

The Washington Post

FRIDAY, JUNE 17, 1994
METRO, C.05

College Student Absolved in Mother's Beating Death

BY BRIAN MOOAR

A gifted art student who bludgeoned his mother to death with a hammer has been found not criminally responsible because he was plagued by hallucinations and believed the world was about to end.

Thomas Benjamin Spande, 22, fatally beat his mother Jan. 11 at her home in Bethesda, apparently believing she would understand and appreciate what he had done, lawyers said Wednesday in Montgomery County Circuit Court.

Judge James McKenna ruled that county prosecutors had enough evidence to warrant a first-degree murder conviction. But after weighing written opinions from two psychiatrists and a psychologist who examined Spande for the prosecution, McKenna absolved Spande of criminal responsibility.

McKenna ordered Spande to continue psychiatric treatment at Clifton T. Perkins Hospital Center in Jessup, where he will remain until it can be proved that he is not a danger to himself or others.

"The state took the same position we took: It was an inappropriate case for a criminal conviction," defense lawyer Steven Kupferberg said yesterday.

"You truly have to have criminal intent to commit a crime, and this is one of the purest cases of not having criminal intent and truly not being able to conform conduct to law or appreciating criminality," he said.

"Our criminal justice system is not designed to punish people with illnesses if they are not able to appreciate the criminality of their act as a result of that illness."

Spande, a senior with an A average at Bowdoin College in Maine, suffered a rapid onset of

schizophrenia when he returned to his family's home during Christmas break, **Kupferberg** said.

Spande said he experienced vivid, colorful hallucinations and became convinced that certain pieces of music and literature bore messages especially intended for him.

Spande came to believe that books and song lyrics were sending him a message to kill his mother, said Assistant State's Attorney Kathleen Toolan.

Another message, Toolan told the judge Wednesday, "was that the world was coming to an end in the year 2000 and that there would be a new Noah's ark built and certain people would be chosen to be on that ark, and he felt that he would be one of those chosen people. At that point, the defendant did not think that this thinking was abnormal."

Spande also believed pop recording star Sting was passing along information about the apocalypse, spelling out the role the art student would play in the end of the world.

The body of Constance Spande, 55, was discovered by a friend who called Thomas Spande on the phone Jan. 11 and sensed that something was wrong. When the friend stepped into the blood-splattered house, Spande made no mention of his dead mother but engaged the man in a conversation about the meaning of life.

Toolan said Spande appeared to be disoriented and unconcerned when police officers and rescue workers arrived. Police took Spande to Suburban Hospital, where doctors decided he had catatonic schizophrenia. A few days later, he was transferred to the Jessup psychiatric facility.

Kupferberg said Spande's mental illness was "fairly well under control at present," but he remains profoundly depressed over the death of his mother.

"They had a very close family, and he obviously takes responsibility - although not criminal responsibility - for what has happened and what he has done," **Kupferberg** said. "He realizes that this is tragedy of cataclysmic dimensions."

Spande's father, NIH research chemist Thomas F. Spande, has been "absolutely supportive of him through this whole tragedy," **Kupferberg** said. ■

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