

August 23, 2011

Jury expected to get Baker case today

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Effingham Daily News

VANDALIA — More expert witnesses testified Monday to a Loogootee teen's mental state surrounding the murders of a next door couple, while today closing arguments in the trial are being heard.

As the state presented its rebuttal evidence Monday, attorneys for 16-year-old Clifford Baker adamantly questioned a psychiatrist who treated Baker the week before Mike Mahon and Debra Tish were murdered last August and a psychologist who evaluated him afterward.

Dr. Ashok Yanamadala, a child and adolescent psychiatrist at Gateway Regional Medical Center, where Baker was admitted following an incident in which he shot himself and his dog, diagnosed the then 15-year-old with major depressive disorder. The disorder, Yanamadala testified, is most often characterized by loss of appetite, energy and interest in things, as well as crying for no reason. The symptoms, he said, seldom turn into psychotic behavior, adding Baker was not psychotic.

Yanamadala admitted he prescribed Cymbalta while Baker was at Gateway despite an FDA warning advising the anti-depressant not be given to anyone under the age of 24. He explained he is not prohibited from doing so even though he does not have FDA approval and noted all anti-depressants carry the same warning. Before prescribing Cymbalta to Baker, Yanamadala said he spoke to Baker's father about the drug and its benefits and risks. However, in later testimony, Baker's father, Jeff Goldman, denied such a conversation, adding Monday was the first time he had seen the doctor in person. Goldman advised a nurse did tell him his son was being prescribed the drug, but didn't recall if side effects were part of that conversation.

Baker attorney Monroe McWard asked Yanamadala if agitation, an increased risk of Cymbalta, was a precursor to violence.

"It can be, but not always," he answered.

Other than daily contact with nurses and a social worker caring for Baker, Yanamadala said he saw Baker for about an hour during his weeklong stay at Gateway. He also told McWard he didn't follow up with Baker after he left the facility, because once a patient leaves the person is no longer under his care, similar to being discharged from a hospital.

"I release them to their parents. It's the responsibility of the parents," he said.

While at Gateway, Yanamadala said Baker didn't complain of side effects from the drug and observed no signs of a bipolar disorder. He said the facility did have his family history, but not school records because school was not in session at the time.

Another doctor, Fred Klug, testified to having extensive background on Baker. The clinical psychologist said he had hundreds of pages among which were hospital and school records and police reports to help him determine Baker was sane when he committed the murders.

Klug had interviewed Baker in October 2010, but it was not until he interviewed him earlier this month that he diagnosed him with conduct disorder, a term he likened to juvenile delinquent.

Klug also diagnosed Baker with Akathisia, a general inner restlessness as he observed by Baker's feet.

"His feet were going pretty fast almost like he was running a race, and he made very little eye contact," he said.

However, Klug didn't observe any symptoms of mania in Baker, such as little sleep or racing thoughts characterized by talking a mile a minute and jumping from one subject to the next.

Klug testified a notable change he noticed in Baker during the second interview is his memory of the murders.

"He told me he didn't remember anything. When he saw me the year before, he told me a lot more details than that," Klug said. "To have that kind of change he would have had to have a massive head injury to explain such a lapse in memory, but there's nothing in his history about that."

Klug testified Baker also had no recollection in August of shooting himself and killing his dog, unlike the interview months earlier when he admitted lying about the suicide attempt. Klug added Baker only told Gateway and his dad what they wanted to hear. He also said Baker didn't want to talk about the morning of the murders indicating the event was too painful to talk about.

Klug offered other examples of Baker's contradictory behavior. In an aggression and violence test, Klug said Baker denied being in fights. When asked if he would ever hit someone if provoked, he answered "Not at all like me."

"But it's in his history. He's been in fights," Klug said.

“He’s manipulative,” opined Klug, claiming Baker admitted to having the idea to start a fight to get himself thrown out of a school he didn’t want to be in.

Klug believed getting rid of the knife and vocally admitting when deputies arrived “I’m f——d” were signs Baker knew he had done something wrong. Klug also noted the cell phone contact shortly before the murders in which he admitted he was going to do something.

“Insane people don’t admit they’re going to do something ahead of time,” he said, adding victims of insane people are often random and they don’t change their stories.

“You might as well be talking about the weather with an insane person,” he said.

In cross examination, Baker attorney Mark Wykoff noted Baker was not on Cymbalta at the time of the interviews, but another anti-depressant and noted Klug had only spent a total of three hours with Baker. Klug added Baker was not only off the Cymbalta but alcohol, cannabis and other illegal drugs as well.

Wykoff asked if Baker’s change in behavior could have resulted from his change in medication, to which Klug answered no. Wykoff proceeded to fire more questions at Klug, who he noted was not a psychiatrist who is able to prescribe medication or a pharmacologist.

“Isn’t it true memory fades over time? Isn’t it true humans compartmentalize painful memories of painful events?” Wykoff said.

“Yes,” replied Klug to both.

Wykoff drew Klug’s attention to a test in which Baker’s IQ was assessed at 78, which Wykoff said was borderline between intelligence and retardation. Klug interjected 70 and below was considered mental retardation while 85 to 90 was low average and said another test listed his IQ as 85, which, he said, means a person could function as a member of society, but probably not go to college.

Wykoff also mentioned school documents, which listed Baker’s actual functioning level as that of a fourth-grader.

No more evidence was presented Monday.

The jury is scheduled to deliberate following closing arguments today.

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