

# Baker found guilty of murders

## Loogootee teen also convicted of home invasion

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By Rich Bauer, Managing Editor

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Clifford Baker, the Loogootee teen charged with murdering a neighbor couple and attacking another neighbor, showed no emotion as Judge Michael McHaney read the first guilty verdict on Tuesday afternoon.

On the other side of the courtroom, the mother and one of the sisters of the woman killed by Baker, looked up simultaneously in a showing of relief and thankfulness. As McHaney read the other four guilty verdicts, Baker appeared to be fighting back tears, blinking his eyes rapidly. The guilty verdicts on two counts of first-degree murder and three counts of home invasion were returned by the jury a little more than 2 ½ hours after it was given the case. Baker, 16, was charged with fatally shooting John Michael Mahon, 60, and Debra J. Tish, 53, in their Loogootee home in the early morning hours of Aug. 4, 2010, then entering the home of another neighbor couple, Steve and Randy Krajefska, and hitting Randy Krajefska while holding a knife. The seven-day trial came to an end with Fayette County State's Attorney Stephen Friedel and Michael Havera, one of three defense attorneys for Baker, delivering closing statements on Tuesday morning. The jury was given the case at 11:06 a.m. and served lunch at noon. At 1:45 p.m., McHaney read to attorneys on both sides a question from the jurors; they asked whether the court would prohibit anyone from leaving the courtroom to leave until they were out of the building. Talking to the attorneys, McHaney – over the objection of defense attorney Mark Wykoff – said he would ask the jury, "Does this mean you have a verdict?" The jurors' answer: "Yes." A short time later, McHaney read the five guilty verdicts. He then set a sentencing hearing for Baker, who has been held on \$2-million bond at the Madison County Juvenile Detention Center since his arrest the day of the incidents, for 9 a.m. on Friday, Sept. 30. During that hearing, Baker's attorneys will be allowed to argue any issues from the trial, and can ask for the jury verdicts to be vacated, a new trial or dismissal of the charges. Under Illinois law, murder carries a penalty of 20-60 years in prison, with natural life in prison a possibility. Once sentenced, Baker will be sent to an Illinois Department of Corrections youth facility until he is classified as an adult, at which time he will be transferred to an adult IDOC facility. After the verdicts, members of the Mahon and Tish families tearfully hugged each other. "I'm just glad it's over," said a tearful Norma Tish, mother of Debra J. Tish. "Justice was done." Randy Krajefska, who was punched in the mouth by Baker and cut above her left eye with a knife he was brandishing, said, "There's no real joy in something like this. I just believe that justice has been served." Friedel said he was "obviously pleased with the jury's results, but saddened by the events that brought us here.

My heart goes out to the victims' families.” While Baker’s defense team argued that the teen was “involuntarily intoxicated” with the anti-depressant Cymbalta, Friedel said, “The evidence was clear it was a conscious act that he engaged in. “The number of facts on the side of drawing the conclusion that he knew what he was doing and made conscious choices was innumerable,” Friedel said. The facts that proved otherwise, he said, “were very few.” Friedel said he believed, “There were so many facts coming from so many different witnesses that led the jury to the consensus that he knew what he was doing.” He argued that Baker shot the family pet and himself about two weeks before the Aug. 4 incidents, “and that was a time that he wasn’t on Cymbalta. “I know that on Aug. 4, Cymbalta was not what caused Clifford Baker to do anything,” Friedel said. “The drug, in this case, is not responsible for his behavior.” Friedel praised Sheriff Aaron Lay and his deputies for the quick response to the scene. “They then handed the case over to the state (police), and they did a very comprehensive job in obtaining all of the evidence they would as quickly as they could. “They gave me a case that was very strong,” Friedel said. The lead defense attorney, Monroe McWard, said that the defense team was disappointed with the verdict, because it still believes that Baker was involuntarily intoxicated. “We sincerely believe that Cymbalta was the cause of Mr. Baker’s problem, the capacity for him to understand that what he was doing was wrong. “The Cymbalta adversely affected him and kept him from having the understanding, the knowledge, the capacity and the consciousness of the wrongfulness of his acts,” McWard said. “This is not something that we thought up; this is something that happens, based on the opinion of a child psychiatrist and based on a neuropharmacologist who understands how this drug works,” he said. McWard added that he believes, “The people of Fayette County were well-represented at this trial, the people of Fayette County received a good trial, and I feel that Judge McHaney did a very good job of managing this case with tough issues.” Both McHaney or Mark Wykoff, another member of the defense team, declined to comment directly on the team’s decision on Monday afternoon to withdraw its insanity defense and focus solely on a defense of involuntary intoxication. Wykoff said he did not feel it was “appropriate to comment” on the strategy change, but referred to pre-trial hearings during which he pointed out that the defense may have to change strategy at some point “if we became apprised of any defect in our defense.” Wykoff said made it clear at those pre-trial hearings that it was “premature to make a ruling” as to the defense that would be presented by himself, McWard and Havera.