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Jury sets woman free in shooting death of husband

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MURDER TRIAL

The eight-day trial of [REDACTED], 40, ended early Thursday morning with an acquittal verdict.

The jury of seven women and five men deliberated for four hours before returning its not guilty verdict shortly before 2 a.m. Jurors had begun their deliberations at 9:06 p.m. the night before. They took time out to eat sandwiches provided by the court and to rehear jury instructions on one occasion.

[REDACTED] was charged with second-degree murder which carries a mandatory penalty of life in prison without benefit of parole. Jurors also could have found her guilty of the lesser charge of manslaughter which carries up to 40 years in prison.

Since Mrs. [REDACTED] admitted killing her husband, Judge Wilford D. Carter told the jurors there were only two ways they could return a not guilty verdict by concluding Mrs. [REDACTED] acted in self-defense, or by finding her conduct amounted to criminal negligence, or a gross deviation from the standard of care expected from a reasonable person.

The judge said if the latter situation existed, Mrs. [REDACTED] may have been guilty of negligent homicide, an offense which carries up to five years in prison. However, jurors were told if they reached that conclusion, they had to return an acquittal verdict because negligent homicide is not a lesser verdict they could consider in a murder case.

Although Mrs. [REDACTED] pleaded

not guilty by reason of insanity, jurors were not given the option of returning that verdict. Defense attorney Glen Vamvoras said state law requires a defendant to enter such a plea if he or she wants to present any evidence of a mental disorder.

Vamvoras had claimed that Mrs. [REDACTED] suffered from post traumatic stress disorder (PTSD) and chronic low-grade depression due to more than a decade of physical and mental abuse inflicted by her schizophrenic husband. He argued that she shot her husband as he made threatening advances toward her. He claimed she felt her life was in imminent danger at the time she pulled the trigger.

Prosecutors Donald North and Kathleen Petersen claimed the vengeful defendant killed her husband because she believed he had had an affair. They noted she brought her gun into a home where he had been staying since separating from her a few days before. They also pointed out the victim was "shot in the back."

Vamvoras claimed the victim was shot in the back of the left shoulder because he turned away at the last minute when he realized Mrs. [REDACTED] was armed.

Although the defendant claimed she was afraid of her husband and knew he owned a 9 mm semi-automatic handgun, no such weapon was found either on the victim or in the Monroe Street home where he was killed.