

THE JUDGE SAID. THE JURORS SAID.

Lindsay Clancy mistrial | Post-trial juror comments compared with Judge Sullivan's instructions

A NOTE ON THIS COMPARISON These post-trial comments do not, by themselves, prove juror misconduct or establish that an instruction was violated. They do raise legitimate questions about how jurors understood and applied the instructions they were given.

1. PERSONAL FEELINGS ABOUT THE ATTORNEYS

JURORS SAID Kevin Reddington was “fun to watch.” One juror said, “If I needed a lawyer, I would call him.” Jurors also described the prosecution as “harsh,” “cold,” “without a heart” and “unprofessional.”	JUDGE SULLIVAN SAID Jurors were not to be influenced by “any personal likes or dislikes” they had come to feel toward any party or any attorney.
THE QUESTION <i>How much did reactions to the lawyers become intertwined with evaluation of the evidence?</i>	

2. SYMPATHY, EMOTION AND THE “LOVING MOTHER” EVIDENCE

JURORS SAID One juror reasoned: “Everything proved that she loved her children. So, she had to have snapped and not known what she was doing.” Paula Devlin later recalled family photographs, a home filled with love and even a sign reading “It’s a Wonderful Life” when explaining evidence that affected her.	JUDGE SULLIVAN SAID The verdict had to be based on the evidence and law, without being swayed by sympathy, personal feelings, gut reactions or bias. The legal question was whether mental disease or defect deprived Clancy of a required capacity.
THE QUESTION <i>Evidence that Clancy loved her children may help explain why the killings seemed incomprehensible. Did jurors make the additional legal leap from loving mother to lack of criminal responsibility?</i>	

3. CHOOSING THE OUTCOME THAT FELT MOST JUST

JURORS SAID An anonymous juror who changed her vote said she eventually felt the only way to obtain justice was to “get her the help that she desperately needed.” Devlin has also said she wants Clancy to receive psychiatric treatment rather than simply be acquitted.	JUDGE SULLIVAN SAID Jurors were informed about possible psychiatric commitment after an NGRLCR verdict, but their verdict still had to be based solely on the evidence and the law.
THE QUESTION <i>Were jurors deciding whether the Commonwealth proved criminal responsibility—or also deciding which outcome they believed was best for Clancy and the children?</i>	

4. A VERDICT AS A “TURNING POINT”

JURORS SAID

Devlin said jurors knew the case could be “a turning point” that might “change something to make it better for other women in the future, for other families.”

JUDGE SULLIVAN SAID

The jury’s responsibility was to decide this defendant’s criminal responsibility from the evidence presented and the law provided by the court.

THE QUESTION *The potential effect of a verdict on postpartum mental-health awareness is important socially—but was not part of the criminal-responsibility test.*

5. PERSONAL MENTAL-HEALTH EXPERIENCES IN DELIBERATIONS

JURORS SAID

One juror said several jurors had experienced mental-health issues and “we shared our own personal stories.”

JUDGE SULLIVAN SAID

Jurors could use reason, common sense and ordinary life experience, but were to decide the case from the evidence admitted at trial and not from outside information, speculation or material not in evidence.

THE QUESTION *Were those stories simply emotional support—or did personal experiences become analogies or substitute evidence for Clancy’s mental state? The interviews do not tell us.*

6. PRESSURE ON JURORS WHO DISAGREED

JURORS SAID

Jurors described pleading, crying, repeatedly presenting evidence and instructions to the dissenters and trying to persuade them. Devlin later acknowledged that the two remaining dissenters “felt attacked.” The final holdout was publicly described as a “rogue juror.”

JUDGE SULLIVAN SAID

“Don’t be afraid to change your own opinion if the discussion persuades you that you should. But don’t come to a decision simply because other jurors feel it’s the right decision.” Each juror had to decide the case individually.

THE QUESTION *Persuasion is the purpose of deliberation. But unanimity does not require a dissenter to surrender an honestly held conclusion merely because eleven jurors disagree.*

7. GRAPHIC EVIDENCE AND THE PHYSICAL FACTS OF THE KILLINGS

JURORS SAID

Some jurors complained that the autopsy photographs were excessive or morbid because there was no dispute that Clancy killed the children. Nick Dargie called the holdout’s manipulation of an admitted exercise band with a water bottle “disgusting” and characterized it as “playing detective.”

JUDGE SULLIVAN SAID

Jurors were instructed not to let the unpleasant or graphic nature of evidence influence the verdict. They could consider the circumstances of the crimes and Clancy’s conduct before and after them when evaluating criminal responsibility.

THE QUESTION *Did the horror of the physical evidence cause some jurors to treat details of the killings as unnecessary once the act itself was undisputed?*

8. THE MEDICATION EVIDENCE

JURORS SAID

Devlin acknowledged that medication testimony came quickly: jurors were trying to take notes, did not always know how to spell the drug names and were trying to determine “how they were prescribed and what there was.” Jurors later repeatedly referred to a medication “cocktail.”

JUDGE SULLIVAN SAID

Jurors were required to fairly consider the evidence. Prescription-drug effects and mental impairment could be considered where relevant, but neither automatically resolved criminal responsibility or intent.

THE QUESTION *This is less an apparent instruction conflict than a warning sign: did jurors ever receive a sufficiently clear chronology to distinguish medications prescribed over time from medications actually authorized or present at the time of the killings?*

THE BOTTOM LINE

These comparisons do not establish that the 11 jurors who favored NGRLCR reached the wrong result. They do show why their post-trial explanations deserve close examination. The governing question was not whether Lindsay Clancy was sympathetic, loved her children, had been failed by the medical system, needed treatment, or could become a catalyst for change. It was whether the Commonwealth proved beyond a reasonable doubt that she was criminally responsible when she killed Cora, Dawson and Callan.