

U.S.

Michelle Carter Gets 15-Month Jail Term in Texting Suicide Case

By KATHARINE Q. SEELYE AUG. 3, 2017

TAUNTON, Mass. — Michelle Carter, the Massachusetts woman convicted in June of involuntary manslaughter for encouraging a close friend, through text messages and phone calls, to commit suicide, was sentenced on Thursday to 15 months in a county jail.

Ms. Carter was 17 in 2014 when the friend, Conrad Roy III, who was 18, poisoned himself with carbon monoxide in his truck.

She could have been sentenced to as much as 20 years in prison. The judge sentenced her to two and a half years in a county jail, but suspended 15 of those months. Then, at the request of Ms. Carter's lawyers, the judge stayed the sentence while an appeal goes through the state courts, which could take several months or a few years and means that Ms. Carter will not immediately go to jail.

“This court must and has considered a balancing between rehabilitation, the promise that that rehabilitation would work and a punishment for the actions that have occurred,” Judge Lawrence Moniz of Bristol County Juvenile Court said, announcing the sentence in a crowded courtroom.

As the court adjourned, Ms. Carter, now 20, stood, puffed up her cheeks and exhaled deeply, visibly relieved that this stage was over. She left for home, under orders not to use social media or to profit from attention on the case.

Her lawyer, Joseph P. Cataldo, told reporters that he would appeal her conviction within 30 days.

“This is a tragedy,” he said. “It is not, however, a crime. Conrad Roy took his own life.”

Prosecutors, who had asked that Ms. Carter be imprisoned for seven to 12 years, said they were disappointed by the shorter sentence. They said they believe that Ms. Carter had committed a calculated, devastating and inexcusable crime for which she needed to be held accountable.

“Her actions killed Conrad Roy,” Maryclare Flynn, the prosecutor, told the judge. “She ended his life to better her own.” The prosecution has suggested that Ms. Carter wanted attention from being “the grieving girlfriend” if Mr. Roy was dead.

Ms. Flynn also said that Ms. Carter had shown no remorse, a statement that her defense lawyer disputed. Mr. Cataldo said that for legal reasons, his client could not express remorse in court, particularly if her conviction is overturned on appeal.

Some legal experts said the sentence seemed fair.

“It recognizes this is an aberrant crime, a juvenile crime, a crime of social media, of the internet, and of the unique dramas of teenage boys and girls,” said Nancy Gertner, a former federal judge and a professor at Harvard Law School. “It deserves punishment, but you have to put it in context.”

That context, she said, includes research and legal recognition that the adolescent brain is still developing at 17 and that spending any time in jail could be especially damaging to a troubled young woman like Ms. Carter.

Daniel Medwed, a law professor at Northeastern University, also praised the decision, noting Ms. Carter's age as well as her own mental health issues.

"I suspect the judge opted for the house of detention rather than state prison to keep her close to her family and support network, given the emphasis that he placed on rehabilitation in his remarks," Mr. Medwed said.

The case raised thorny questions about whether Ms. Carter could be considered responsible for Mr. Roy's suicide — especially because she was far from the scene and had not provided him with a weapon.

But Ms. Carter had sent Mr. Roy scores of texts encouraging him to kill himself. And on the night in question, after he climbed out of his truck as it filled with fumes, she talked to him by phone and, according to prosecutors and the judge, told him to get back in.

He did, and was found dead the next morning.

Ms. Carter's failure to help him in that crucial moment — by calling the police or by urging him to stay out of the truck — was what led Judge Moniz in June to find her guilty of involuntary manslaughter during the nonjury trial.

The outcome of the trial stunned legal experts, who said it broke ground by suggesting that words alone could be found to cause a suicide. Speech in this case was ruled to be as powerful as a loaded gun, a verdict with potentially broad implications.

The judge's conclusion was particularly unexpected, several lawyers said, because Massachusetts is one of a few states that do not explicitly outlaw encouraging or persuading someone to commit suicide.

The verdict was surprising for another reason: No firm evidence was presented in court to prove what Ms. Carter had actually said to Mr. Roy in those final moments. There was no recording or transcript of the phone call. The belief that she had ordered him to get back into his truck was based on a text that Ms. Carter

sent to another friend three months after the death.

“Sam his death is my fault, like honestly I could have stopped him,” Ms. Carter wrote in the text message. “I was on the phone with him and he got out of the car because it was working and he got scared and I [expletive] told him to get back in.”

This assertion formed the heart of the prosecution’s case against Ms. Carter, and the judge based his verdict on it.

But on Thursday, Mr. Cataldo, Ms. Carter’s lawyer, said he expected the judge’s verdict to be overturned.

“I am confident ultimately that Michelle will be vindicated because I do not believe a law was broken, and her words alone are not sufficient to establish manslaughter,” he said.

Ms. Carter and Mr. Roy had met on vacation in Florida through their families, but once both were back in Massachusetts, they rarely saw each other.

But they developed an intense virtual relationship, texting dozens of times a day; she called him her boyfriend, although he did not seem to regard her in the same way. Both were troubled teenagers, with deep social anxieties. Mr. Roy was depressed and had tried to kill himself before; Ms. Carter, who had an eating disorder and said she had been cutting herself, had been treated in a psychiatric hospital.

At first, Ms. Carter tried to dissuade Mr. Roy from killing himself, according to many of their text messages, which became public during the trial. But he appeared determined to do so, and she eventually gave up trying to talk him out of it and embraced the idea.

She then helped him plan the details of how to kill himself with carbon monoxide, even advising him at one point, “If you emit 3200 ppm of it for five to ten mins you will die within a half hour.”

In statements read in court before the sentencing, Mr. Roy’s family asked the

judge to impose the maximum sentence.

“I cannot begin to describe the despair I feel over the loss of my son,” his father, Conrad Roy Jr., told the court. He said that Ms. Carter had “exploited my son’s weaknesses and used him as a pawn in her own well-being.” Finally, he asked the court, “In what kind of world is this behavior O.K. and acceptable?”

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