



State of New Jersey

DEPARTMENT OF HUMAN SERVICES
DIVISION OF MENTAL HEALTH AND ADDICTION SERVICES
ANN KLEIN FORENSIC CENTER
STUYVESANT AVENUE - P.O. Box 7717
WEST TRENTON, NEW JERSEY 08628

CHRIS CHRISTIE
Governor

ELIZABETH CONNOLLY
Acting Commissioner

KIM GUADAGNO
Lt. Governor

VALERIE L. MIELKE MSW
Assistant Commissioner

TERESA MCQUAIDE
Acting Chief Executive Officer

The Honorable Robert Reed
Somerset County Courthouse
20 North Bridge Street
PO Box 3000
Somerville, New Jersey 08876

Re: Abhinaba Barthakur

Your Honor:

Dr. Susie Chung, Ph.D. visited the office of attorney Todd Palumbo in Cranford, New Jersey on June 26, 2017 to interview Abhinaba Barthakur. Mr. Barthakur's competence could not be determined in the community. See attached report.

This client is being recommended for an in-patient evaluation. This case has been forwarded to Central Admissions who will contact the detaining authority for medical and legal information necessary for admission. The evaluation report will be forwarded to your office upon completion.

I trust this information will be of assistance to you. If you have any further questions please call Peter Carber at 609-633-1597.

Respectfully,

A handwritten signature in cursive script that reads "Vicki Canavera".

Vicki Canavera
Coordinator, County Jail Evaluation Program

cc: File
Todd Palumbo, Esq.

COMPETENCY TO STAND TRIAL EVALUATION BRIEF REPORT

Name: Abhinaba Barthakur

Date of Birth: 03-01-67

Date of Evaluation: 06-14-17

Place of Evaluation: Somerset County
Public Defender's Office and private
attorney's office in Cranford, NJ

Abhinaba Barthakur is a 50-year-old, married, Asian man who has been out on bail for charges of Contempt of Court and Violation of Probation. The discovery materials and jail medical records were reviewed as part of this evaluation. I also reviewed the defendant's website (www.barthakur.com) and his You Tube videos (Bubba Brothers) after the interviews at his suggestion. In addition, I consulted with the defendant's public defender (Mr. Christopher Rivera) and private attorney (Mr. Todd Palumbo). A second interview was scheduled to gather more data after his public defender informed this evaluator that he had difficulty discussing Mr. Barthakur's legal case with him (as a result of his not being able to stay on topic). Mr. Barthakur apparently also refused to talk to the judge during his bail reduction hearing. Between the first and second interviews, Mr. Barthakur hired a private attorney.

Unless otherwise specified, the majority of the following background information was provided by the defendant, who may not be a reliable historian because of his current mental state. Mr. Barthakur stated that he was born in India and raised with his brother by his biological parents. He immigrated to the United States in 1993. The defendant's brother died in 1995 in a robbery, and his father died of "natural causes." His mother currently lives in India. The highest level of education that Mr. Barthakur has attained was a master's degree in chemical engineering. He said that he had a 3.8 GPA, and that he was a "top-tier student." His employment history includes working as a computer consultant and more recently, as a senior performance engineer for Dow Jones. He was laid off from this last job in 2011. He currently teaches classes to certify forklift operators. He has never collected disability or SSI benefits. Mr. Barthakur has been married for 21 years and has two daughters (ages 14 and 17) and a son (age 11). He is currently living in Hillsborough, New Jersey with his wife and three children.

Mr. Barthakur's medical history is unremarkable in that he denied any head injuries, seizures, or other problems with his physical health. In fact, he stated that he just had a "complete physical" in April of 2017, and that he is feeling "very well." His mental health history is also unremarkable in that he denied ever receiving any inpatient or outpatient treatment. He has also never sought counseling or taken psychotropic medications.

Mr. Barthakur's substance abuse history includes drinking one to three drinks of alcohol daily since age 20. He denied ever using any illegal or recreational drugs other than smoking marijuana once a year in religious practice (i.e., Hinduism). His legal history consists of four arrests beginning in 2014 that resulted in one felony conviction for Terroristic Threats (per discovery records). He also has municipal court convictions for charges of Allowing Animals to Run at Large (6 counts), Harassment (2 counts), and Trespass/Nuisance.

Mr. Barthakur was interviewed at the Somerset County Public Defender's office on 05-22-17 for one hour and 50 minutes and at his current attorney's office in Cranford on 06-

26-17 for one hour and 25 minutes. He presented as an Indian man of average height and slender build, with good grooming and hygiene. He appeared to understand the purpose of the evaluation and the limits of confidentiality when they were explained to him by repeating the information back in his own words. He was alert and cooperative throughout the first interview, speaking in a generally coherent, logical, and goal-directed manner. However, he still discussed his beliefs that "market manipulation and money printing [are] happening everywhere," and that "the earth is flat." During the second interview, he was more tangential, less logical, and not as easily redirected back to the topic of discussion. He was focused on topics such as the earth being flat, that "English comes from Phoenician [and] it's a satanic language, and "Switzerland is the first demonic country." He added that "the Masons are in charge – we are all being lied to systematically." He further explained that he first learned "the earth is not a spinning ball, that earth is flat" in October of 2015. On 05-22-17, he described his mood as "I used to be angry, [but] I've transformed – after going through the jail process, I'm calmer and I'm wiser"; his affect was stable and of full range. He seemed particularly defiant and irritated when discussing his legal situation. On 06-26-17, his affect appeared much more intense, but he still seemed to maintain control of his behaviors. Although he denied all psychiatric symptoms when specifically asked about them, he seemed to possess idiosyncratic beliefs and unusual perspectives. One example is his interpretations of the English vowels, which he interpreted to mean "that is the truth." He said that he began praying a lot in 2012, and in 2013, he began having problems with the neighbors, who were reporting him to the police. During both interviews, he indicated that he lives by the motto: "No fear of humiliation, no longing of glorification."

Regarding his knowledge of the legal system, Mr. Barthakur seemed to possess factual understanding of the legal process. For example, he understood that the judge "presides over the court" and can make a decision about the verdict as well as the sentence. He also understood that the prosecutor's job is to prove that he is guilty, and that his public defender/defense attorney's job is "to provide evidence that works for the defendant" and to convince the judge that he is not guilty. Furthermore, he understood the concept of plea bargaining, explaining that "the prosecutor offers a lesser sentence and you agree." However, he stated that Mr. Rivera "only does what the prosecutor says" and was "not working for me [because] he gets a paycheck from the government." Despite being pleased with Mr. Palumbo as his defense attorney thus far, it is highly likely that Mr. Barthakur's inability to focus on the facts of the case and to stay on topic in general would interfere with his ability to rationally consider all of his legal options.

Due to Mr. Barthakur's possibly psychotic mental state, his competence to proceed is questionable at this time. He is unlikely to be able to rationally participate in the legal process or to assist his attorney in his present state. Thus, inpatient hospitalization is recommended to allow a period of observation for gathering additional data for the specific purpose of determining his competence to proceed. Moreover, hospitalization may also facilitate psychiatric stabilization, given that Mr. Barthakur would probably refuse to comply with any prescribed psychiatric treatment on an outpatient basis.

Susie Chung, Ph.D., BCBA
Susie Chung, Ph.D., BCBA
Licensed Clinical Psychologist,
Outpatient Evaluation Program
Ann Klein Forensic Center

7/7/17
Date