

The vindictive prosecution of Massachusetts mother Lindsay Clancy

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A jury is deliberating in the high-profile trial of Lindsay Clancy, a labor and delivery nurse from Duxbury, Massachusetts, accused by the Commonwealth of Massachusetts of criminal responsibility for the deaths of her three children in January 2023.

She faces three counts of first-degree murder and lesser offenses, for the strangulation of her daughter Cora, 5, and sons Dawson, 3, and Callan, 8 months. After killing her children, she attempted to take her own life by cutting her wrists and neck and throwing herself from a second-story window. Clancy survived but suffered a severe spinal-cord injury resulting in leaving her paralyzed from the waist down.

Clancy's defense and the Commonwealth's burden

Clancy admits that her actions caused her children's deaths. However, her defense argued that severe insomnia following the birth of her third child and the side effects of prescribed psychiatric medications associated with undiagnosed bipolar disorder, brought on her postpartum psychosis and that she therefore lacks criminal responsibility.

The prosecution argued that Clancy was not psychotic and did not have postpartum psychosis at the time. They claimed that she maliciously planned the murders and set up an opportunity to do so by asking her husband to pick up dinner and a prescription for one of their children.

The Commonwealth has the burden to prove to the jury beyond a reasonable doubt that Clancy was criminally responsible at the time of the offenses. That means proving either that she did not have a mental disease or defect, or that any such condition did not deprive her of the capacity to appreciate the criminality or wrongfulness of her conduct and that she could conform her conduct to the law. This is Massachusetts' equivalent of what is commonly called an insanity defense.

The trial has unfolded as Trump moves toward presidential dictatorship, as the illegal war on Iran enters its 27th week, and as the Gaza genocide—with over 20,000 children killed—continues with full bipartisan support. On August 17, court filings revealed that a one-year-old girl sat before an immigration judge in Arizona with no parent or guardian and was told to file an asylum application or face deportation.

The same state that cries “justice for the children” in a Massachusetts courtroom is the one that runs the ICE Gestapo—51,000 kidnapped in July alone, infants held in detention, an immigrant dying in custody roughly every 10 days since Trump took office.

If “justice for children” meant anything, it would begin with an indictment of the warmongering criminal oligarchy itself—not with the prosecution of a mother who has faced terrible tragedy.

The five-week trial included 21 days of testimony from 85 witnesses; 75 for the prosecution and 10 for the defense.

None of the psychiatric experts on either side denied that she

experienced significant psychiatric symptoms leading up to the killings. The arguments focused on whether she experienced psychosis.

The elephant in the room has been the question of motive. If not for psychosis and the auditory hallucinations that commanded her to kill her children and herself—what could have led this dedicated mother to commit such an act? Nothing remotely credible was ever presented by the prosecution.

What is perhaps the most tragic element of all was the weight of testimony from family, friends and coworkers who described the type of person Lindsay Clancy was, how much she loved being a mother and cared for children, including the babies she delivered and cared for as a nurse.

Margaret Hamp, a former Massachusetts General Hospital labor-and-delivery nurse who worked with Clancy, said, “Lindsay was often emotional during births of complete strangers. She would cry and she would just say, ‘That was so beautiful.’ You could just tell that she really loved being in that setting.” Hamp described her as the kind of nurse “that you wanted taking care of you or your loved one.”

Patrick Clancy, who is now her ex-husband, testified that Lindsay was deeply devoted to their three children. He described how she read to them from infancy, would make up songs and created rituals around their favorite books. Patrick was increasingly involved in his wife's care at the time as he witnessed her mental deterioration firsthand and told her doctors the medications were turning his wife “into a zombie.”

Susan Clancy, Patrick's mother, testified that Lindsay was “begging for help” in the months before the children died. After searching for resources for her then daughter-in-law, Susan Clancy suggested she visit the Center for Women's Behavioral Health at Women & Infants Hospital in Rhode Island. On December 20, 2022, however, Lindsay was turned away because clinicians there believed she was overmedicated.

Lindsay Clancy called the Aspire Health Alliance in Massachusetts suicide crisis line twice in December 2022 and was not referred for a higher level of care because she said she did not have a “suicide plan” in place.

It should be noted that the Commonwealth's District Attorney's office did not need to prosecute this poor woman and could have had her civilly committed to a mental health institution.

Instead, it has sought her vindictive punishment. Aware of its burden, it has sought to exploit all the terrible facts, subjecting the jury to every horrific detail of the act as well as the state of the deceased via autopsy photos and testimony from numerous medical examiners, forensic pathologists, firefighter-paramedics and EMTs, responding police and even forensic laboratory scientists. The aim is to secure a conviction by appealing to pure emotion and the basest sentiments.

The degree of detail is highly prejudicial when Clancy does not dispute the killings. Clancy was inconsolable throughout much of the above testimony which lasted weeks and had the air of public torture.

Postpartum disorders and the gutting of mental healthcare

Roughly one in eight mothers (12–13 percent) report postpartum depression, nearly a quarter-million a year in the US. Postpartum psychosis is rarer, affecting 1 to 2 per 1,000 births. While certain risk factors increase the likelihood, tens of thousands with no prior mental health issues are affected. While certain risk factors can increase a mother's likelihood of experiencing symptoms, tens of thousands with no prior mental health issues are affected.

Over the course of the trial many women have taken to social media to speak about their experiences with postpartum depression and psychosis. "I could have been Lindsay Clancy" has become a common phrase. Renee Kimball, a Clancy supporter, told NPR, "I think we just know that any one of us could be sitting in her chair, and it should not take for it to get to tragedy."

Interest in Clancy's case, and significant advocacy for her, is due in large part to public empathy for Clancy, frustration over what were arguably insufficient responses and poor care by her mental health providers, and anger over the cruel and vindictive case brought against her.

The jury heard Clancy's diary entries and notes written to herself about her children. In them, her hopes, desires and worries for her children have a universal character about them and would be familiar to mothers everywhere. Descriptions and testimony as to the type of mother, wife and nurse she was are both moving and deeply relatable.

Clancy has become a tragic example of the inadequate mental health system that exists in the US. However, it is not the position of the WSWWS that the negligence of individual providers, as harmful and deficient as it may have been, is ultimately to blame for the Clancy family's tragedy.

Over the past few decades, capitalist politicians of both parties, at the behest of the financial oligarchy, have eviscerated mental health services as a deliberate class policy, part of a broader assault on every social gain won by the working class over the last century.

Under capitalism healthcare is organized around profit, not human need. Not only is access to adequate mental healthcare unattainable for many, much of the infrastructure was destroyed along with massive funding cuts.

"Deinstitutionalization" began in the 1960s under the banner of "patient rights," though it was driven by state officials shifting costs to Washington. President Kennedy's 1963 promise of 2,000 community mental health centers yielded only 750 by 1980, and Reagan slashed federal mental health spending by 30 percent.

The past two decades have accelerated this destruction. As the WSWWS reported, the 2008 financial crisis was utilized as a pretext for unprecedented cuts: between 2009 and 2012, states cut mental health expenditures by a total of \$5 billion, eliminating roughly 10 percent of the remaining public psychiatric beds—about 4,500 beds—in just three years.

The number of state psychiatric beds from 2005 to 2010 plummeted by 14 percent, driving per capita bed availability down to the level of 1850, before the Civil War and before hospital-based psychiatric treatment even existed.

There are now 10 times more people with severe and persistent mental disorders—schizophrenia, bipolar disorder, major depression—in state and county prisons than in state psychiatric hospitals. As of 2012, in 44 states a single prison or jail held more seriously mentally ill people than that state's largest remaining psychiatric hospital.

The jury's findings will decide if Clancy is to face life in prison or spend years to decades in a mental health institution. Should the 12-person jury accurately reflect broader public sentiment, they are likely to find her not guilty.

Should it return with a hung jury, it is only because the prosecution has pandered to the basest undemocratic instincts that have been promoted in

bipartisan fashion over the past 40 years, and exacerbated during the Trump administration's fascistic war on immigrants and the working class, and the attacks on all political opponents, primarily the left and socialism.

In 2002 a Texas jury found Andrea Yates guilty in the drowning deaths of her five children. At the time the WSWWS wrote that the verdict's responsibility lay less with the jury than with "the reactionary social atmosphere cultivated by the American ruling elite over the past two decades." We noted that "In an enlightened society it would be a rule of thumb that a woman who murdered her children was mentally dysfunctional and not someone to be treated as a common criminal."

Separation of Church and State and the issue of "mortal sin"

Clancy's defense called for a mistrial after two occasions when the prosecution or its witness referenced that killing was a "mortal sin" according to Catholic doctrine. After asking Susan Clancy, Lindsay's former mother-in-law, if she was "an active member in the Catholic Church?" Buckingham then asked, "So you're aware that murder is considered a mortal sin?" The judge immediately stopped the exchange, called the attorneys to a sidebar and instructed jurors to disregard it. The second reference came during prosecution rebuttal testimony by forensic psychologist Dr. Kirk Heilbrun recounted asking Lindsay whether "suicide is a mortal sin."

Judge William Sullivan dismissed the jury and reprimanded counsel outside of the presence of the jury, "I am very concerned, counsel, about the fact that this is now the second time that religion has come into this case. And I'm not going to allow it. It is absolutely inappropriate. It is irrelevant. It is highly prejudicial, and I'm not going to allow it." Judge Sullivan denied a motion for a mistrial from Clancy's defense but made a stern instruction to the jury that they could not consider Lindsay Clancy's Catholic upbringing, Catholic doctrine, or any reference to the "mortal sin" comment in deliberations.

At a time when the Trump administration is promoting Christian nationalist curricula and the state of Texas is requiring the Ten Commandments be on display in every classroom, the critical constitutional issue of the "separation of church and state," associated principally with the First Amendment and the constitutional protections that limit governmental favoritism of religion, the issue as it was presented and defended outraged those following the trial with compassion for Clancy and her children.

What has gone entirely unremarked in the coverage of the case is the response it has provoked among ordinary people due to the deep democratic sentiments in the working class which are both present and strengthening.

The prosecution's conduct—its attempt to appeal to religious doctrine, the effort to turn psychosis into criminality—has been met with widespread revulsion, not the demand for vengeance the state anticipated.

On the 250th Anniversary of the Declaration of Independence and the American Revolution, the defense of due process, the presumption of innocence, reasonable doubt and the rights of the accused, as well as the separation of church and state, have deep roots in the American and international working class.

The Clancy case is revealing that the gulf between the popular democratic instincts of the American working class and the dictatorial character of the oligarchy is widening.



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