



Mobile judge denies release of Jeremy Bentley from state mental hospital

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Jeremy Bentley, 34, walks into Mobile County Circuit Court on Thursday, Jan. 26, 2012.

MOBILE, Alabama --A Mobile County circuit judge this week denied release of **Jeremy Shawn Bentley**, who confessed to killing a Mississippi man in 2000 and was later ordered to a mental hospital.

The Alabama Department of Mental Health **had petitioned Mobile County Circuit Court**, arguing that Bentley had faked insanity to avoid a conviction and should be released.

Bentley, 34, was admitted to Taylor Hardin Secure Medical Facility in 2005 after a judge found him not guilty of capital murder by reason of mental disease or mental defect, commonly known as the insanity defense.

He confessed to beating and strangling to death Jamie Ray Tolbert, 24, of Lucedale, Miss., after kidnapping him from a Biloxi nightclub during the 2000 New Year celebrations. The killing took place in the Grand Bay area.

Circuit Judge Michael Youngpeter ruled that Bentley, because of his violent nature, must be transferred from the secure hospital to a state prison. The judge ordered the Alabama Department of Mental Health to treat Bentley for dissociative identity disorder, more commonly known as multiple personality disorder.

The Alabama Department of Mental Health, though, is opposing the judge's decision. In response, lawyers for the department argued in a court filing that state law does not give the judge the authority to order a particular type of treatment, nor does he have the power to transfer Bentley.

During a hearing in January, the Mobile County District Attorney's Office, who opposed Bentley's release, and the

Alabama Department of Mental Health presented conflicting psychological testimony about whether Bentley was, in fact, insane.

Psychologists treating Bentley at Taylor Hardin said that while he is a psychopath who has no empathy and would likely kill again, he does not suffer from a treatable major mental illness.

But two forensic psychologists who originally evaluated Bentley after his arrest testified **that Bentley is clearly mentally ill** and has multiple personalities and paranoid schizophrenia.

Youngpeter wrote in his order that he found testimony that Bentley suffers from multiple personalities "the most credible and persuasive."

Read Judge Youngpeter's 25-page order

"The records show that Bentley is terrorizing not only other patients but also the staff at Taylor Hardin," the judge wrote. "The Department (of Mental Health) is concerned, and rightly so, for the safety of its staff and other patients if forced to continue treating Bentley at Taylor Hardin, and it is not surprising that the Department seeks to have Bentley released from its facility."

In an unusual move, Youngpeter ordered that Bentley — who was found not guilty by insanity — to an Alabama Department of Corrections prison out of safety concerns.

Youngpeter also ordered that because Taylor Hardin staff don't have expertise to treat patients with multiple personalities, the Department of Mental Health must treat Bentley by contracting with an outside psychologist.

In its opposition, the Department of Mental Health has asked the judge to set aside his decision.

District Attorney Ashley Rich said today that she believes Youngpeter's ruling will set a legal precedent.

"We are extremely pleased with the judge's order," Rich said. "We really feel like the judge understood...that Jeremy Bentley is a very dangerous man and he understands that Taylor Hardin is having a hard time controlling him."

Bentley and an accomplice, David Kabat, both from North Carolina, kidnapped Tolbert to steal his new SUV and later drove him to the Grand Bay area. Bentley has said he decided to kill Bentley "just to see what it was like."

Kabat was convicted of capital murder for his role in the killing and is serving life in prison without parole.

Tolbert was an emergency medical technician and safety supervisor for an offshore drilling company. Many of his family members still live in Lucedale.

Updated at 2:08 p.m. to include a link to the order and more background information about the case.