

Doctors paint insanity picture

After two days of testimony, the trial of a Kansas City man accused of the murder of a Platte City man and the rape of the man's wife is still under way.

Jacob McGinnis, 27, is charged with murder, rape, burglary and two counts of armed criminal action for crimes that occurred Sept. 9 and 10, 2005. He faces life in prison without the possibility of parole.

After two years of psychological evaluations and a plea of not guilty by reason of mental illness and defect, McGinnis' trial started Monday. Represented by former Platte County Prosecutor William "Dick" Fickle and attorney Charlie Dickman, McGinnis has waived his right to a jury trial. The case is before Circuit Court Judge Abe Shafer in Division I court and is expected to wrap up Friday.

According to Platte County Prosecutor Eric Zahnd, on Sept. 9 McGinnis, who was a close family friend of the victims, was visiting their home on the eve of the third birthday party for the couple's child. He persuaded the man described as his best friend, Steven Sandoval of Platte City, to go drink beer with him at a Weston park. Instead, the men drove to a rural area on Bethel Road in Kansas City.

"There, they drank beer and ate peanuts," said Zahnd in his opening statement. "In the dark. Alone."

At some point, while the men were outside of the 2002 Chevrolet Monte Carlo McGinnis had borrowed from his roommate, McGinnis shot his friend three times in the back with his roommate's 12-gauge shotgun. He then returned to the victim's Platte City home, woke the victim's wife and said her husband had been arrested. McGinnis then said her husband was alive and bound in the trunk of the car, but McGinnis himself had 'done something bad' and needed to flee.

After leaving the house for a few seconds, he returned with the shotgun and raped her at gunpoint. The victim said she was able to get him to stop after speaking to him as a friend, and offered to help him escape. He agreed to leave, and to drop off her husband at a local hotel, but took her cell phone and the cords to all the telephones in the home.

Before he left, he told her: "I'm really sorry, (name), I think I just scared you for life."

The victim would not learn her husband had been murdered until several hours later, after she called Platte City police by using the receiverless base of one of her telephones.

On Sept. 10, McGinnis was located in Putnam County, near the Iowa border, in the Monte Carlo. A Missouri Highway Patrolman found him naked in the back seat of the car.

While McGinnis doesn't dispute he committed the crimes he is accused of, his attorneys argue he was in a psychotic state and was unable to distinguish right from wrong at the time he committed the crimes. The prosecution states psychological testing has proved McGinnis has exaggerated his mental condition, and believes if found not guilty he would one day be released.

Defense claims insanity

Expert witnesses took the stand on the second day of proceedings, with two medical professionals painting a picture of ongoing mental illness.

Dr. Innocent Anya, a psychiatrist with Tri-County Mental Health Services, evaluated McGinnis about a week after the crimes. He testified he had diagnosed McGinnis as a paranoid schizophrenic.

"He told me that life as we know it is about to end, and he had just done his part in that by killing his best friend," Anya said.

McGinnis told Anya he was “Satan’s right-hand man,” and that voices in his head had told him to kill his friend after the man had attempted to talk him out of killing people. He described a fantasy world where he believed he and the victim would take a place in hell together.

John Burke, a licensed clinical social worker with Midwest Psychiatric Consultants, counseled McGinnis from 2002-04 after he had gone to the Kansas City Police Department’s North Patrol station and said he had thoughts of harming himself and others. Burke was the first mental health professional to diagnose McGinnis as a possible paranoid schizophrenic, and said McGinnis had complained of hearing voices, including what he characterized as the voice of Satan.

Assistant Platte County Prosecutor Mark Gibson argued neither Anya nor Burke held the certifications in forensic psychology to properly evaluate McGinnis’ ability to tell right from wrong at the time of the crimes. The prosecution plans to present expert testimony to this point later this week.

Victim takes the stand

Monday, the rape victim testified about her relationship to McGinnis and the night of the crimes. She characterized McGinnis as a longtime, close friend to both her and her husband. A frequent visitor to her home, she said she typically saw him about twice a week, and he had been one of the guests invited to the birthday party planned for Sept. 10.

While she said she had been aware he had mental illness, she believed he had depression, and had sometimes been concerned he would hurt himself. She had never considered him a threat to others.

“As a good friend, I cared about him and sometimes would ask him if he was okay,” she said.

On Sept. 9, he had acted normally, and she had held a normal conversation with him just hours before the shooting and rape. He had told her he wanted to get her son something “big and cool” for his birthday. Zahnd asked her what effect the crimes had on her life.

“To say it’s devastating would be an understatement,” she said. “I’ve suffered not just from my husband dying, but from the attack itself. If one of my best friends could do this to me, then you could too.” She said her children were also in therapy, trying to recover from the actions of the man they’d known as “Uncle Jakey.”

McGinnis may testify

Fickle said McGinnis himself may take the witness stand Thursday, to offer his perception of the crimes and his mental state at the time.

R-3 plans to end Barry student transfer

In April 2004, when the Platte County R-3 School District’s bond issue to fund its new Platte City Middle School was approved by voters, the district’s Board of Education offered a choice to its Barry patrons.

In an effort to allow Barry students to enjoy the amenities the new middle school offered, the Board said those students wishing to attend grades six through eight at the new building could do so. The move was also made to help alleviate crowded classrooms at Barry School.

When the decision was made then, the Board knew at some point it would have to discontinue the transfer option. With the construction of a new elementary school at the Barry campus and the planned renovation of the current Barry School, along with forecasted increases in student population at Platte City Middle School, that time has now come.

Last week, at its monthly meeting at Central Office in Platte City, the R-3 Board heard a recommendation from Superintendent Dr. Mark Harpst that the option be discontinued following the 2008-09 school year.

“The new building at Barry — which will house 300 students — means it is no longer a necessity for Barry students to go to Platte City,” Harpst told the Board. “From an efficiency and classroom size standpoint, I believe we have to do this.”

Harpst suggested a deadline of January 2008 be set for any Barry students to apply for transfer. He also added that any Barry students already attending Platte City Middle School will be allowed to remain there through the eighth grade. Currently, 38 Barry students attend PCMS via the transfer option.

The matter, which was first reported in the Sept. 26 issue of The Citizen, drew lengthy — and sometimes testy — discussion from board members.

Board member Trish Stinnett said she favored tabling the Board’s decision on the issue until after the Nov. 15 meeting.

“I think we should have the meeting at Barry and let the public and parents comment on it,” she said. Stinnett said the meeting would “help clear up any misinformation” about the matter.

Board member Dave Holland agreed and said the meeting would be good public relations for the Board.

“It almost looks like we are bussing these kids around to meet our needs,” he said. “There is also the perception that Barry kids are not getting the same options as Platte City kids, especially in sports.” Board member Mary Temperelli, a Barry patron and mother of Barry students, took exception to Holland’s comment.

“It was their choice to go to Platte City, “ she said. “We are not bussing anybody anywhere they don’t want to go.”

She also said that the meeting was not needed and could create more confusion than it eliminates.

“We know that this is something we have to do, so I don’t see what can be gained,” she said. “Everyone at Barry knew that eventually this would happen.”

Board member Dick Modin said the meeting could give the wrong impression to district patrons.

“The problem with having a meeting when you know you are going to do something anyway is that the public will think you didn’t listen to them,” he said.

Stinnett and Holland said the meeting would help the Board communicate better with its patrons. Modin and Board member Karen Wagoner agreed. Modin made a motion to hold the Nov. 15 meeting at Barry at 6 p.m. The Board also decided to send a letter out to all Barry students’ parents who may be affected by the termination of the transfer option.

Harpst said if the Board wanted a meeting with patrons, it was fine with him.

“I have no problem meeting with parents, but don’t want any false pretenses,” he said. “We’ll do whatever you want, but I think we’re making it more difficult than it has to be. Ending the transfer option is imminent.”

PC/Tracy sewer deal criticized

In 2004, the City of Platte City entered into an agreement with the City of Tracy to provide wastewater treatment services to the smaller municipality. The agreement called for service only to those areas inside the corporate limits at the time.

Tuesday night, the Board considered an amendment to the original agreement that would allow the City to provide services to roughly eight acres recently annexed by Tracy and owned by local veterinarian Jim McRae. After some discussion, the Board decided to table the issue until its Nov. 13 meeting.

“I want more time to think about it,” said Alderman Ken Brown, who made the motion to table the agenda item.

The Board held a lengthy discussion on the matter and also heard the concerns of Platte City resident Gene Palmer, who spoke out against the amendment.

“I don’t think Platte City taxpayers should be extending that kind of help outside City limits,” he said. “We have no control over what goes on in Tracy. This could go on and on. They could annex a couple of hundred acres, easy. Then what would happen? They could build multi-residential developments. I just can’t believe this Board would subject its taxpayers and residents to the possible problems this could cause.”

Moody said that the City’s agreement with Tracy included provisions that would allow the City to inspect any sewer connections and to either penalize the City of Tracy, or refuse service to any connections that did not meet the City’s discharge of wastewater standards.

He added that the estimated impact on the City wastewater treatment plant would be very small.

“The plant currently treats about 500,000 gallons per day,” he said. “It has the capacity to treat 2 million gallons per day. So we’re only at about 25 percent capacity.”

Moody added that the City currently generates approximately \$1,000 in revenue per month from fees collected from Tracy.

In other business, the Board approved a \$13,189 bid from Seal-O-Matic for asphalt work on Main Street in front of Tony Martens Dodge. The street will be milled and resurfaced, mainly to correct a dip in the road which the City has received numerous complaints about in the past two years.