

# OUTLINE

## **Chapter 19: Forensic Psychology**

- **Forensic Psychology as a career**
- **Functional settings**
  - **Community**
  - **Prisons**
  - **Forensic hospitals**
- **Assessment**
- **Treatment**
- **Psychopathy**
- **Psychological profiling**

# Forensic Psychiatry

## **Consultants to branches of the CJS:**

- Crown, Defence, Court.
- Civil cases, Coroner's Inquests.
- Mental Health Act Cases
- Review Boards.
- Correctional System.
- Police, Armed Forces

# What do Forensic Psychologists Do?

- **Civil Cases**

- Child custody
- Child sexual abuse (may be criminal)
- Psychological / neuropsychological damages
- Termination of parental rights
- Involuntary commitment

- **Administrative Law Cases**

- Worker's comp assessments
- Disability assessments

# What do Forensic Psychologists Do?

- **Other assessments**
  - Malingering
  - Potential for dangerous behaviour
  - Eyewitness identification
  - Jury selection
  - Victim / witness evaluation
  - Evaluation / training of police officers

# What do Forensic Psychologists Do?

## **Treatment Settings**

- Community, prison, forensic hospital

## **Types of Treatment**

- Stress management
- Interpersonal therapy
- Problem-focused therapy
- Psychodynamic therapy
- Cognitive behavior therapy

# Forensic Treatment

## Challenges in Forensic Treatment

- Court ordered treatments
- Probation orders
- Expert Witness with clients
- Estimating risk & recidivism

## Severe & Complex pathology

- Axis I and Axis II comorbidity
- substance abuse complications
- psychosis and delusions
- multiple losses and trauma
- some pathology difficult to treat (psychopathy and sexual offenders)

*\* In general, there is a lack of adequate treatment available.*

# Non-Clinical Forensic Psychology

- Many research domains parallel to clinical work
- Factors affecting human memory
- Face recognition
- Eyewitness testimony
- Jury selection, dynamics,  
and decision-making
- Human factors engineering

# Sources of Referral

- Court appointments
- Crown attorney office
- Legal Aid office
- Private defense lawyer
- Forensic psychiatrists

# What do Forensic Psychologists Do?

- Criminal cases
  - Decision to try an adolescent as an adult
  - Competency to stand trial
  - NGRI assessments (i.e. NCR)
  - Disposition and treatment recommendations
  - Predatory sex offender evaluations

# Criminal Cases

- Competency to stand trial
- Mental state at time of offense
  - In Canada → NCR designation
- Decision to be tried as an adult
- Sentencing and disposition
- Risk assessments for violent / sexually predatory offenders

# EXAMPLE

- Forensic psychiatric hospital
- “patients” not “prisoners”
- Ontario Review Boards (at least once annually)

## The Players

- Person in charge (hospital)
- Patient
- Defense attorney
- Crown attorney
- Victim (or victim impact statement)

# Ontario Review Boards

GOAL: Disposition - Decisions regarding:

- Detention orders (Max, med, or minimum security?)
- Community Access? (with “approved person” or with treatment team members)
- Live in the community?
- LOA (with approved persons)
- Team recommendations
- Hospital recommendations
- “Giving Evidence” (psychiatrist or other team members)
- Diagnosis (controlled act: psychology & psychiatry)
- Assessment of risk without detention.

# Personal Injury and Other Civil Cases

- Concept of psychological damages
  - Shift to being one contributing factor
- Neuropsychological damages
  - Following an accident
- Workers
- compensation
- & disability

# Personal Injury and Other Civil Cases

- Harassment / discrimination
  - Assess effects on individual, or organizational level factors
- Psychiatric / Psychological malpractice
  - Assessing impact, or standard of care
- Malingering
  - Within context of neuropsychological assessment
- Civil competency
  - E.g., handling own funds, competency to serve as a witness

# Working with Police

- Psychological evaluation of applicants
  - Need for police-specific norms!
- Training
  - Police often first “therapists” at scene of emergency
- Counselling / debriefing
  - Following critical incidents
  - For lifestyle / stress/ family issues
  - Issue of transition to retirement

# Treatment

- Prison-related stress
- Forensic psychiatric units
  - Psychosis, suicidality
- Treatment of probation and parole
  - May be a condition
  - General adjustment and/or specific issues
- Treatment of involuntarily committed persons
- Personal injury and other civil cases
  - May deal with depression, anxiety, pain, and stress

# Examples of Forensic Measures

- Examples include:
  - Actuarial measures for assessing risk
  - Child Abuse Potential Inventory
  - Spousal abuse
  - Violent recidivism
  - Tests for malingering
  - Phallometry

# Determining "appreciation"

Is a NCR (i.e. Not Criminally responsible) designation appropriate?

1. Not rational at time of crime
2. Acted under compulsion (e.g. threat of death)

\* Retrospective assessment

- examination and testing of accused.
- review of all forms of evidence.
- counterchecking with third parties the story provided by the accused.

# Crime Scene Considerations

- evidence of planning (e.g. bringing a weapon or other material to facilitate the commission of the offence)
- flight or escape
- cleverness of the crime.

# Crime Scene

- efforts to avoid unintended victims
- preparation of the field in which the crime was committed
- Destruction or attempted destruction of incriminating evidence
- steps taken to facilitate the crime (e.g. cutting of telephone wires).
- base motives (e.g. lust, greed, envy, revenge)

# Witness Interviews

- All observations of the offender.
- The offender's physical condition.
- The offender's apparent orientation.
- The offender's ability to communicate.

# Assessment of "appreciation"

- Premeditation
  - flight or escape
  - cleverness of crime
  - efforts to avoid unintended victims
  - preparation of field where the offence would occur
- apparent normalcy of life - (job, friends, social life)
- deception of authorities, friends or family

# Assessment of "appreciation"

- knowledge that society would see act as wrong.
- knowledge of consequences.
- apparent long and short term memory.

# Assessment of "appreciation"

- any organic conditions
- any stressful events before the crime
- drugs or alcohol
- medical history
- physical examination
- work history
- school history
- fitness and awareness of one's rights

# Assessment of Malingering

## **MALINGERING**

- medical condition is fabricated
- medical condition or injury that is exaggerated for financial gain
- Accident or injury is deliberately caused
- marked discrepancy between the person's claimed symptoms and the medical or psychiatric findings
- Displays a lack of cooperation during the physician's evaluation and noncompliance with treatment.

# Ask -

- demeanour
- speech
- motor activity
- emotional reactions
- Coherence
- Apparent intelligence
- Judgement and insight

# Assessment of "Risk"

- Violence Risk Assessment

“the process of evaluating individuals to characterize the likelihood they will commit acts of violence and to develop interventions to manage or reduce that likelihood.”

- Actuarial risk assessment.

- predetermined criterion
- Statistical historical
- past behavior & events

E.g. - Spousal abuse (SARA)

- VRAG (Violence Risk Appraisal Guide)

# Assessment of "Risk"

- **Violence recidivism**
- **Static Risk Factors**
  - Type of crime? Offense history?
  - Psychopathy
  - Married? Steady employment?
  - Age
- **Dynamic Risk Factors**
  - Axis I disorder? Has it been treated effectively?
  - Axis II disorder? Response to treatment?
  - What factors contributed to the crime?
  - Have these factors changed?

# PSYCHOLOGICAL PROFILING

## Organized

- **Calculated**
- weapon brought to scene
- victim selected
- more perfected over time
- staged scene or body moved

## Unorganized

- **Impulsive**
- don't bring weapon
- victims more random
- more likely psychotic

## OTHER CONSIDERATIONS

- brutal facial injuries point to killers who know their victims
- victim covered indicates remorse (& emotional spillover into life)

# PSYCHOPATHY

## **CHARACTERISTICS:**

- disregard for social norms/ challenge authority
- lack of remorse/guilt
- lack empathy
- impulsivity \*
- lack anxiety \*
- charming
- intelligent
- failure to learn from mistakes
- fascinated with police work/policy

# DEVELOPMENT OF PSYCHOPATHY

## **Triad:**

**bed wetting, fire starting, & cruelty to animals or small children**

## CAUSES (controversial)

- brain damage (injuries or head trauma)?
- neurochemical
- Negative (neglectful parenting)
- childhood abuse/trauma

# PSYCHOLOGICAL PROFILING

## **THE ZODIAC KILLER**

- Organized vs. Unorganized?
- Geographical restrictions?

First Murder ?(1966)

-18 year old Caucasian female

-Brutally murdered near a parking lot outside college library (1-2 hours after library closed)

-Slashed with small knife 3x in chest area, once in the back, and several times across the neck (almost decapitating her)

-no rape or robbery

\* later this murder is questioned (some believe it to be the initial murder, others believe it is not related.)

# PSYCHOLOGICAL PROFILING

## THE ZODIAC KILLER

- ....One Month Later

LETTER mailed to police

-Describing murder (details not previously released)

December 20, 1968 (~ 11 p.m.)

-Young couple shot to death in their car when parked on “lover’s lane”

July 5, 1969 (midnight)

-Young couple shot multiple times at close range while parked in their car.

-male victim survived

-perpetrator calls sheriff reporting double homicide & claiming responsibility for December murders as well.

# PSYCHOLOGICAL PROFILING

## THE ZODIAC KILLER

- ....One Month Later

CRYPTOGRAM mailed to police

-Describing murder (details not previously released) & ordering newspaper publication of cryptogram to prevent killing spree. (claims cryptogram contains his identity)

- ....One Week Later

- cipher decrypted (no identity)

September 27, 1969 (Twilight)

-Young couple picnicking by lake approached by “hooded” (with sign of “zodiac”) man who asked for money and car. Told female to tie up her boyfriend, multiple stab wounds with Bayonet, but male victim survived

- Calls police to report murder

# PSYCHOLOGICAL PROFILING

## THE ZODIAC KILLER

- ....5 weeks Later

Shoots cab driver after arriving at his destination.

- Takes his wallet

- nearby teenagers see him wiping down the doors of the cab,

suspect foul play call police (never apprehended)

MO changes

- ....Two days Later

- sends letter to police claiming responsibility.

- threatens to kill a bus load of children.

November, 1969

-writes letter to newspaper to be published or more deaths will follow

December 27. 1969 letter to famed lawyer (Melvin Belli)

fearing he was out of control.

# PSYCHOLOGICAL PROFILING

## THE ZODIAC KILLER

- ....3 months Later

March 22, 1970: Abducts woman and her baby

- Tells her the wheel on her car is flat and offers her a ride.
- after driving 2 hours on back roads, she jumps from the car.
- he doesn't pursue, but returns to her car and torches it.
- She identifies the assailant as the "Zodiac" from drawings.
- sends letter to police claiming responsibility.
- threatens to kill a bus load of children.

Until 1974

-continues to write sporadic letters to the press requesting they be published to avoid further murders. (occasionally sending pieces Of the previously murdered cab driver's shirt With the letters)