 (2002)
- Commonwealth v. Johnston, 467 Mass. 674, 696, 699-700 (2014)
- Commonwealth v. Amaral, 389 Mass. 184, 193 (1983)
- Commonwealth v. Shelley, 381 Mass. 340, 348 & n.4 (1980), S.C., 411 Mass. 692 (1992)
- Commonwealth v. Gerhartsreiter, 82 Mass. App. Ct. 500, 509-510 (2012)
- Commonwealth v. Okoro, 471 Mass. 51, 66 (2015)
- Commonwealth v. Federico, 425 Mass. 844, 847 (1997)
- Commonwealth v. Lodge, 431 Mass. 461, 467 (2000)
- Commonwealth v. LaFave, 407 Mass. 927, 934 (1990)
- Commonwealth v. Mutina, 366 Mass. 810, 823 & n.12 (1975)
- Commonwealth v. Dunn, 478 Mass. 125, 139 (2017)
- Commonwealth v. Griffin, 475 Mass. 848, 862 (2016)
- Commonwealth v. Wright, 411 Mass. 678, 681 (1992), S.C., 469 Mass. 447 (2014)
- Commonwealth v. Moffett, 383 Mass. 201, 207-208 (1981)

