

SUPREME COURT OF NEW HAMPSHIRE

State v. Labranche, 156 N.H. 740

942 A.2d 1284 (2008) · No. No. 2006-814 · Decided February 26, 2008

SUMMARY

The Supreme Court of New Hampshire affirmed Michael J. Labranche's first-degree murder conviction. The court held that the trial court properly admitted a psychiatrist's expert testimony that Labranche's conduct was not the product of mental illness under New Hampshire's insanity defense. The court also declined to address the defendant's due process argument because it was inadequately developed.

CASE DETAILS

COURT	Supreme Court of New Hampshire
WRITING FOR THE COURT	Hicks, J.; Broderick, C.J.; Dalianis, J.; Duggan, J.; Galway, J.
JURISDICTION	New Hampshire
DECIDED	February 26, 2008
DOCKET	No. 2006-814
DISPOSITION	affirmed
PROCEDURAL POSTURE	The defendant appealed his first-degree murder conviction, challenging the admission of the State's expert psychiatrist's testimony that the homicide was not the product of the defendant's mental illness.
STANDARD OF REVIEW	The admission of expert testimony is reviewed for an unsustainable exercise of discretion. The defendant must show that the ruling was clearly untenable or unreasonable and prejudicial to his case.
PRECEDENTIAL VALUE	Published precedential opinion of the Supreme Court of New Hampshire
PARTIES	Michael J. Labranche, Jr. v. State of New Hampshire

TOPICS

- expert testimony
- evidence
- criminal procedure
- due process

PRACTICE AREAS

- criminal law
- criminal procedure
- evidence
- insanity defense
- expert testimony

QUESTIONS PRESENTED

1. Whether the trial court abused its discretion under New Hampshire Rule of Evidence 702 by admitting psychiatric expert testimony that the defendant's conduct was not the product of mental illness.
2. Whether admission of the testimony rendered the trial fundamentally unfair and violated the defendant's due process rights under the New Hampshire Constitution.

HOLDINGS

1. Expert psychiatric testimony that the defendant's conduct was the product, or was not the product, of mental illness may be admissible under New Hampshire Rule of Evidence 702 when the psychiatrist's specialized knowledge may assist the jury in understanding the complexities of mental illness and determining that factual issue.
2. The court declined to address the defendant's due process argument because he offered only a passing reference to due process without a developed constitutional argument.

KEY QUOTATIONS

“The test generally employed to determine the admissibility of opinion evidence is not to inquire whether the issue to which it relates is for the jury, nor whether it is a matter of daily occurrence and open to common observation, but whether the witness' knowledge of the matter in question will probably aid the triers in their search for the truth.” (942 A.2d at 1287)

“Regardless of whether this issue includes a “moral component,” a psychiatrist's expert opinion on this matter may be of aid to a jury.” (942 A.2d at 1288)

FACTUAL BACKGROUND

On August 29, 2005, the defendant's mother, Jane Labranche, was found outside the home she shared with him suffering from repeated stab wounds. Witnesses reported that Jane identified her son as the attacker, and she later died from her injuries. The defendant was subsequently arrested in Concord. At trial, the State's psychiatrist testified that although the defendant had a psychotic disorder, his actions were not the product of mental illness.

PROCEDURAL HISTORY

The defendant pleaded not guilty by reason of insanity and moved before trial to exclude the testimony of the State's expert psychiatrist concerning whether the charged conduct was a product of mental illness. The Superior Court denied the motion, admitted the testimony at trial, and instructed the jury that it was not bound by the expert's opinion. The jury returned a guilty verdict, and the defendant appealed.

DISPOSITION

affirmed

CASES CITED

- Milliken v. Dartmouth-Hitchcock Clinic, 154 N.H. 662, 665, 914 A.2d 1226 (2006)

- State v. Abbott, 127 N.H. 444, 448, 503 A.2d 791 (1985)
- Brown v. Cathay Island, Inc., 125 N.H. 112, 116, 480 A.2d 43 (1984)
- State v. St. Laurent, 138 N.H. 492, 493-95, 642 A.2d 335 (1994)
- Currier v. Grossman's, 107 N.H. 159, 161, 219 A.2d 273 (1966)
- State v. Gourlay, 148 N.H. 75, 82, 802 A.2d 1203 (2002)
- Washington v. United States, 390 F.2d 444, 455-56 (D.C. Cir. 1967)
- State v. Durgin, 311 A.2d 266, 267-68 (Me. 1973)
- Durham v. United States, 214 F.2d 862 (D.C. Cir. 1954)
- United States v. Brawner, 471 F.2d 969, 973, 981 (D.C. Cir. 1972) (en banc)
- State v. Flick, 425 A.2d 167, 171 (Me. 1981)
- Buchholz v. Waterville Estates Assoc., 156 N.H. 172, 175-76, 934 A.2d 511, 516 (2007)