

## State Court Eliminates Heat-of-Passion Defense for Slayings Following Infidelity Disclosure



The Massachusetts Supreme Judicial Court has ruled that a defendant who kills their partner after being told of infidelity cannot use a heat-of-passion defense to lower the charge to voluntary manslaughter. The case involved Peter Ronchi, convicted on two counts of murder for the May 2009 stabbing death of his girlfriend, Yuliya Galperina, who was nine months pregnant. The court upheld the convictions, rejecting Ronchi's argument that his girlfriend's false claim that he was not the child's father was enough provocation to lower his liability for the slaying to manslaughter.

In its ruling, the court disputed its precedent on reasonable provocation based on sudden oral revelations of infidelity and lack of paternity, stating that it rests on a "shaky, misogynistic foundation" and has no place in modern jurisprudence. The court said it would no longer recognize that an oral discovery of infidelity satisfies the objective element of something that would provoke a reasonable person to kill their spouse.

Ronchi had also argued that the fetus died from the mother's lack of blood circulation and had not been stabbed, making him not guilty of that murder count. The court rejected that contention as "strained at best," noting that Galperina was stabbed at least 15 times, leading to the death of the viable fetus.

Justice Elspeth B. Cypher, concurring with the ruling, said the court had taken an important first step by finding that oral revelations of adultery alone cannot induce a reasonable person to kill their pregnant partner. She further stated that discovery of adultery, whether from oral or personal observation, does not amount to adequate provocation to kill a partner.

The ruling has been noted by Courthouse News Service and the Daily Beast, with Bloomberg Law providing coverage of the ruling regarding the fetus. The case highlights the ongoing debate over using the heat-of-passion defense, which has been criticized for perpetuating gender-based stereotypes and allowing killers to evade accountability for their actions. The ruling marks a significant shift in legal precedent and could have implications for future cases involving similar claims of provocation.

### REFERENCES:

**Heat-of-passion defense no longer available in slayings after infidelity disclosure, top state court says**

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