

COMPREHENSIVE PSYCHIATRIC CASE STUDY OF THE FINAL ILLNESS OF
JANE DOROTHY DUCHENE, DECEASED ON NOVEMBER 19, 1986

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"Any adult person who is incapacitated to the extent that he lacks sufficient understanding or capacity to make or communicate responsible decisions concerning his person, and who has demonstrated deficits in his behaviour which evidence his inability to meet his needs for medical care, nutrition, clothing, shelter, or safety."

An "incapacitated person", in need of guardianship or conservatorship is delineated in the above terms, i.e. 525.54 Adults Subject to Guardianship and Conservatorship. Vulnerable Adult Statute, Laws of Minnesota.

An adult person labouring under such handicap would lack competence to manage his or her affairs, would lack capacity to assist counsel independently or to give reliable testimony concerning self or others most probably.

I do not know the law governing testamentary capacity or legal competency in the State of Minnesota. But it seems to me a

person impaired as defined could not be fairly relied on to make sound decisions, observations or judgements relating to others as well, hence could not function as a reliable source of information in a formal proceeding under oath, or in less formal interviews.

Midsummer in 1985 a relative of a dying woman perceived and felt changes in a sick person, her mother; changes in character, in behaviour, in emotion, intellect, sensitivity, judgement and vitality. The changes were not for the better. With slowly increasing physical dilapidation came insidious "deficits" of behaviour, of cognitive, intellectual functions and of emotional states.

Some people noticed that the terminally ill woman was losing her mind as well as her life--others did not, or if they did, did not choose to openly report the truth or let the facts determine their actions. In consequence, in a grotesque distortion of the Vulnerable Adult Statute, the law was twisted into a tool of destruction and misused against the two women.

I have had the opportunity since March, 1986 to read and assimilate an extraordinary amount of information from a wide range of sources on the fate of this woman, now dead, and of her daughter. Her life, in most respects, has been devastated by what has been done to her--and to her mother.

To make clear what has happened that turned an ordinary bereavement into a matter for the courts it will be necessary to demonstrate a major mental illness. The woman died of lung

cancer which had metastasized to the brain and its coverings. Growths of cancer were macroscopically visible in the brain at the autopsy of this grossly emaciated woman.

For months prior to death there was severe if undramatic mental impairment. This is quite apparent when one listens to a taped meeting of March 20, 1986. Although this "investigative" meeting is a brief one, 22 minutes, serious impairment of the brain function is manifested in frank delusions, incoherence, impaired grasp and comprehension, emotional impoverishment and execrable judgement, as will be seen. By inclusion of verbatim statements made by the sick woman, it should become apparent to any objective person, by no means only "experts" that this patient was impaired to a legally incapacitating extent.

In contrast to this brief cross sectional view of the patient's illness, the insidious, slow but inexorable development of an organic brain syndrome, i.e. brain damage producing Dementia, associated with brain tumor (DSM III-R 294.10) can be identified as it develops from the patient's statements and the observations of others in diverse contexts and at different times. This patient passed from mild manifestations in midsummer, 1985, to near total mental annihilation before her death in November, 1986.

It is necessary to demonstrate conclusively, by collection of data from reliable and honest sources, over a rather lengthy periods of time, that there was a grave impairment present. There was an impairment of short and long term memory, impaired

abstract thinking, poor judgement, personality changes, delusions and more. These organic symptoms, in particular the paranoid delusions were marked and persistent. These unreal persecutory thoughts, as with her delusions of total impoverishment and of having no place to go, led, as will be apparent, to the unleashing of predation and hostile aggression in others, who mercilessly exploited the sick woman, depleted and are depleting her estate by the legal and fiscal chaos that avarice, cruelty and callousness have produced. The nemesis of the aggressive victimizer and predator, narcissism, led as can be seen openly displayed in the taped "interview", to a contemptuous disregard of the intelligence and character of others. This may have unfortunate consequences for these people.

Unfortunately it is not possible to convey the truth in this case, the essence of it, without being explicit as to the psychosocial context in which the dead woman's mental illness became a factor of vital importance. It was and is critically important to recognize the disorder and its gravity because the illness produced the vulnerability which enabled the Vulnerable Adult Statute of Minnesota to be abused and twisted as the patient was abused and twisted, not by the "official" perpetrator, Miss Mary Jane Duchene, but by others. The predations and character assassinations directed at the daughter cannot be sustained if the deceased's legal incompetence on March 20, 1986 is recognized.

The organic syndrome, Dementia, the disease processes destroying the intelligence and personality of the passive, reti-

cient but occasionally aggressive woman, together with her own-
ing, jointly with her daughter, a house to be sold, and having,
jointly with her daughter, a house to be sold, and having, joint-
ly with her daughter over \$150,000 appeared to unleash greed and
avarice as well as callous, cruel, destructive dishonesty in a
relative and his wife. These people, in a fashion I find unfath-
omable, established a rapid tie with several like-minded func-
tionaries.

I have been writing about people involved in a Vulnerable
Adult case in West St. Paul, Minnesota. The case began early in
January, 1986; possibly earlier. Activity of some of the partic-
ipants increased as March 20, 1986 approached and the case en-
tered the public domain on March 20, 1986 when the "perpetrator",
Miss Mary Jane Duchene, found herself accused of abusing her
mother, Mrs. Jane Duchene, who was dying of lung cancer which
metastasized to her brain, meninges and liver. Her case was a
hopeless one and treatment though helpful had been palliative.

Mary Jane, who graduated from a College in Minnesota (now
called Minneapolis College of Art and Design), became a successful
artist and portrait illustrator living in London, England; a
young engaged woman in her mid thirties, had returned to take
care of her widowed mother in this terminal illness. She had
been summoned by Mrs. Bessie Krause, Mary Jane's aunt by marriage
to her maternal uncle Roger Krause. Mrs. Krause had told Mary
Jane that the patient would not eat and they could do nothing
with her. Mary Jane must return as soon as possible!

She did, arriving February 2, followed a week later by her

Danish fiance', Mr. Allan Johannessen, a very pleasant man by all accounts. After settling in at home, in the house owned jointly with her mother, Mary Jane, becoming more aware her mother was terminally ill but unclear of course how much longer her mother would survive, set about exploring suitable facilities for her mother. It was clear that Jane Duchene could not really live alone and care for herself adequately then. Mrs. Duchene was a diabetic, a "brittle" diabetic subject to frequent hypoglycaemic episodes. She had in recent weeks or months lost her sense of taste and smell. She was very distressed as such people often are, but she showed an additional, and ominous symptom as well. She perseverated, repeating over and over, to anyone practically that she couldn't taste food. This would go on and on, unanswerably. She did not seem able to control the perseveration. Perseveration is a serious psychiatric symptom, occurring in severer cases of schizophrenia and in cases of organic damage to the brain. There are a cluster of phenomena manifesting in diverse ways in different people with organic brain damage. When several of these phenomena are observed the term "organic brain syndrome" becomes appropriate. When Mrs. Duchene was belatedly examined competently, by Dr. Jon Boller, a clinical psychologist, and by Dr. Dahlquist, a neurologist; their diagnosis was "organic brain syndrome". I shall return to this term and indicate the form it took when Mary Jane returned to St. Paul in February of 1986. It had begun to manifest in several ways over the summer and fall of 1985.

So the daughter inquired after and visited residential fa-

cilities suitable for her mother who, always indecisive in the past was more so and seemingly could not initiate adaptive behaviour like looking for new facilities on her own. There are indications that she was aware of her dependency in some ways, her helplessness, feared and resented her status and tended to see efforts made on her behalf by Mary Jane as "control" or something done to please Mary Jane, not her. Mary Jane made efforts to see if hospice services were available in the city, and she wanted her mother to be located near old friends.

The daughter whose finances were jointly owned, or shared with her mother, set about a reorganization of the financial arrangements. She has appreciable business understanding and knowledge as well as two years legal training in London. She wanted to invest their funds as advantageously as she could and establish her mother's fiscal situation in West St. Paul in a way most adapted to the needs of an invalid person. I do not know the details of these financial matters but they involved appreciable sums of money in various bank accounts. It was readily agreed the house should be sold and Mary Jane would invest the money realized. She was in correspondence with or had contact with a British investment expert or advisor and was considering acting on his advice, i.e to invest a substantial sum from the money realized from the sale of the family home in a European or British investment form. Mary Jane point out now, after the recent dollar devaluation and losses sustained on the stock market that Mr. Marsh's advice was sound. Mary Jane was tidying up the house and preparing to sell unwanted household items, preparatory to her mother's move. She discussed the sale of the

house repeatedly with her mother, and they went out together to inspect potential residences for Mrs. Duchene, obtained brochures, visited with a few friends, went shopping and to other social events.

There was a startling, unanticipated, unpleasant surprise. Roger Krause and his wife proved abruptly and gratuitously rude, hostile and uncooperative with Ms. Duchene's adult daughter whom they had essentially ordered to come home. Roger was coarsely rude, negativistic and nasty to Mary Jane about proceeding to move home and to a new and apparently very good apartment-nursing home complex. It was too far for them to visit Bessie snapped at an old friend of Jane Duchenes', Mrs. Georgia Ek. Mrs Krause who survives in her 70s is a real harpy. She distinguished herself by attempting to spread about, quite actively, a picture of Mrs. Jane Duchene as a perpetrator of abuse of her mother, who a year or so before had lived with Jane Duchene over the months of her final illness. She was already busy vilifying Mary Jane as an abuser of her mother before Mary Jane returned in February, 1986. That is she repeated with Mary Jane the malevolent gossip that she had spread about Jane a year or so before. She is almost funny to hear on the tape of Detective Batzel's investigative interview with Mrs. Duchene (with the Krauses and a social worker, Mr. Recichstadt, present), when asked if she had anything to add to the content of this group meeting.

In commenting on Mary Jane, Mrs. Krause expels a stream of garbled invective, then becoming more coherent she berates her niece-by-marriage for not cleaning up the house the past six

weeks. This explosion of mixed anger and hate had anal sadistic overtones. Defense against dirtiness appears to follow in her allegation that Mary Jane hadn't cleaned house for six weeks. The feelings were intense enough to lead Detective Batzel, the policeman, to ask "Have you been to the house?". No reply.

Mr. Roger Krause, a retired schoolteacher with a doctorial level education in psychology, was Mrs. Duchene's brother. Although they lived not far from each other there was very little contact or relatedness. Mary Jane maintains that Bessie would not permit her husband to talk with his sister. Whether Bessie's explicit antagonism to Jane, and it was real, was influential the fact was that Roger did not keep in touch with Mrs. Duchene. Mary Jane states the Krause family or Roger were no part of her childhood or adolescent life and that her uncle had not been an interested person or source of help to her or her mother. The late Mrs. Duchene detested Bessie Krause and would become overly angry and explicit about her hostility if her old friend Mrs. Georgia Ek ever spoke of Mrs. Krause. This hostile expressiveness is interesting in that it was quite atypical for the reticent unexpressive retiring passive person Mrs. Duchene was as a rule. That she would see these uncharitable people, one of them an object of intense dislike for decades, as truly interested in her and a wonderful discovery after all these years is an indication of how greatly her sensitivities, her judgment and capacity to discriminate had deteriorated.

Roger's new found interest in his sister was kindled by her approaching death and, I speculate, the \$200,000 left after she died, within minutes of Mary Jane's arrival from Europe on Feb-

ruary 2, 1986, Roger asked "Where is she going to be buried and what about money?" This crude pragmatism seemed somewhat callous at that point to the daughter. That there was a legitimate heir and that property and monies were jointly owned did not deter Mr. Krause. It will be seen that he doggedly pursued this money and without conscience or compassion did his best to wrest the estate from his niece and like any pirate throw her overboard to drown in public obloquy, humiliation and grief over the miserable morass he had helped make of his dying sister's last weeks. These two people seem to have been significant sources of slanderous indecent lies about Mary Jane Duchene. They fed and solidified the paranoid ideas and degraded distorted misrepresentations of Mary Jane emerging as products of Jane Duchene's mental deterioration. Mr. K betrayed his avarice readily. The morning after he obtained a dubious power of attorney regarding his sister's-- and her daughter's--money he set out, with his dying sister, after as many bank accounts as he could in an effort to get the money in his own name and control. An almost comic effort to appear above such gross issues surfaced in a "meeting" held a week after March 20th attended by Mr. Pat Gallagher, Attorney at Law, representing Mary Jane. Gallagher reports Roger as saying, repeatedly, that he was not after Jane's money. He said, also that his sister was "thinking better", and was thinking of making a will. Roger, in denial of wanting his sister's money, was exhibiting the process of negation. This is a variety of mental defense against unwelcome facing of one's less attractive trends. The disowned wish or impulse is too strong to be erased from

