

Memory loss makes it difficult to assess mental state

By [KEVIN MARTIN](#), SUN MEDIA

Fatal hit and run suspect Colin Jones' complete lack of memory of his deadly collision with a pedestrian makes it impossible to assess his mental state, a psychiatrist said on Thursday.

Dr. Thomas MacKay said because Jones can't recall striking Lindsay Giacomelli in a southeast crosswalk there's no medical way to determine what was going through his mind when he fled.

"It's virtually impossible," MacKay told prosecutor David Torske.

MacKay was called by the Crown to rebut testimony of two defence witnesses.

Dr. Tom Dalby and Dr. Yuri Metelitsa said it was possible Jones' depression and stress left him unaware he had hit Giacomelli before he drove home the evening of March 17, 2005.

MacKay said a lack of awareness can be increased by both depression and stress — such as the marriage breakdown being experienced by Jones at the time.

But he said the more significant an event is the more likely it would be noticed even by someone in such a dissociative state.

Torske then outlined the facts in the case, noting witnesses saw Jones strike Giacomelli in a crosswalk on Bonaventure Dr., screech to a halt and then drive around her prone body.

"If that happened I think you'd be more likely to be aware of it than (a scenario of) simply slowing down and driving in a straight line," MacKay said.

Under cross-examination, he told defence lawyer Balfour Der his client's depression, stress, use of alcohol and reduction in his medication all could have caused reduced cognitive function.

"The same rules of (memory) would operate at a dropped-down level," MacKay said.

"Something that you would remember on the margin of your memory you might not remember," he said.

After court adjourned, Giacomelli's mother, Leslie, became overcome with emotion, having to be comforted by her husband Gerald as she cried outside the courtroom.

Justice Allen Sulatycky will hear final submissions from Der and Torske on Friday.