

# Boucher's lawyers rely on insanity defense

By Judith Berne  
staff writer

An attorney for former Birmingham orthodontist Dr. Daniel John Boucher claims his client was insane when he killed his ex-wife at her West Bloomfield home in October, 1968.

Boucher, who is on trial for first-degree murder in Oakland County Circuit Court, was pictured by his attorney as a man who was hurt, bewildered and finally broken by his own emotional and psychological difficulties and the problems incurred in his marriage and divorce from his wife of nine years.

In the trial's opening defense statement Tuesday, Thomas Binion said, "We will try to indicate what happened to Dr. Daniel Boucher that rendered him insane at the time that this incident occurred."

"Testimony will show he was a broken man that day, that he's a broken man now."

Binion said the "evidence will show Dr. Boucher broke — his spirit — his mind... (He) broke with reality."

Assistant County Prosecutor Edward Sosnick said the case against Boucher will be based on proving premeditation, deliberation and malice of forethought in his ex-wife's death.

She was killed by a blast from a shotgun during the night of Oct. 16, 1968, about seven months after the couple was divorced.

SOSNICK SAID he will present evidence that Boucher earlier that day said he would kill his ex-wife. The evidence will show that Boucher tracked her through Royal Oak and Birmingham before killing her at the Pine Lake home which they previously shared, Sosnick said.

This is Boucher's second trial on the same charge. He was found guilty of murder in a 1971 non-jury trial but the conviction was overturned in 1973. The state court of appeals reversed the conviction because of a procedural error in the trial.

Boucher, who has been in and out of state mental hospitals since then, was judged mentally incompetent to stand trial until 1979. Oakland Circuit Judge Steven Andrews, who is presiding over this jury trial, then ruled that Boucher was mentally competent. Boucher, white-haired and pale, is now 58.

Binion depicted Boucher as a bright, "some would consider brilliant" man who built up a successful orthodontics practice and invested wisely in real estate.

But he claimed evidence will show a "maladjusted" psycho-sexual development which was not an extension of his successful professional and financial life.

Binion described an initially happy marriage, at age 35, to Blanche Boucher, who was eight years his senior. "After the first few years, the marriage became a nightmare for Dr. Boucher," he said.

"TESTIMONY WILL SHOW she began running around" and at one point a 22-year-old man "moved into the marital home," Binion said.

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CITY OF FARMINGTON HILLS  
SUMMARY OF PROCEEDINGS  
CITY COUNCIL MEETING  
March 23, 1981

The City Council of the City of Farmington Hills held a regular meeting March 23, 1981. Mayor Wolf opened the meeting at 7:30 p.m. Members present were Wolf, Soronen, Opperhauser, Alkateeb, Burwell, Dolan and Lange. Others present were Assistant City Manager Costick, City Clerk Cairns and Attorney Ribeau.

Consent approved the minutes of February 23, March 2, and March 16, 1981.

Approval was given to Bonding Resolutions for Nine Mile Road Improvement (SAD C-133), Farmington Hills & Glen Orchard Sewer Improvement (SAD C-144), Owenwood Sewer (SAD C-145), Watt & Grayfield Water Improvement (SAD C-146), Howard Road Sewer Improvement (SAD C-147), Howard Road Water Improvement (SAD C-148), Howard Road paving (SAD C-149), Hathaway Water Improvement (SAD C-150) and Hathaway Sewer Improvement (SAD C-151).

Ordinance C-3-81 to amend Vehicle size, weight and load requirements of City Code was enacted.

Ordinance C-4-81 to adopt by reference the Michigan Mechanical Code as promulgated under the Michigan Construction Code Act, being Public Act 230 of 1972 was enacted.

Enacted Ordinance C-5-81 requiring licenses to obtain permits under the Mechanical Code and designating the City of Detroit as the licensing authority.

Council enacted C-62-1-I amending the Zoning Ordinance, to amend the applicable procedure for processing proposed changes or amendments to an approved Planned Residential Development plan.

Consideration of the approval in principle of a Cable T.V. Franchising Ordinance and request for proposal as presented by the joint committee on Cable T.V. was adjourned until the Council has sufficient information.

Consent Judgment re: Ross site plan for offices on Northwestern Highway was approved.

April 13, 1981 was set for Public Hearing for the revised project plan for Hunters Square Project and revised project plan for the Honon Company Project.

Approval was given of Midsatisfactory Judgment in the case of Sol Senonkar V City of Farmington Hills.

Chapter 5, Section 5.170, of the Special Assessment Ordinance was amended to increase the maximum interest rate.

Resolution requesting State for reimbursement of election costs for Presidential Primary was approved.

Approval was given for a new full year Class C license with dance permit to be located at 31205 Orchard Lake Road to be amended to Gene's Roadhouse, Inc., and R. R. & S Tavern Corporation.

A payback agreement for sewer construction in Brookside Subdivision was approved.

Resolution authorizing the City Manager to procure rock salt for ice control through the State of Michigan Extended Purchasing Program was approved.

Paradisi Construction, Inc., was awarded the bid for water main construction on Meadowview, SAD C-136.

Lance Construction, Inc., was awarded the bid for water construction on Watt and Grayfield SAD C-146.

Council approved Resolution to approve a city policy relative to the proposed 1981 soil stabilization - chip seal surface pilot program.

Resolution to authorize the execution of a letter of understanding with the City of Farmington to revise billing procedures for water supply through the City's water supply system.

FLOYD A. CAIRNS, City Clerk  
DONN L. WOLF, Mayor  
Publish: March 24, 1981

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