

# I'M FREE!

## Same Great Newspaper.

## Much Greater Exposure.

Nantucket Real Estate Guide • Section 3

# THE NANTUCKET Independent

THE ISLAND'S LOCALLY OWNED WEEKLY SOURCE FOR NEWS, BUSINESS AND THE ARTS

Volume 4, Number 46 • Nantucket, MA 02554 May 20, 2007 • One Dollar

## The Trial

Island's first murder trial in 24 years begins next week

Initial jury pool appears Monday

BY MARY LANGASTER  
INDEPENDENT WRITER

A courtroom drama the likes of which has never before been seen on Nantucket will unfold next Monday, June 4 when Thomas Toolan III, 39, formerly a Manhattan financial executive, goes on trial in Superior Court for the murder of Elizabeth "Beth" Lochtefeld.

Whether it was a crime of passion committed by a man scorned in a romantic relationship or whether the act was committed by a person in such an impaired physical and emotional state he did not recognize the implications of his actions remains to be decided by a jury.

It is the Commonwealth's burden to prove beyond a reasonable doubt that Toolan's alleged Oct. 25, 2004 fatal stabbing of Ms. Lochtefeld, who was 48, was premeditated and deserves a verdict of first-degree murder with potential life imprisonment. Toolan's lawyer, Kevin Redington, will do his part to persuade the jury that his client should be acquitted or given a lesser sentence based on what laymen term a condition of insanity.

The judge Redington has filed a motion seeking a change of trial venue. Judge Richard F. Conroy will not rule on that motion unless a jury cannot be chosen on the island. All of Redington's other motions, primarily to suppress evidence, have been denied. Pools of 72 jurors are scheduled to be brought in on Monday, Tuesday and, if necessary, Wednesday to obtain an impartial 16-man jury which includes four alternates who will hear all the evidence in the event any jurors must be excused during proceedings. The Nantucket courtroom can seat approximately 165 to 175 people with folding chairs set up to the side of the room in addition to seating in pews and including limited standing room in the back. Capacity will likely be reached only during the time potential jurors must sit in the room because there is no other space to accommodate them.

**HOW THE PROCESS WILL WORK**

It is expected that four security officers will escort Toolan back and forth daily to Nantucket from the Barnstable House of Correction, where he has been held without bail since shortly after his arrest. He is to be transported by plane, but David Neal, the Assistant Deputy Superintendent of Community Relations for the Barnstable Sheriff's Office, said that for security reasons, no specific information can be given on what airline may be used. Further, no information is available on what headline may be used if for some reason air travel is cancelled, or under what conditions Toolan would be kept at the local police department's holding facility if he could not be transported off island.

Once the court session commences, Superior Court Magistrate Pat Church will have particular duties before, during and after the

See *The Trial*, page 10

**CULTIVATE LOCALLY**  
Groundswell of support could launch Nantucket Agricultural Commission.  
PAGE 3

**DRAWN TO ART**  
Many graduates will pack their paints, pencils and cameras as they head to college.  
PAGE 21

**INSIDE THREE SECTIONS**

- 2 Environment
- 3 Community
- 4 Waterfront
- 5 Transportation
- 6 Opinion
- 7 Developments
- 8 Business
- 12 Field Notes
- 13 Events
- 14 on Selection
- 17 Milestones
- 18 Lighthouse Keeper
- 19 Yack On
- 21 The Arts
- 22 Gallery Guide
- 24 Identity This
- 26 Pet Tracks
- 26 Arts Round
- 27 Reef to Reef
- 28 Crossword
- 29 Media
- 30 Calendar
- 32 Anselm Dove
- 33 Sports
- 37 Marketplace
- 38 Classifieds
- 40 Weather Report

**QUOTEABLE**

"We never know the worth of water 'till the well is dry."  
— Thomas Fuller, *Gnomologies*, 1732

**The Prosecutor**  
THOMAS TOOLAN III  
By Mary Langaster/The Independent

**The Defense Attorney**  
KEVIN REDINGTON  
By Mary Langaster/The Independent

**The Defendant**  
THOMAS TOOLAN  
By Mary Langaster/The Independent

**The Courtroom**  
NANTUCKET SUPERIOR COURT  
By Mary Langaster/The Independent

With over **35,000** readers every week and 75% higher average on-island circulation than the competition, advertising in *The Nantucket Independent* is the most logical, affordable and beneficial way to reach your audience.

The Most Readers. The Most News. The Most Reasons to Advertise.

The Nantucket Independent  
508-228-1654  
www.acknews.com  
Sales@NantucketIndependent.com

*The Nantucket Independent ~ the island's only locally owned weekly newspaper ~ is mailed to every household and business on Nantucket and is available free across the island.*