

# Experts say manslaughter case against former BC student may be stronger than Michelle Carter case

By [Travis Andersen](#) Globe Staff, October 28, 2019, 4:24 p.m.



Alexander Urtula and Inyoung You.

The [criminal case](#) brought against a former Boston College student accused of driving her boyfriend to kill himself bears similarities to the Michelle Carter saga, but there are key differences that could affect the BC matter as it proceeds through the courts, legal specialists said Monday.

Carter was convicted of involuntary manslaughter in 2017 for using texts and phone calls to pressure Conrad Roy III, a Massachusetts teenager, to kill himself.

In a case reminiscent of that much-publicized conviction, Suffolk District Attorney Rachael Rollins announced an indictment charging Inyoung You, 21, of South Korea, with involuntary manslaughter for allegedly causing the death of her boyfriend, Alexander Urtula, 22, following an 18-month pattern of verbal, physical, and psychological abuse.

You is in South Korea and an arraignment date hasn't been set.

“This strikes me as a much stronger case for manslaughter than Carter,” said Daniel S. Medwed, a professor at Northeastern University School of Law, in an e-mail. “For one thing, the evidence points to physical abuse in addition to verbal harassment. For another, the fact that the defendant was on site at the time of the suicide is critical.”

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Rollins said You not only told Urtula hundreds of times via text to kill himself but also physically abused him and was present at the Roxbury parking garage in May when he leapt to his death on the morning of his BC commencement.

You's physical proximity to Urtula when he jumped and her alleged domestic abuse distinguishes her case from the one against [Carter](#), who only met Roy in person a couple of times but repeatedly urged him to commit suicide through electronic communications.

She was 30 miles away from Roy and listened over the phone as he inhaled carbon monoxide in his pickup truck in a Fairhaven parking lot, according to testimony. At one point, Roy told Carter he was getting out of the truck, but Carter ordered him back in, prosecutors said.

Carter was 17 at the time of the 18-year-old Roy's death in July 2014. The state Supreme Judicial Court upheld her conviction in February, and her lawyers are asking the US Supreme Court to review the matter.

The Carter case hinges on "just words," said Nancy Gertner, a former federal judge who's part of Carter's appellate legal team. "Certainly [You's] presence" when Urtura jumped and her alleged "history of physical violence makes it more complicated than Carter."

Still, You's case is hardly clear-cut based on the information prosecutors released Monday, Gertner said. If, she said, the government has evidence of physical abuse, You could be charged with that.

However, Gertner said, "the relationship between that crime and someone's decision to commit suicide is complicated." She cited several issues that remain unclear, including whether Urtura made previous attempts on his life and what, if anything, You said or did at the garage before Urtura jumped.

"There's a concept in the law that says 'you may not have created the harm, but you did nothing to stop it,'" Gertner said. "Were there witnesses on the ground? Did people hear what she was saying? The proof may not be easy here."

Medwed, of Northeastern, suggested that manslaughter isn't the appropriate charge, even if "it appears as if causation [between You's alleged actions and Urtura's death] would be easier to prove" than in the Carter case.

“I am opposed to using manslaughter to punish coerced suicide cases; it is too blunt of an instrument, and we need a scalpel instead of a hammer,” Medwed wrote, adding that he’s worked with lawmakers and the Roy family to draft a bill pending in the state Legislature dubbed Conrad’s Law that would “criminalize coerced suicide and craft a punishment that would better fit the crime.”

Half the states in the country have passed similar laws, Gertner said, but she said language in those bills that criminalized mere “encouragement” to commit suicide has been stricken following legal challenges.

Carter’s lawyer, Daniel Marx, said both cases show the need for clear legislation in Massachusetts that defines when a person should be held responsible for another’s suicide.

“One of the constitutional problems here is the extent to which this gives district attorneys discretion about what constitutes a manslaughter or murder as opposed to an assisted suicide,” he said. “Prosecutors shouldn’t have that much power.”

In its February ruling upholding Carter’s conviction, the SJC rejected legal arguments that her texts and phone calls with Roy were forms of free speech protected by the First Amendment.

Massachusetts’ involuntary manslaughter law covers “wanton and reckless conduct” that causes the death of another and includes “overpowering [another] person’s will to live and resulting in a person’s death,” wrote Justice Scott L. Kafker in the Carter ruling. “We are therefore not punishing words alone . . . but reckless or wanton words causing death.”

That ruling validated prosecutors’ thinking in such cases, according to Martin G. Weinberg, a prominent Boston defense attorney.

“The SJC decision in Carter has opened the door for similar prosecutions in the Commonwealth,” Weinberg wrote in an e-mail. “The [You] allegations, if proven, appear

to fit today's case squarely within the heartland of the Carter precedent; however, the level of evidentiary detail released today to support the charges creates such an indelible and toxic portrait of the defendant that her future right to a fair trial may well be compromised.”

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