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Supreme Court affirms commitment of Socorro man to state mental hospital for killing his father

SANTA FE – The New Mexico Supreme Court today upheld a Socorro man's lifetime commitment to a state psychiatric hospital for killing his father with a pickaxe. The defendant, Manuel Baca, had been found incompetent to stand trial.

In its unanimous ruling, the state's highest court concluded there was enough evidence to establish that the killing of Fidel Baca Sr. in January 2016 was "deliberate, willful and premeditated" — the intent necessary for first-degree murder, which is punishable by life imprisonment.

Manuel Baca has not been convicted of murder. Under state law, a defendant found to be dangerous and incompetent to stand trial can be detained for treatment in the state's mental hospital for the same amount of time as the maximum sentence for a conviction of the charged offense. The law requires an evaluation at least every two years to determine whether the defendant has attained competency and can be tried.

Baca appealed his lifetime commitment to the New Mexico Behavioral Health Institute. His attorney argued that the killing constituted second-degree murder because it occurred during a "delusional frenzy" and lacked premeditation. However, the Supreme Court found there was sufficient evidence to support the district court's commitment decision. The victim was found on the floor of his mobile home with a 24-pound pickaxe in his chest. He had been struck multiple times in the head and body.

The Court said in an opinion written by Justice David K. Thomson that the district court judge, in determining whether the killing was willful, deliberate and premeditated, "could have relied upon the evidence to find that Defendant (1) was embittered against his father Fidel and wanted him dead, (2) was locked out of the mobile home by Fidel, (3) entered the mobile home without

Fidel's knowledge while Fidel was inside the mobile home, (4) armed himself with the pickaxe either in the mobile home, before going into the mobile home, or by going out of the mobile home to the shed to retrieve it, (5) bludgeoned Fidel with the pickaxe in a manner that demonstrated overkill, (6) struck at least one fatal blow after he had incapacitated Fidel with one of the blows to the head, (7) waited until he was sure that Fidel was dead before attempting to reach emergency services, and (8) tried to deceive authorities and evade prosecution."

In their ruling, the justices clarified a question of law by determining that the Supreme Court – not the Court of Appeals – has the authority to decide appeals of a lifetime commitment under the New Mexico Mental Illness and Competency Code.

The justices said "the New Mexico Constitution directly establishes our jurisdiction because the potential lifetime deprivation of liberty is equivalent to a life sentence" and appeals of criminal convictions with a sentence of death or life imprisonment go directly to the Supreme Court under Article VI, Section 2 of the state Constitution.

"Lifetime detention is a denial of the right to enjoy life and liberty under Article II, Section 4 of the New Mexico Constitution, regardless of whether the detention results from a criminal or civil proceeding," the Court said.

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To read the decision in *State v. Baca*, No. S-1-SC-36859, please visit the New Mexico Compilation Commission's website using the following link:

https://decisia.lexum.com/nmos/nmsc/en/item/418475/index.do