

# Doctor testifies defendant insane

By Judith Berns  
Staff writer

A psychiatrist for Dr. Daniel Boucher testified Monday that the former Birmingham orthodontist had a mental illness at the time he shot and killed his ex-wife and child more than 12 years ago.

"It is my opinion at the time of the shooting he was suffering from a mental illness," said Dr. Emanuel Tanay, opening witness for the defense.

The testimony is a key to defense attorney Thomas Binion's effort to prove Boucher was temporarily insane when he shot and killed his former wife on Oct. 16, 1969, in the West Bloomfield home they once shared.

Boucher is charged with the first-degree murder of Blanche Boucher, who was eight years his senior. The couple had been divorced about seven months.

Questioned by defense attorney Thomas Binion, Dr. Tanay described that mental illness as "dissociative reaction" which is "similar to psychosis but short in duration."

"The shooting was the result of the disruption of the controls he did have," Dr. Tanay said. Later evidence of imbalance was his lack of remorse, Dr. Tanay said. "He did not show any appropriate emotions for the deed itself."

"IN MY OPINION, he was unable to control his behavior. He was dominated by the disruptive rage within him. That part of personality that controls behavior was not operating."

In addition, Dr. Tanay said Boucher described taking "a significant amount of barbiturates" ahead of the murders which apparently failed to take effect.

"It's interesting he had no response to

it which would indicate how highly agitated he was."

In cross examination, Assistant Prosecutor Edward Sosnick pointed out Dr. Tanay had seen Boucher three days after the killings, while a psychiatrist he will call saw Boucher only hours later.

When asked whether psychiatry was a science or an art, Dr. Tanay replied it was "a combination of science and art."

Asked whether he had ever been incorrect in a diagnosis of mental illness, Dr. Tanay responded, "I assume I have been wrong on many occasions but I can't recall any specific case."

Sosnick attempted to establish how many times Dr. Tanay had been called to testify in murder cases and whether he represented the prosecution or defense.

Dr. Tanay said he was unable to remember the number of instances but that he had testified "yes" on behalf of the prosecution. Sosnick sought to prove it was significantly less.

Evidence presented by the prosecution earlier includes a recorded confession made to former Oakland County Prosecutor J. Rick Schmitt shortly after midnight following the slaying.

The slaying took place about 9 p.m. on the evening of the day a judge ordered Boucher's 700-acre estate near Oxford to be sold for unpaid alimony.

BOUCHER, NOW 56, was convicted of Mrs. Boucher's murder in 1971 in a non-jury trial. The conviction was overturned in 1973 because of a procedural error during the trial.

Boucher was declared mentally unfit for trial until Oakland County Circuit Court Judge Steven Andrews in 1979 ruled he was able to stand trial.

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Two persons had added thoughts on the assassination attempt.

"I was shocked, stunned, I guess, and disappointed," said Marci Grant of West Bloomfield.

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## More reaction to Reagan

Continued from Page 1A

Shock, bewilderment, and anger at a system that allows people to carry guns was Louise Tappero's reaction.

"It's going back to the basics again," the West Bloomfield resident said. "We need different punishments and a much quicker court system."

"I can't believe the number of as-

sassinations I've seen during my lifetime. It just seems unbelievable. At my age, it seems to stem from the time our morals changed. I think we're going to have to go back to the old values."

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