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September 29, 2003

The Honorable Shirley Troutman  
Erie County Court Judge  
Erie County Hall  
92 Franklin Street  
Buffalo, NY 14202

**RE: PERKINS, Jeremy M.**  
**C#: 089-035**  
**Indictment Number: 00586-2003**  
**DOB: 12/20/74**  
**CPL 330.20 (Dangerous Mental Disorder) Examination**

Dear Judge Troutman:

Mr. Perkins was transferred per your order to Rochester Regional Forensic Unit (RFU) of the Rochester Psychiatric Center (RPC) under the provisions of CPL 330.20. The purpose of this evaluation was to determine if Mr. Perkins suffers from a dangerous mental disorder, a mental disorder, or no mental disorder. The following report is the result of this examination.

### **OPINION**

It is the opinion this evaluator, within a reasonable degree of medical certainty, that Mr. Perkins suffers from a dangerous mental disorder and is in need of treatment in a maximum-security psychiatric facility.

### **IDENTIFYING DATA**

Jeremy M. Perkins is a 28-year-old Caucasian male who is charged with Criminal Possession of a Weapon 4<sup>th</sup> Degree, Class A Misdemeanor and Murder 2<sup>nd</sup> Degree, Class A-1 Felony. Mr. Perkins underwent 730 evaluations by Joseph Liebergall, Ph.D, and

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Brian S. Joseph, MD, on April 7<sup>th</sup> and 10<sup>th</sup>, and it was their opinion that he was competent to proceed at that time. Gary J. Horwitz, MD, evaluated him on July 23, 2003 and opined that he was not responsible due to a mental illness. Mr. Perkins was transferred from Erie County Holding Center to RFU on August 08, 2003.

### **STATEMENT OF CONFIDENTIALITY**

The purpose of this evaluation was explained to Mr. Perkins prior to his initial interview and during subsequent interviews. He was informed that a doctor-patient relationship did not exist. He was told that the information obtained from the evaluation was not confidential and a report would be provided to the Court. He was further informed that the undersigned and other staff from the RFU could be subpoenaed at a later date to testify regarding this report.

### **SOURCES OF INFORMATION**

1. Interviews of Jeremy Perkins on 09/13/03 and 09/14/04 at RFU with total time of 3 hours.
2. Review of Mr. Perkins' medical record at RFU-Rochester Psychiatric Center.
3. Reports of Evaluation for Capacity to Stand Trial by John Treanor, MD, on August 16, 2002, Joseph Liebergall, PhD, on April 07, 2003, and Brian Joseph, MD, on April 10, 2003.
4. Report of evaluation of Criminal Responsibility by Gary Horwitz, MD, dated July 23, 2003.
5. Arrest records from Buffalo Police Department, dated 08/14/02, and New York State Division of Criminal Justice Services Report.
6. Statements of Jeremy M. Perkins, Donald E. Perkins (father), Charon R. Epstein and Ronald S. Epstein (neighbors), Paula Bruski (friend), given to Amherst Police Department on 03/13/03.
7. Williamsville North High School Records, Williamsville, NY, 1990-1994.
8. Millard Fillmore Suburban Hospital, CT scan reports: 07/31/02 & 08/21/02.
9. Erie County Medical Center, Discharge Summary, dated 03/26/03 and CT scan report, dated 03/17/03.

### **DEVELOPMENTAL/SOCIAL HISTORY**

Mr. Perkins was born to Ellen and Donald Perkins in Buffalo, NY. He describes his childhood as a happy one. He believes he was delivered via c-section due to prolonged labor. He was described by his father as being "slow." He denied any sexual abuse but stated he was disciplined by spanking till age 15. He acquired scarlet fever as a child and as a result repeated first grade. He required "special-ed classes" for reading. At the age of 12 his parents temporarily moved to California. He attended Williamsville North High School and took regular classes. He was an average student, however his SAT scores were low, with 350 Verbal, 470 Math. He denied any disciplinary actions against him

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during his schooling. He played football during his freshman year but quit, as he could not tolerate the cold weather.

He and his friends stole various items from homes and cars. He reports to have stolen gasoline, a bicycle, fire-logs, wine, squirt guns, cell phones, and change out of cars. At one time he was turned in by one of his friends for stealing a bicycle and made restitution by giving his video-game system in return. His own mother turned him in on another occasion.

Upon graduating from high school, he took 6 months off. He dropped out of Erie Community College during the second semester. He stated this was due to his abuse of alcohol and his inability to concentrate. At one time during college, he consumed a bottle of Robitussin (cough syrup) and ingested Pseudoephedrine (a common ingredient in cold remedies) to "get high."

Mr. Perkins lived with his parents until 2 years ago. When they could no longer tolerate his behavior, he was asked to live elsewhere. He briefly lived with Sue Trask (a family friend) and then with Russell Muscato (a friend's father), but they also found him difficult to live with. Mr. Perkins returned to his parents' home within six months.

Mr. Perkins upon graduating from high school, briefly worked at a fast food restaurant. He held a productive job in construction for six years until he began to decompensate 2 years ago.

Mr. Perkins describes himself as a heterosexual. He became sexually active at age 19. He claims to have had 2 sexual partners in his lifetime. The longest relationship he had was a month long. At age 25, he developed a "crush" on his sister's friend, Diane Sherer, after meeting her at the Renaissance Fair. (See below.)

*Relationship with his Father:*

Mr. Perkins father worked for a construction company and was a carpenter by trade. He stated "I liked his eyes, the way they looked, very blue." "At five years old I broke into a house through a screen door and he spanked me ten times, but I didn't mind. One year ago he strangled me or choked me, I can't remember why." Mr. Perkins stated that he still liked his father and wishes he could talk to him. He has written to him but there has been no new contact with his father since the incident. Mr. Perkins believes that his father is still grieving the loss of his spouse.

*Relationship with his Mother:*

Mr. Perkins mother took up Art at Rochester Institute of Technology. She painted on glass and sold her work at fairs. She and her husband were devout Scientologists. Mr. Perkins stated that over the last one and a half years he began to think that Mrs. Perkins was "evil." He attributed weird phenomenon around the house to his mother. He believed

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his mother was taken over by an alien. He felt that her face could change and that she had an "evil grin" on the day of the instant offense. He also felt that she had "an evil eye and was somehow connected to an alien ship." Mr. Perkins stated that he loved his mother and misses her.

### **FAMILY HISTORY**

Family members were devout Scientologists. There is no known history of psychiatric illness in his mother or father. He has a 26-year-old sister named Danielle who works in the Church of Scientology. Mr. Perkins described her as "unhappy and very depressed."

### **MEDICAL HISTORY**

He was diagnosed with scarlet fever at age 6. He suffered trauma to the head in July 2002, at age 27. He also had a left small toe fracture from childhood. He underwent excision of three moles from his back. He is Allergic to bees.

### **DRUG AND ALCOHOL HISTORY**

At the age of sixteen he began to consume alcohol, without his parents' knowledge. He "drank to get drunk," mostly on weekends with his friends. He answered positive for two out of four screening questions for alcohol addiction. At one time, he reported to drinking 22 beers in a row. His last drink was 6 months ago and he resorted to using change from a piggy bank. He denied having any symptoms of withdrawal. At 20 years of age, he began using marijuana. He reports that his last use of marijuana was at age 25, while at the Renaissance Fair. However, records from an arrest in August 2002 indicate otherwise.

### **LEGAL HISTORY**

May 15, 1994: DWI- 1<sup>st</sup> Offense, Class U Misdemeanor. Convicted upon plea of guilty July 1994, reduced to DWAI. Fined \$300 and mandated to a 6 week drug and alcohol course.

August 14, 2002: Resisting Arrest, Obstructing Government ADM. 2<sup>nd</sup> Degree, and Trespass

March 13, 2003: Criminal Possession of Weapon, 4<sup>th</sup> and Murder 2<sup>nd</sup> Degree

### **PSYCHIATRIC HISTORY**

Mr. Perkins stated at the age of twelve he went through a "depression episode" that resolved spontaneously. According to Donald Perkins, father of Mr. Perkins, the first signs of a mental illness became evident one and a half to two years ago, at age 26. During the spring of 2002, he noticed that his son's thoughts changed and took on a bizarre quality. He became more withdrawn and spoke of strange phenomenon around

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the house. Six months after "9-11" Mr. Perkins felt he could talk telepathically to President Bush and Bill Gates. He dropped out of a church course, as he could not concentrate.

In July, Mr. Perkins hit his head while working under his father's company truck. He felt that "I hit my head so hard, I saw red. I thought I was going to die." He did not lose consciousness at the time. Mr. Perkins however did not seek medical treatment until the next day. He underwent a CT scan at Millard Fillmore Suburban Hospital, on July 31<sup>st</sup>, 2002. Results revealed no abnormalities. Donald Perkins' deposition indicated, "Sometime shortly after that Jeremy started acting kind of weird and I had to let him go from the job. He hasn't cut his hair in months. We have to force him to take a shower or brush his teeth."

He also developed an infatuation with his sister's friend Diane, after meeting her that summer at The Renaissance Fair. He managed to acquire a "cabbage patch doll" which he believed to be hers. At night he would speak to this doll thinking he could bring it to life. He felt he could communicate to Diane through this doll. He believed he had known Diane for thousands of years. He also thought that Diane was a mermaid in a previous life.

In August of 2002, the Buffalo Police arrested Mr. Perkins for Trespass and Obstruction of Governmental Administration 2<sup>nd</sup> Degree, on the grounds of University of Buffalo. Mr. Perkins stated he became disoriented and that he himself called police from a security telephone pole. He then sat on the grass and waited for the police to arrive. Witnesses informed police that Mr. Perkins was looking through car windows. When questioned Mr. Perkins replied, "Yeah, I was looking in cars, I was up all night. I was tired and I wanted to get home. Why don't you just arrest me?" When officers attempted to take him into custody, he however struggled with them, resulting in injuries to one of the officer's hands and knee. He also admitted to police that he was looking for a girl named Diane.

Upon his arrest, he was taken before Buffalo City Court Judge, James McLeod, who ordered a 730 exam. Mr. Perkins was taken to ECMC for this evaluation. Dr. John Treanor, evaluating psychiatrist, indicated, "He appears unkempt with long uncombed hair, an unkempt beard and mustache, but no acute distress. Speech is disorganized, circumstantial and tangential. He states that things are happening to him, such as disappearing objects when he looks at them. He states that he had smoked a joint just before he got arrested and he is afraid that he will be charged with that. He smiles and states that he may be Jesus Christ. Indeed, he looks like some of the portraits of Christ. He laughs inappropriately and is easily distracted. He is unable to attend to routine questions and would not be able to assist in his own defense." Ellen Perkins, his mother, convinced staff at ECMC not to commit Mr. Perkins, but to release him into her custody.

Mr. Perkins recalled he how he felt that his "skull was cracked" after the incident at University of Buffalo. On August 21, 2002, he underwent a second CT scan at Millard

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Fillmore Suburban Hospital for “confusion.” The results were not different from the previous one. As his condition did not improve, Mr. Perkins was evaluated by a neurologist. The neurologist recommended that Mr. Perkins be seen by a psychiatrist for antipsychotic medication.

Ellen and Donald Perkins were devout Scientologists. As a result, they were opposed to teachings of psychiatry and use of antipsychotic medications. Mrs. Perkins was a staunch advocate in the use of vitamins, herbs and nutritional supplements. In August of 2002, Mr. Perkins began to eat alone, as he felt his mother was poisoning him. He soon stopped eating altogether. He stopped showering, shaving, and brushing his teeth. He believed cars that were driving by were trying to kill him and that trees were talking to him. He also began sleeping in the living room, near his parents’ bedroom, as he felt aliens were in the ceiling of his bedroom.

In October 2002, his parents instead took him to be evaluated by Dr. Maulfair (DO), a Scientologist himself. He informed them that Mr. Perkins was suffering from schizophrenia, caused by a “yeast infection of the intestine.” Dr. Maulfair also informed them that Jeremy was suffering from heavy metal poisoning. He prescribed several vitamins and herbal supplements for Mr. Perkins to take on a daily basis. Ellen Perkins added clay to some of the capsules in the belief that this would remove toxins.

Two weeks prior to the instant offense Mr. Perkins was taken by parents to “Albert’s place.” According to Donald Perkins, “Albert is a guy in Springville who takes on people with mental problems and treats them with fresh fruits, vegetables and herbs, but no drugs. He has been quite successful.” Mr. Perkins however did not like “Albert’s place.” He felt an elderly gentleman there was “laughing at him” and he also felt that another man there “had the power to do people in.”

Mr. Perkins was registered with the Alzheimer’s Association with a “wanderer alert” as he frequently ran away from home. He was picked up on multiple occasions by police and his father, at odd hours. Mr. Perkins reported that one week prior to the instant offense, when his parents were out of the house, he took \$1300 from underneath their bed and important documents, such as his birth certificate, in order to run away and start a new life. He took a taxicab and rented a room at the Holiday Inn but returned home prior to his parents’ arrival. That night after packing his clothes, he made arrangements with the same taxicab driver to pick him up at the local Mobil Station. The driver alerted his father when he called the house to confirm the pick up that night. The taxi driver also advised the father of Mr. Perkins previous excursions. Mr. Perkins’ father found the important documents, the money, clothes, dog food and a bowl. Mr. Perkins revealed that he planned to return for his beloved dog.

As both mother and father could no longer tolerate Mr. Perkins behavior, they had informed him on March 13<sup>th</sup>, 2003, of their intentions to send him to “Albert’s place.” Donald Perkins believes that this may have set off the chain of events that led to the homicide.

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Mr. Perkins, after his arrest, was taken to Erie County Holding Center (ECHC). On March 14<sup>th</sup>, 2003 he was transferred to Erie County Medical Center (ECMC) for evaluation of "bizarre behavior." On evaluation, he stated that his "mother was evil" and he had to kill her. He also made several delusional statements that he was Jesus Christ and he was looking for this woman for the last 2000 years and her name is Diane. During his admission, Mr. Perkins also mentioned how his mother's face started looking different, "at times looking more devilish: she even had a wry smile and some facial gestures and winking of her eyes as a devil and it got progressively worse." A CT scan to rule out organic processes, revealed no abnormalities. Vinayak S. Gokhale, MD's discharge summary indicated, 'The patient did not show any remorse or any emotions over the death of his mother and remarked that now she is not there any more to bother him.' While at ECMC, Mr. Perkins was started on Risperdal, Inderal, and Cogentin.

He was returned to ECHC on March 26<sup>th</sup>, 2003. There he underwent Competency Evaluations by Joseph Liebergall, PhD and Brian S. Joseph, MD and a Criminal Responsibility evaluation by Gary J. Horwitz, MD. His medication regimen consisted of Risperdal 6mg po qhs, Inderal 10mg po tid, and Cogentin 1mg po bid prior to his transfer to RFU.

### **INSTANT OFFENSE**

*According to defendant: (09/14/03)*

Mr. Perkins gave a disorganized story of events that occurred on March 13<sup>th</sup>, 2003. On the morning of March 13<sup>th</sup>, Mr. Perkins woke up between 7:30 and 8:00 am from the couch in the living room. This had been his bed for 6 months prior to the instant offense, as he feared there was an alien ship in the ceiling of his bedroom. Upon awakening, his parents informed him that he would be taken to "Albert's place in Springville, NY," as his parents became increasingly frustrated with his behaviors and lack of self-hygiene. Mr. Perkins and his parents visited "Albert's place" two weeks prior to the instant offense. Mr. Perkins informed them that he did not wish to live there. He felt an elderly gentleman residing there was laughing at him. He also felt another man living there had "power to do people in." Mr. Perkins became angry upon being informed of the impending relocation. He proceeded to have breakfast. He felt drinking orange juice gave him "special power to overcome the evil in my mom." His mother had then asked him to take his daily vitamins. He instead flushed them down the toilet in the downstairs bathroom. "My mother somehow found out that I flushed them down the toilet and yelled at me." She had then asked him to take a shower. Mr. Perkins felt that it was "degrading" to be told to take a shower." He added, "My mom and dad telling me to brush my teeth and take a shower was abuse." He also stated that he believed if a woman whom he had seen on MTV appeared, then he could talk to this woman and he would not have to take a shower.

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Mr. Perkins obtained the razor blade that he had used to cut himself, two days prior at a church gathering, where he helped to put up dry wall. He hid this razor blade in his pants pocket. He was not clear as to whether or not he made a suicide gesture prior to his shower or after his shower. Nonetheless, he had cut himself superficially but stopped because it had "hurt too much." Instead he decided to kill his mom.

His mother somehow discovered this razor blade and removed it from the bathroom. Mr. Perkins upon finishing his shower dried himself off and put his clothes on. He came out of the bathroom and noticed his mother was on the phone in the kitchen. He heard her say "Hold on, I have to get something from the bedroom." He noticed the phone was off the hook in the kitchen and when his mother had gone into the bedroom, he took a knife from the butcher block in the kitchen. He then proceeded into the bedroom to find his mother turned away from him, near the corner of the bed. He had then spun his mother around to face him. He then reports to having stabbed her first in the chest in a downward motion, even after his mother said "No Jeremy, no." When she had fallen down to the floor, on her left side, he continued to stab her on the right side of the chest and stomach. From his account it is unclear whether he then proceeded to stab the left or the right eye. Mr. Perkins was unsuccessful in removing the eye, but he felt that he had to do this, as "it looked evil." He then came out and hung up the phone in the kitchen. He had then disconnected the answering machine and phone in the living room. The phone in the kitchen rang, and he disconnected that phone as well. He then proceeded to wash the knife in the kitchen sink. He was in the process of obtaining plastic in order to move his mother to a bomb shelter in the basement, when his neighbor arrived.

It is unclear from his story whether or not he was seen by his neighbor at the backdoor or at the front door. Mr. Perkins however reported that he saw his neighbor coming to the house, and ran into the bedroom and locked the door. Initially, when his neighbor, Charon, came over and knocked on the front door, he did not respond. His neighbor managed to let herself in the house. He recalled that she had asked, "What is going on Jeremy? Open the door." He responded, "Mom and I are busy. I am not going to open the door." She responded, "I am calling the cops." When the police arrived, they said, "Open the door." Initially, he declined. Upon opening the door, the police discovered the body. He then made the statement to them "Someone else did it." He now says, "I was in denial." He was then placed in hand cuffs and placed on the living room couch. While in the back of the police squad car, he reported to the policemen that he had cut his wrists on a drum set. He remembered seeing his father upset when leaving under police custody. He was transported to Erie County Medical Center at which time his clothes were taken into as evidence. According to Mr. Perkins, he resided at ECMC for 2 weeks. During those 2 weeks he received medications but he could not recollect their names. He was then moved to Erie County Holding Center. He was evaluated for competency to proceed and remained there prior to his transfer to RPC-RFU.



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*According to Depositions given to police by defendant and other witnesses: (03/13/03)*

“Today started out like any other day. I got up and had breakfast and then went upstairs to my bedroom and read. I then went downstairs to watch a little TV when my mom asked me to take my vitamins. I take a handful every day, may be 10-15. I ended up taking the vitamins and flushing them down the toilet without my mom knowing. She then told me to take a shower. I don’t like it when she tells me to take a shower. I know when to take my own shower. When I got out of the shower, I saw that my mom was on the phone in the kitchen. I tried to slit my wrists after the shower with a utility knife, but I would not die so I decided to do my mom instead. I went into the kitchen and took a pointed knife around 12 inches long with a brown handle. I held the knife in my right hand behind my back. I pushed her into her bedroom downstairs and stabbed her in the chest and right arm. She was screaming ‘No, don’t, Jeremy, no don’t.’”

On 03/13/03, Mr. Perkins confessed to the police, “I have been getting angrier and angrier with my mom because of the way she treats me. She gets mad at me when I play my drums in my room and she makes me take these vitamins everyday. When she made me take the shower this morning, this was the last straw. I believe that I have lived different lives for the past thousand years and wished I was in another life now.”

Paula Bruski (mother’s friend) stated, “Sometime between 9:30 and 10:00 am I called Elli on the phone at her home at 1435 Hopkins Road in Amherst. Ellie said to me that she was just thinking about me. Her husband Don was home and she was talking to me while she was talking to him. Ellie said, ‘Don had stopped back home because he forgot his wallet.’ A short time into our conversation I heard Ellie say something that indicated to me that Don was leaving the house. Ellie was talking to me about her next-door neighbor Charon Epstein. Ellie told me Charon had knee surgery. Ellie was telling me that she was going to try to get her son Jeremy to take his vitamins, but that Jeremy was giving her a hard time and putting the vitamins in his pocket. Ellie was talking about Jeremy giving her a hard time about taking a shower this morning. Ellie told me she was going to check on Jeremy, and she was away from the phone for a minute or two. When she came back to the phone, Ellie said Jeremy was walking around with a razor or razor blade. She said she should get that away from Jeremy. I heard Ellie say to Jeremy that he should wait and that she would get him a razor so that he could shave. I told Ellie that I would hang on the phone. When Ellie left the phone, I heard her say, ‘No, Jeremy, No, no, no.’ I didn’t hear anything else over the phone. When Ellie did not come back to the phone in a minute or two, I tried to hang up to call for help. When I got a dial tone, I called Jeff Carlson, who is Ellie’s son-in-law. I then called Ellie’s next-door neighbor, Charon Epstein.”

Charon Epstein stated, “At about 10:15 am I received a phone call from a Paula. Paula told me that she was on the phone with Ellie Perkins and Paula heard a scream from Ellie and she apparently lost contact with her. Paula was very nervous. I just had knee surgery, so I did not cut across the yard. I walked up the driveway going towards the back entrance of the house. They always leave the rear laundry door open. As I was stepping up those stairs at the rear of the house, I saw Jeremy at the rear northeast corner of the

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deck at the back of the house. Jeremy then ran into the house and I heard a door slam. I walked into the laundry room through the kitchen calling Ellie's name. I got no answer. I saw that Ellie's bedroom door was closed and she never has it closed during the day. I called out, 'Where is your mother Jeremy?' I got no answer. I called out a couple more times and finally Jeremy answered: 'I don't know, she's not here.' He was in Ellie's bedroom and he was pacing. I could hear him. I then went into the kitchen and looked for the Rolodex. I was scared. Out of the corner of my eye, I could see a butcher block set of knives on the floor in the kitchen. I could see one of the knives was missing from the block and it was a large one. Ellie never kept any knives out and this was a result of Jeremy's behavior. I picked up the phone and it was dead. I looked and saw the cord was out of the wall. I plugged it back in and it worked. I called 911 and I told them that something was going on: 'The child is unstable here and I think he has done something to his mother.' After I contacted the police, I walked outside and kept calling Ellie's name but got no answer. I didn't want Jeremy to run out of the house or leave. The police came and they came into the house. They kept calling him through the bedroom door and he finally came out. They lead him to the couch and he sat down. I could see blood on both of his pant legs. I heard Jeremy state to the officers: 'somebody must have hurt her, somebody must have done this to her.' I heard Jeremy say: 'I didn't do anything.' There was a time Jeremy thought he was Jesus Christ, Jim Morrison and Jimmie Hendrix."

Donald Perkins stated in his deposition: "On 3/12/03 around midnight, my wife and I went to bed. We tried to get Jeremy to go into his bed but he wouldn't. He slept on the chair in the living room outside our bedroom. We have been keeping a close watch of Jeremy for the past 8 months due to his psychotic behavior. Jeremy has been diagnosed schizophrenic. He suffers from a disease called Candida. It's a yeast infection, which attacks the intestinal walls. It then allows toxins to enter the body. We were told by the Malfaur Group that it can cause schizophrenia. Jeremy has been slow since childbirth but it got worse after he bumped his head on my truck approximately 8 months ago when he was working for me in my construction business. Shortly after that Jeremy started acting kind of weird and I had to let him go from the job. He hasn't cut his hair in months. We have to force him to take a shower or brush his teeth. He threatened my wife, Ellie, in the past. He told her one time that 'I will burn you.' This morning on 3/13/03, I left for work at approximately 9:00 am. I went down to the Getty Station and I discovered that I had left my wallet at home. I turned around and I went home. That was around 9:45 am. When I got there my wife Ellie said to me, 'We've got a problem.' Ellie told me that Jeremy pushed her into the desk when she took his vitamins out of his pockets and made him take them. I told Jeremy if he ever laid a hand on his mother I would beat him up. Ellie told Jeremy that she couldn't take this anymore and was going to bring him out to Albert. Albert is a guy in Springville who takes on people with mental problems and treats them with fresh fruits, vegetables, and herbs, but no drugs. He has been quite successful. I think that is what set Jeremy off. While I was there the phone rang and it was Paula Bruski, a close friend of my wife. I then left and went back to work and Jeremy was going into the bathroom to clean up. That was about 10:00 am. I got down to Buffalo State College and it was my son-in-law and he told me that he just got off the phone with Paula. He told me that Jeremy had attacked Ellie. I called home and someone

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picked up the phone and then hung up. I then dialed 911 and it was Buffalo PD. Then he transferred my call to Amherst. I told whoever I was talking to that my son Jeremy has attacked my wife. I also told them that my son Jeremy is mentally ill. They said they had already received a call from my next-door neighbor. I raced home. On the way home I got a feeling that my wife had been cut or stabbed this is a native ability that we all have in us."

### **HOSPITAL COURSE**

Mr. Perkins was admitted to RFU on 08/08/03. He underwent routine admission procedures and laboratory work up. He complained of hearing voices on a daily basis. Usually, he hears a friend's voice that tells him "you will be alright." On 09/02/03 he saw a friend on an "airboard" outside of RFU. During this interview he heard a fleeting voice that said, "I think I told him everything." At RFU, he has been compliant with his treatment plans. He participates in Symptom and Anger Management groups. He will be attending MICA groups due to his alcohol and marijuana use. He has maintained good behavioral control on the unit. Psychological testing is pending. His medications continue unchanged from his transfer from ECHC.

### **MENTAL STATUS EXAM (09/15/03)**

Mr. Perkins is a 28-year-old white male who appears younger than his stated age. He is a poor historian. He was well groomed and had a goatee. He was alert and oriented to person, place, time and situation. He made good eye contact and was cooperative. He became overly anxious when asked stressful questions and became easily disorganized. He described his mood as "bored," and rated it 5 out of 10. His affect was bland to flat. He exhibited thought blocking and appeared to be responding to internal stimuli. He denied suicidal or homicidal ideations. During this interview, he reported to hearing his friend "Jessie Muscato's" voice. Mr. Perkins responded to him (the hallucination) by stating, "I think I told him [this examiner] everything." Mr. Perkins reported to hearing voices on a daily basis, sometimes more than twice a day. One week ago, a voice told him "If I kill myself, I can go somewhere with Jessie on his airboard." Two days prior he reported to having seen Jessie outside of RFU on his airboard. Mr. Perkins was without flight of ideas or looseness of associations. He was able to perform "serial 3's"; he was able to spell the word "world", forward and backwards. When asked what it meant, "Don't cry over spilled milk," he replied, "To not worry about things in the past." He was able to recall two out of three items at 5 minutes. His insight and judgment were poor to fair.

### **DIAGNOSIS**

Axis I:           Schizophrenia, Paranoid Type  
                    Alcohol and Marijuana Abuse/Dependence

Axis II:          Antisocial Personality Disorder

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Axis III: Head Trauma in August 2002  
Scarlet Fever at age 6

Axis IV: Chronic mental illness; drug and alcohol use; poor social supports

Axis V: GAF 30 – 40

### **CONCLUSION**

It is my opinion, within a reasonable degree of medical certainty that Mr. Perkins suffers from a dangerous mental disorder, and is in need of continued treatment in a secure psychiatric facility. This opinion is based on factors, which I will discuss below.

1) It is my opinion, Mr. Perkins suffers from Schizophrenia, Paranoid Type. His psychotic symptoms date back to age 26. He has experienced auditory and visual hallucinations for more than six months and continues to do so. He has suffered from persecutory delusions that his mother was evil and that she was attempting to poison him. Until recently he believed that he had telepathic abilities. His speech and behavior continue to be of a disorganized quality. He has negative symptoms of affective flattening, alogia and avolition. His psychotic symptoms are present in the absence of use of illicit drugs (marijuana). It was during a delusional state that he committed the instant offense of Murder 2<sup>nd</sup> Degree. While he has shown some response to treatment, he remains psychotic.

2) It is my opinion, Mr. Perkins suffers from Alcohol and Marijuana Abuse. He has a history of alcohol abuse dating to his teens and in 1994, at the age of twenty, he was convicted of DWAI. He has had unsuccessful attempts to cut down his alcohol consumption. Even though he completed a court-mandated alcohol program for his DWAI, he continued to drink alcohol up to his instant offense. He also admits to using Marijuana in his twenties. His substance abuse impaired his impulse control and judgment and may have played a role in his arrest at the University of Buffalo in August of 2002. Mr. Perkins continues to minimize his drug and alcohol abuse.

3) In my opinion, Mr. Perkins suffers from Antisocial Personality Disorder. He has exhibited a pervasive pattern of destructive behaviors since the age of five when he tore through a screen of a screen door in order to enter into a neighbor's house. Prior to age fifteen, he and a band of his friends stole a bicycle and demolished it. They also stole various items from neighborhood homes. Mr. Perkins concealed his habits of stealing and use of alcohol. In addition to his DWAI conviction he was arrested for assaulting a police officer and resisting arrest in August 2002. Mr. Perkins' behavior ended in the murder his own mother. Although he was psychotic at the time, he did not show any remorse.

**RE: Perkins, Jeremy**  
September 29, 2003  
CPL 330.20 Exam

4) In my opinion, Mr. Perkins lacks insight into his mental illness, and the conduct that lead to his crime.

As a result of his dangerous mental illness, he requires treatment at a secure psychiatric facility. In my opinion, his treatment plan should include a regimen of antipsychotic medication, supportive therapy, and education regarding the deleterious effects of drug and alcohol abuse.

Respectfully Submitted,



Srinivas C. Yerneni, MD  
Forensic Fellow  
Rochester Regional Forensic Unit

FORM Y  
EXAMINATION REPORT  
BY QUALIFIED PSYCHIATRIC EXAMINER

STATE OF NEW YORK  
\_ SUPREME COURT X COUNTY COURT  
PART: \_\_\_ COUNTY ERIE

In the Matter of An Examination  
Report by a Qualified Psychiatric  
Examiner Pursuant to CPL 330.20 in  
Relation to

Perkins, Jeremy,  
Defendant

(1) The undersigned is a qualified psychiatric examiner who pursuant to the regulations adopted by the State Commissioner of Mental Health is authorized to conduct an examination of the above-named defendant pursuant to an Examination Order issued by the court on 7/30/03 to determine whether the defendant has a dangerous mental disorder, and if the defendant does not have a dangerous mental disorder, to determine whether the defendant is mentally ill.

(2) Pursuant to the aforementioned Examination Order, the above named defendant was personally observed and examined by the undersigned on the following date or dates: 9/13 and 9/14/03.

(3) On the basis of facts and information that the undersigned has obtained and on the basis of the observation and examination referred to in paragraph (2) of this report, it is the opinion and clinical judgement of the undersigned that:

X (a) the above-named defendant has a dangerous mental disorder in that the defendant currently suffers from an affliction with a mental disease or mental condition which is manifested by a disorder or disturbance in behavior, feeling, thinking, or judgement to such an extent that the defendant requires care, treatment and rehabilitation, and that because of such condition the defendant currently constitutes a physical danger to himself or others.

\_ (b) the above-named defendant does not have a dangerous mental disorder, as that term is defined in paragraph (c) of subdivision one of CPL 330.20, but the above-named defendant is mentally ill in that the defendant currently suffers from a mental illness for which care and treatment as a patient, in the in-patient services of a psychiatric facility under the jurisdiction of the State Office of Mental Health, is essential to such defendant's welfare and that his judgement is so impaired that he is unable to understand the need for such care and treatment.

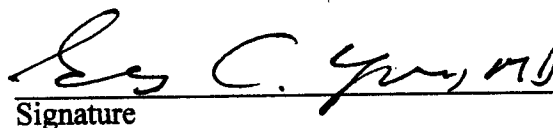
\_ (c) the above-named defendant does not have a dangerous mental disorder, as that term is defined in paragraph (c) of subdivision one of CPL 330.20, and the above-named defendant is not mentally ill, as that term

is defined in paragraph (d) of subdivision one of CPL 330.20.

(4) Annexed hereto and made a part of this examination report is a detailed statement prepared by the undersigned which sets forth the following:

- (a) The diagnosis and prognosis made by the undersigned concerning the defendant's mental condition; and
- (b) The findings and evaluation made by the undersigned concerning the defendant's mental condition; and
- (c) Pertinent and significant factors in the defendant's medical and psychiatric history; and
- (d) The psychiatric signs and symptoms displayed by the defendant; and
- (e) The reasons for the opinion stated by the undersigned in paragraph (3) of this report [including, when defendant has a dangerous mental disorder, an explanation as to why, because of defendant's mental condition, he currently constitutes a physical danger to himself or others].

Date: September 29, 2003



Signature

Srinivas Yerneni, M.D.  
Forensic Fellow  
Rochester Regional Forensic Unit