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## Elizabeth Smart kidnapper mentally ill: witness

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SALT LAKE CITY (Reuters) - A former defense lawyer for Brian David Mitchell testified on Monday that he concluded that the self-styled prophet, who is on trial for kidnapping Elizabeth Smart in 2002, was mentally ill.

David Lamb represented Mitchell when the defendant was caught breaking into a Southern California church in 2003. He was called to the witness stand by Mitchell's current defense team as they mounted an insanity defense on behalf of the 57-year-old homeless street preacher.

“I believe he was mentally ill,” Lamb told jurors as the first witness to testify in the sensational kidnapping trial following a weeklong break for the Thanksgiving holiday.

Mitchell is charged with kidnapping Smart, then 14, on June 5, 2002 and holding her captive for nine months with the intent of forcing her to live as his young bride.

His estranged wife, Wanda Barzee, is serving a 15-year prison term after pleading guilty to conspiracy to commit aggravated kidnapping, and is cooperating with prosecutors.

Smart, now a young woman of 23, has returned to Utah for the trial from Paris, where she is serving a two-year mission for the Mormon church, and has attended every day of the trial.

Lamb was appointed by a court to represent Mitchell in February 2003 after Mitchell was arrested near San Diego for breaking into the preschool of a Presbyterian church, telling police his name was “Michael Jenson.”

Unaware that Mitchell had abducted Smart, who was left behind with Barzee at a nearby campsite, the judge in that case sentenced him to three years probation and fined him \$250.

Lamb, who said his brother and some of his clients suffer from mental illness, told jurors he came to the believe that Mitchell had mental issues because of his religious pronouncements and strange behavior.

### **“SWALLOWED BY THE WHALE”**

“It started to feel there was something mentally ill going on,” he said.

During Lamb's testimony, defense lawyers showed jurors a videotape of Mitchell's court appearance in San Diego, in which the defendant claims to have broken into the church after getting drunk for the first time in 22 years.

"This week in jail is like I was Jonah getting swallowed by the whale. It turned me around," Mitchell is heard telling the judge. "Nothing like this is going to happen again."

Lamb was followed on the witness stand by LeRoy Franke, a social worker who conducted an assessment of Mitchell after he exposed himself to a young girl in 1970, and who testified that Mitchell displayed evidence of irrational thinking and bizarre behavior.

And Gregory Porter, who was Mitchell's therapist at Utah State Hospital from 2005 to 2008, told the court that Mitchell appeared to suffer from "delusional disorder" and extreme narcissism.

"He would go for many, many weeks without speaking," Porter said, adding that Mitchell appeared to view the hospital as part of the legal system and told the staff there he was condemning them with his silence.

Mitchell was not in court for the proceedings after U.S. District Judge Dale Kimball ordered him removed for loudly singing Christmas carols, including "Silent Night" and "O Come All Ye Faithful."

He is able to watch and listen to testimony from an adjoining room.

Smart testified for the prosecution that Mitchell kidnapped her at knifepoint from the bed she shared with her younger sister, marched her several miles into the foothills above Salt Lake City and raped her.

She has described her time as Mitchell's captive as "nine months of hell" in which she was raped nearly every day.

Smart was rescued on March 12, 2003 after she was spotted by passersby walking with Mitchell and Barzee on a street in the Salt Lake City suburb of Sandy.