

## FROM THE LOCHTEFELD FAMILY

Last Friday, Judy Lochtefeld, mother of the late Elizabeth "Beth" Lochtefeld, said that the victim statement about her daughter's death that was read in court by her other daughter Catherine following the guilty verdicts against Thomas Toolan, III, represented a statement compiled by the family and signified their feelings.

Still, Mrs. Lochtefeld spoke further about the outcome of the trial and how the family is coping now that they have had some degree of closure.

"The families met in the judge's chambers after the trial to try to keep the strength and keep the faith," she said of speaking with the Toolans. "We commiserated with each other about having lost a child. Mr. Toolan said he hopes in the future more will be done to help people with mental problems so this doesn't happen. It was very poignant and it left me without any guilt. We're just two mothers of two ordinary families who felt they needed to reach out to each other. It's a tragedy for two families.

"On the other hand, we are very grateful to the jury, we couldn't have asked for a better judge, and

we're very grateful to the press for being respectful to us. At the end, everyone was very quiet. No one mobbed us or pushed us."

Mrs. Lochtefeld said that with the support of her children and nephews and with deep appreciation for the outpouring of care extended to the family by the community, she and her husband John are starting to put their lives back together.

Mr. Thomas Toolan, II, and Mrs. Dolores Toolan declined to be interviewed. ■

— Mary Lancaster

## JURY

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she said. "It was different for each person and some were able to arrive at them more quickly than others. We had to put sympathy aside and weigh the evidence. It was not a struggle to keep emotions out of the decision — it's a protection for the juror and it helps you to be pragmatic. The facts are the facts, and knowing that in Massachusetts the law is in place so we weren't deciding his punishment was a relief.

"I prayed a lot during this," she continued. "I prayed that if I were chosen as a juror I would be able to do the best job I could. The reports from [Toolan's rehabilitation] stays were very informative, but to me it was his actions. Everyone knew he had committed the murder, but we had to decide if he was cognitively aware of the consequences and was going against the law. There was a one-way ticket to Nantucket from New York on Monday [Oct. 25, 2004]. I think that indicated he knew what he was going to do. A return flight would have been later, and it was quicker flying to Hyannis and renting a car. The judge told us very clearly that we

could draw reasonable inferences based on our life experiences, and to me, that was a reasonable inference.

"When we first got into the [jury] room it was such a relief to talk about it. We had to vent for a while and then we got down to business. Every day I went for early morning walks and thought over everything. I think it was that way for everyone," said Newhouse. "It's a tragedy for his parents, too. Nobody wants that to happen. He wasted his life and I'm sure he has destroyed his parents. That's a crime."

Fellow juror Barry Paulson said, "It's just too damn bad the guy let his life end up like that. I'm still reflecting on a lot of it myself, but there was absolutely no question that murder was the issue. I'm glad the people of Nantucket got to have their voice. He got a good trial. I hope [her] family feels some justice was done."

Renee Ceely, who was one of the four alternate jurors who did not participate in deliberations, still heard all the evidence presented at the trial and said she was "completely relieved and in full agreement with the verdict."

"His mental issues were totally self-induced. I think what was most helpful was listening to the

judge's instructions and the definitions of intoxication and mental illness," she said. "He [the judge] made it so clear.

"Clearly, [Toolan] was on a vendetta. There was a lot of hate," Ceely continued. "He may not have been planning the perfect murder, but he planned it nevertheless. The scallop knife was like the development of an alibi, and the [other] knife is still missing. If he didn't think he was committing a crime why did he dispose of it? He had the wherewithal to get rid of her wallet and change clothes, and I don't think you could do that in a blackout.

"The doctors didn't have any weight with me," she added. "The strongest evidence of all was Beth Lochtefeld herself. It was tragic and that was life-changing for me to see. This was an experience I'll remember forever. I thought the emotional part was the hardest. The emotions went both ways — I felt sympathy for [Toolan], too, and his parents, but maybe that balanced it for me in the courtroom. There was no relief valve for any of us in the process. You had to keep it all pent up inside you unless you went for a walk and cried on your own. The judge said this was one of the most tragic murder cases he'd sat on." ■

## TOOLAN

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deliberate, pre-meditated murder in the first degree, guilty of murder with extreme atrocity or cruelty and guilty of assault and battery with a dangerous weapon.

Toolan showed no emotion and offered no apology to the family of his victim, even after he heard powerful and touching statements about her death at his hands and the Lochtefeld's emotional pain read by Beth's sister Catherine and cousin Eric. Toolan was led from the room in handcuffs and ankle shackles following his sentence of life in prison without parole and an additional concurrent sentence of nine to 10 years for assault and battery with a knife.

"We can never forget the sorrow brought on by her death," read Catherine Lochtefeld. "Our grief was sharp, intense, palpable and difficult to bear, and after almost three years these emotions are still fresh. We do not rejoice that Mr. Toolan's parents have for all intents and purposes lost their son, just as our parents have lost their daughter. But this dangerous man will never be able to harm another person."

"She lived a life worth living — an amazing life," said Eric Lochtefeld, his voice breaking as he mentioned the 1,400 people who attended the two services held for his cousin. "I want John and Judy to know you raised the best daughter you could have. She was a very special woman."

Prosecutor Brian Glenny said that though he never met Ms. Lochtefeld before her fatal stabbing Oct. 25, 2004 on Nantucket, he was aware that there was not one bad word ever written about her. Defense attorney Kevin Reddington acknowledged that he recognized that the case had been very sad for many people in the courtroom.

Toolan's parents, Dolores and Thomas, II, left the building escorted by two security personnel with Mrs. Toolan trying to hide her face from the crowd of onlookers and media aiming cameras at them. Shortly after, Toolan was brought out surrounded by six officers and the island's sheriff and was immediately placed in a van for transport to the airport.

Toolan, 39, and a former financial executive, was

sentenced to serve his time at the Massachusetts Correctional Institute at Cedar Junction in South Walpole. However, according to Diane Wiffin, the director of public affairs for the Massachusetts Department of Corrections, his first stop was at MCI - Concord, a reception and diagnostic center for all new male inmates where first and second degree murder offenders sentenced to life terms are placed in single cells. All the new inmates undergo medical and psychological screening and DNA testing that takes approximately one week. They are allowed to shower three times a week, exercise one hour daily, five days per week and control the lights in their cells. At the completion of the intake process, Wiffin said Toolan will begin his sentence at either MCI - Cedar Junction or the Souza Baranowski Correctional Center in Shirley, Mass., both of which are maximum security facilities.

## WEDNESDAY'S CLOSING ARGUMENTS

Last Wednesday the jury heard closing arguments in the case by attorneys on both sides. Reddington sought a verdict of not guilty by reason of insanity and said Toolan was depressed over Ms. Lochtefeld's break-up with him and under the influence of alcohol and medications at the time of the killing. He spoke first, saying that Toolan was a man incapable of conforming to society and that his appearance to others was a fake and a facade. In rehashing Toolan's history of alcohol and drug abuse and alleged mental illness, Reddington said, "He fought the demons unsuccessfully...You can see the chipping away, the wearing away, the degeneration...Is



Thomas Toolan is led into the Nantucket courtroom last week.

there proof before you that Thomas Toolan was suffering from a mental disease or defect at the time of the murder? It's there...there is no indication that he is anything but a man suffering from a defect in the frontal (brain) lobe. Do you truly believe that he was not insane?"

Glenny stressed that there are numbers of people in society who suffer from mental illness and find themselves at the end of a relationship, but the fact that they use alcohol and drugs is not an excuse to commit murder. Reminding the jury of the defensive wounds found on Ms. Lochtefeld's body of the 23 wounds she sustained, Glenny said that suggested "she did not go quietly."

Responding to a reference that Toolan was the ultimate victim in the case, Glenny stated, "There are 23 reasons why Beth Lochtefeld is the ultimate victim in this case...Do not be confused by the smoke and mirrors being presented to you by the defense in this case. Thomas Toolan is a cold-blooded murderer. I ask that you find him guilty of every charge here."

Following lengthy instructions on the law by Judge Richard F. Cannon, the jury began deliberations shortly after 1 p.m. Wednesday. They were dismissed for the day at 4 p.m., started deliberating again at 9 a.m. Thursday and reached a verdict just before noon. Although to some observers the jury's decision was quick, jury foreperson Arlene O'Reilly noted that besides the time they discussed the case together, individually each was thinking about the facts and evidence presented during the trial on Wednesday evening. ■