

Psychology 8360
Forensic Assessment I
3 Credit Hours
Fall, 2017

Location: Psychological Services Center

Time: Monday, 6-9

Instructor:

Mary Alice Conroy, Ph.D., ABPP

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Hours: 8-9 MTTh, 12-1 WF

Required Books

Melton, G. B., Petrila, J., Poythress, N. G., Slobogin, C., Lyons, P. M., Otto, R. K.
(2007). *Psychological evaluations for the courts: A handbook for mental health professionals and lawyers* (3rd ed.). New York: The Guilford Press.

Course Description

The course is designed to introduce students to the literature on forensic assessment and the methods utilized in this endeavor, particularly in the criminal arena. Ethics in forensic evaluation and the dilemmas encountered in dealing with the diverse criminal population are emphasized throughout the course. Students have the opportunity to observe and participate in actual forensic evaluations and discuss these experiences in class. The class itself will be conducted seminar style, relying on extensive class discussion. In class activities will include use of forensic assessment instruments and observation of case videos for report writing exercises.

Course Objectives

Students will:

1. Learn to differentiate forensic assessment from other types of clinical evaluations and practice the thought processes necessary to this endeavor.
2. Gain an overview of the literature regarding forensic assessment and issues of controversy, with special emphasis on assessments in the context of a diverse criminal population.
3. Become familiar with specialty instruments utilized in forensic assessment.
4. Become acquainted with research methodology and problems unique to forensic assessment.

- ## Schedule

However, please understand the nature of a reading list. It does not mean that every student is expected to read everything on the list. Rather you may pick and choose, depending on your background and interests. There will be more discussion of this during the first class.

Wygant, D. B. & Lareau, C. R. (2015). Civil and criminal forensic psychological assessment: Similarities and unique challenges. *Psychological Injury and Law*, 8, 11-26.

Sept. 11

Report Writing/Record Keeping

Readings:

Bush, S. S., Connell, M. A., & Denney, R. L. (2006). *Ethical practice in forensic psychology: A systematic model for decision making* (pp. 59-89, The evaluation). Washington, DC: American Psychological Association.

DeMier, R. L. (2013). Forensic report writing. In R. K. Otto and I. B. Weiner (Eds.), *Handbook of psychology, volume 11, forensic psychology* (2nd ed.) (pp. 75-98). Hoboken, NJ: John Wiley & Sons.

Heilbrun, K. (2001). *Principles of forensic mental health assessment* (pp. 241-253, Communicating clearly). NY: Kluwer Academic/Plenum Publishers.

Otto, R. K., Demier, R. L., & Boccaccini, M. T. (2014). *Forensic reports and testimony: A guide to effective communication for psychologists and psychiatrists* (pp.34-53). Hoboken, NJ: Wiley.

Resnick, P. J., & Sliman, S. (2012). Planning, writing, and editing forensic psychiatric reports. *International Journal of Law and Psychiatry*, 36, 412-417.

Sept. 18-Sept. 25

Role of Psychodiagnostics: Including Analysis of Psychological Testing and Assessment of Malingering

Readings:

Archer, R. P., Stredny, R. V., & Zoby, M. (2006). Introduction to forensic uses of clinical assessment instruments. In R. P. Archer (Ed.), *Forensic uses of clinical assessment instruments* (pp. 1-18). Mahwah, NJ: Lawrence Erlbaum Associates.

Borum, R., & Grisso, T. (1995). Psychological test use in criminal forensic evaluations. *Professional Psychology: Research and Practice*, 26, 465-473.

Bush, S. S., Heilbrunner, R. L., & Ruff, R. M. (2014). Psychological assessment of symptom and performance validity, response bias, and malingering: official position of the association for scientific advancement in psychological injury and law. *Psychological Injury and Law*, 7, 197-205.

- Erickson, S. K., Lilienfeld, S. O., & Vitacco, M. J. (2007). A critical examination of the suitability and limitations of psychological tests in family court. *Family Court Review*, 45(2), 157-174.
- Heilbrun, K. (1992). The role of psychological testing in forensic assessment. *Law and Human Behavior*, 16, 257-272.
- Greenberg, S. A., Shuman, D. A., & Meyer, R. G. (2004). Unmasking forensic diagnosis. *International Journal of Law and Psychiatry*, 27, 1-15.
- Resnick, P. J., & Knoll, J. L. (2008). Malingered psychosis. In R. Rogers (Ed.), *Clinical assessment of malingering and deception* (3rd ed.) (pp. 51-68). New York: Guilford Press.
- Rogers, R., & Bender, S. D. (2013). Evaluation of malingering and related response styles. In R. K. Otto & L. B. Weiner (Eds.), *Handbook of Psychology* (2nd ed., Vol.11, pp. 517-540). Hoboken, NJ: John Wiley & Sons.
- Rogers, R., & Fiduccia, C. E. (2015). Forensic assessment instruments. In C. L. Cutler & P. A. Zapf (Eds.), *APA Handbook of Forensic Psychology, Vol. 1, Individual and Situational Influences in Criminal and Civil Contexts* (pp. 19-34). Washington, DC: APA.
- Weiss, R. A., & Rosenfeld, B. (2012). Navigating cross-cultural issues in forensic assessment: Recommendations for practice. *Professional Psychology: Research and Practice*, 43, 234-240.

Oct. 2-Oct. 9 Evaluating and Restoring Criminal Competencies

Readings:

- Melton et al. Chs. 6 (Competency to Stand Trial) & 7 (Criminal Competencies)
- Bonnie, R. (1992). The competence of criminal defendants. *Behavioral Sciences and the Law*, 10, 291-316.
- Golding, S. L. (2016). Learning forensic examinations of adjudicative competency. In R. Jackson & R. Roesch (Eds.), *Learning forensic assessment: Research and practice* (2nd ed.) (pp. 65-96). NY: Routledge.

- Gowensmith, W. N., Murrie D. C., & Boccaccini, M. T. (2012). Field reliability of competence to stand trial opinions: How often do evaluators agree, and what do judges decide when evaluators disagree? *Law and Human Behavior*, 36, 130-139.
- Grisso, T. (2003). *Evaluating competencies: Forensic assessments and instruments* (2nd ed.) (pp. 69-148). NY: Kluwer Academic/Plenum Publishers.
- Muellar, C., & Wylie, A. M. (2007). Examining the effectiveness of an intervention designed for the restoration of competence to stand trial. *Behavioral Sciences and the Law*, 25, 891-900.
- Murrie, D. C., & Zelle, H. (2015). Criminal competencies. In C. L. Cutler & P. A. Zapf (Eds.), *APA Handbook of Forensic Psychology, Vol. 1, Individual and Situational Influences in Criminal and Civil Contexts* (pp. 115-157). Washington, DC: APA.
- Notsinger, S. G. (2001). Restoration of competency practice guidelines. *International Journal of Offender Therapy and Comparative Criminology*, 45(3), 356-362.
- Zapf, P. A., & Roesch, R. (2011). Future directions in the restoration of competency to stand trial. *Current Directions in Psychological Science*, 20, 43-47.

Oct. 16-Oct. 23

Mental State at the Time of the Crime

Readings:

Melton et al. Ch. 8 (Mental State at Offense)

Frederick, R. I., Mrad, D. F., DeMier, R. L. (2009). *Examination of criminal responsibility: Foundations in mental health case law* (pp. 189-209). Sarasota, FL: Professional Resource Press.

Goldstein, A. M., Morse, S. J., & Packer, I. K. (2013). Evaluation of criminal responsibility. In R. K. Otto and I. B. Weiner (Eds.), *Handbook of psychology, volume 11, forensic psychology* (2nd ed.) (pp. 440-472). Hoboken, NJ: John Wiley & Sons.

Packer, I. K. (2015). Legal insanity and *mens rea* defenses. In C. L. Cutler & P. A. Zapf (Eds.), *APA Handbook of Forensic Psychology, Vol. 1, Individual and Situational Influences in Criminal and Civil Contexts* (pp. 87-114). Washington, DC: APA.

Rogers, R. (2016). An introduction to insanity evaluations. In R. Jackson & R. Roesch (Eds.), *Learning forensic assessment: Research and practice* (2nd ed.) (pp. 97-115). NY: Routledge.

Oct. 30

Forensic Consultation

Readings:

Brodsky, S. L. (2009). *Principles and practice of trial consultation* (pp. 3-126). NY: Guilford Press.

Drogin, E. Y., & Barrett, C. L. (2013). Trial consultation. In R. K. Otto and I. B. Weiner (Eds.), *Handbook of psychology, volume 11, forensic psychology* (2nd ed.) (pp. 648-663). Hoboken, NJ: John Wiley & Sons.

Dvoskin, J. A., Spiers, E. M., & Brodsky, S. L. (2007). Correctional psychology: Law, ethics, and practice. In A. M. Goldstein (Ed.), *Forensic psychology: Emerging topics and expanding roles* (pp. 605-632). Hoboken, NJ: John Wiley & Sons.

Kaufman, R. L. (2011). Forensic mental health consulting in family law: Where have we come from? Where are we going? *Journal of Child Custody*, 8, 5-31.

Posey, A. M., & Wrightsman, L. S. (2005). *Trial consulting* (pp. 157-212). NY: Oxford University Press.

Nov.6-Nov. 13

Risk Assessment and Management

Readings:

Boccaccini, M. T. (2017). Four lessons from risk assessment (and other forensic assessment) meta-analyses. *International Journal of Forensic Mental Health*, 16, 28-32.

Conroy, M. A., & Murrie, D. C. (2007). *Forensic assessment of violence risk: A guide for risk assessment and risk management* (pp. 16-33, Introducing a broad model for risk assessment). Hoboken, NJ: John Wiley & Sons.

- Douglas, K. S., & Belfrage, H. (2015). The structured professional judgment approach to violence risk assessment and management: Why it is useful, how to use it, and its empirical support. In C. A. Pietz & C. A. Mattson (Eds.), *Violent offenders: Understanding and assessment* (pp. 360-383). NY: Oxford University Press.
- Fazel, S., Singh, J., Doll, H., & Grann, M. (2012). Use of risk assessment instruments to predict violence and antisocial behaviour in 73 samples involving 24,827 people: Systemic review and meta-analysis. *BMJ* 2012:345:e4692 doi: 10.1136/bmj.e4692.
- Guy, L. S., Douglas, K. S., & Hart, S. D. (2015). Risk assessment and communication. In C. L. Cutler & P. A. Zapf (Eds.), *APA Handbook of Forensic Psychology, Vol. 1, Individual and Situational Influences in Criminal and Civil Contexts* (pp. 35-86). Washington, DC: APA.
- Heilbrun, K. (1997). Prediction versus management models relevant to risk assessment: The importance of legal decision-making context. *Law and Human Behavior*, 21, 347-359.
- Monahan, J. (2013). Violence risk assessment. In R. K. Otto and I. B. Weiner (Eds.), *Handbook of psychology, volume 11, forensic psychology* (2nd ed.) (pp. 541-555). Hoboken, NJ: John Wiley & Sons.
- Mrad, D.F., & Neller, D. (2015). Legal, clinical, and scientific foundations of violence risk assessment. In C. A. Pietz & C. A. Mattson (Eds.), *Violent offenders: Understanding and assessment* (pp. 329-341). NY: Oxford University Press.
- Olver, M. E. (2016). Some considerations on the use of actuarial and related forensic measures with diverse correctional populations. *Journal of Threat Assessment and Management*, 3, 107-121.
- Penney, S. R., & Marshall, L. A. (2016). The assessment of dynamic risk among forensic psychiatric patients transitioning to the community. *Law and Human Behavior*, 40, 374-386.
- Quinsey, V. L., Harris, G. T., Rice, M. E., & Cormier, C. A. (2015). *Violent offenders: Appraising and managing risk* (3rd ed.) (pp. 121-168, The actuarial prediction of violence). Washington, D. C.: American Psychological Association.

Singh, J. P., & Petrila, J.(Eds.) (2013). Methodological issues in measuring and interpreting validity of violence risk assessments [Special issue]. *Behavioral Sciences and the Law*, 31(1).

Tabernik, H. E., & Vitacco, M. J. (2016). Psychosis and substance use: Implications for conditional release readiness evaluations. *Behavioral Sciences and the Law*, 34, 295-307.

Witt, P. H., & Conroy, M. A. (2009). Evaluation of sexually violent predators (pp.43-66, Empirical foundations and limits). NY: Oxford University Press.

Nov. 20-Nov. 27

Death Penalty Evaluations

Readings:

Ackerson, K. S., Brodsky, S. L., & Zapf, P. A. (2005). Judges' and psychologists' assessments of legal and clinical factors in competence for execution. *Psychology, Public Policy, and Law*, 11, 164-193.

Bonnie, R. J. (1990). Dilemmas in administering the death penalty: conscientious abstention, professional ethics, and the needs of the legal system. *Law and Human Behavior*, 14, 67-90.

Coble v. State of Texas, 330 S.W. 3d 253 (Tex. Crim. App. 2010).

Cunningham, M. D. (2016). Forensic psychology evaluations at capital sentencing. In R. Jackson & R. Roesch (Eds.), *Learning forensic assessment: Research and practice* (2nd ed.) (pp.202-228). NY: Routledge.

Dematteo, D., Keesler, M., Murphy, M., & Strohmaier, H. (2015). Capital case considerations. In C. L. Cutler & P. A. Zapf (Eds.), *APA Handbook of Forensic Psychology, Vol. 1, Individual and Situational Influences in Criminal and Civil Contexts* (pp. 191-215). Washington, DC: APA.

Lawlor v. Commonwealth, 738 S.E. 2d 897 (2013).

Saks, E., & Litt, M. (2009). Retributive constraints on the concept of competency: The required role of “patently false beliefs” in understanding competency to be executed. *Behavioral Sciences and the Law*, 27, 1-27.

Widaman, K. F., & Siperstein, G. N. (2009). Assessing adaptive behavior of criminal defendants in capital cases: A reconsideration. *American Journal of Forensic Psychology*, 27, 5-32.

Young, B. A., Boccaccini, M. T., Lawson, K., & Conroy, M. A. (2008). Competence-for-execution practices in Texas: Findings from a semi-structured interview with experienced evaluators. *Journal of Forensic Psychology Practice*, 8, 280-292.

Dec. 4

Ethical Dilemmas in Forensic Assessment

Melton et al., Ch. 4 (Legal contours of evaluation)

APA (2013). Specialty Guidelines for Forensic Psychologists. *American Psychologist*, 68, 7-19.

Brakel, S. J., Goldstein, D. S., & Wilson, R. M. (2004). The independent lawyer consultation: A practicum of ethics for the forensic mental health expert. *Journal of Psychiatry and Law*, 32, 169-189.

Connell, M. A. (2016). Ethical issues in forensic psychology. In R. Jackson & R. Roesch (Eds.), *Learning forensic assessment: Research and practice* (2nd ed.) (pp. 65-96). NY: Routledge.

Hays, J. R. (2008). A response to Shealy, Cramer, and Pirelli's "Third party presence during criminal forensic evaluations: Psychologists' opinions, attitudes and practices." *Professional Psychology: Research and Practice*, 39, 570-572.

Martindale, D. A., & Gould, J. W. (2013). Ethics in forensic practice. In R. K. Otto and I. B. Weiner (Eds.), *Handbook of psychology, volume 11, forensic psychology* (2nd ed.) (pp. 37-61). Hoboken, NJ: John Wiley & Sons.

Packer, I. K., & Grisso, T. (2011). *Specialty competencies in forensic psychology* (pp. 119-137). NY: Oxford University Press.

Shealy, C., Cramer, R. J., & Pirelli, G. (2008). Third party presence during criminal forensic evaluations: Psychologists' opinions, attitudes, and practices. *Professional Psychology: Research and Practice*, 39, 561-569.

Dec. 5

FINAL

Attendance Policy

Regular and punctual class attendance is expected. SHSU policy is that no student will be penalized for three or fewer hours of absence. However, a major portion of the learning objectives will be met through class discussion.

Syllabus Guidelines: <http://www.shsu.edu/syllabus/>

Course Requirements and Grading

1. 30% of your grade will be based on a research paper to investigate some area of forensic assessment. The paper for this semester should take the form of a **literature review**, with the idea that you will revise it, develop hypotheses, and design a research project on the issue for Forensic Assessment II. The paper should be prepared in APA format. The exact topic is your choice; however, to assure it is truly a study of a reasonably circumscribed area of forensic assessment, I would like each student to discuss their topic with me prior to Oct. 2nd. The final paper is due Nov. 13th; half a letter grade will be deducted for late papers; papers will not be accepted after Nov. 20th.
2. 30% of your grade will be based on the final examination. It will be essay, take-home and will be designed to determine if you have processed the major issues. It will be distributed on Dec. 4th and is due no later than Dec. 6th.
3. 30% of your grade will be based upon three reports you will be required to construct based upon tapes and information provided in class. You will have one week to complete each of these reports.
4. 10% of your grade will be based upon class participation. Class attendance is required and you are expected to come prepared to discuss materials in the assigned reading. Each of you will have the opportunity to participate in a forensic assessment during the semester and may volunteer for more than one. This will prepare you for future practicum work and provide material for future mock trial exercises.

Professionalism

Attendance, punctuality, adherence to ethical standards, and the quality of your interactions with colleagues and supervisors all determine your level of professionalism, which in turn signals your readiness to advance to greater participation in forensic evaluations.

Instructor Evaluations

Each student will be asked to complete two course/instructor evaluation forms toward the end of the semester. One is the IDEA form required by the university; the other is a form created specifically to evaluate classes in the doctoral program. This instructor takes these evaluations very seriously and constructive criticism is appreciated. Changes in class format and techniques are regularly made in response to student comments.

Academic Dishonesty

All students are expected to engage in all academic pursuits in a manner that is above reproach. Students are expected to maintain complete honesty and integrity in the academic experiences both in and out of the classroom. Any student found guilty of dishonesty in any phase of academic work will be subject to disciplinary action. The University and its official representatives may initiate disciplinary proceedings against a student accused of any form of academic dishonesty including, but not limited to, cheating on an examination or other academic work which is to be submitted, plagiarism, collusion, or abuse of resources. During this course you will be involved in forensic evaluations and be privy to very sensitive and confidential material. Careful compliance with all ethical standards pertaining to confidentiality is essential. Substantiation of any unethical conduct would result in a failing grade.

Americans with Disabilities Act

It is the policy of SHSU that individuals otherwise qualified shall not be excluded, solely by reason of their disability, from participation in any academic program of the university. Further, they shall not be denied the benefits of these programs nor shall they be subjected to discrimination. Students with disabilities that might affect their academic performance are expected to visit the Office of Services for Students with Disabilities located in the Counseling Center. They should then make arrangements with their instructors so that appropriate strategies can be considered and helpful procedures can be developed to ensure that participation and achievement opportunities are not impaired.

SHSU adheres to all applicable federal, state, and local laws, regulations, and guidelines with respect to providing reasonable accommodations for students with disabilities. If you have a disability that may adversely affect your work in this class, then I encourage you to register with the SHSU Counseling Center and to talk with me about how I may best help you. All disclosures of disabilities are kept strictly confidential. NOTE: no accommodation can be made until you register with the Counseling Center.

Religious Holidays

Section 51.911(b) of the Texas Education Code requires that an institution of higher education excuse a student from attending classes or other required activities, including examinations, for the observance of a religious holy day, including travel for that purpose. Section 51.911 (a)(2) defines religious holy day as: “a holy day observed by a

religion whose places of worship are exempt from property taxation under Section 11.20, Tax Code. . . .” A student whose absence is excused under this subsection may not be penalized for that absence and shall be allowed to take an examination or complete an assignment from which the student is excused within a reasonable time after that absence.

University policy 861001 provides the procedures to be followed by the student and the instructor. A student desiring to absent himself/herself from a scheduled class in order to observe (a) religious holy day(s) shall present to the instructor a written statement concerning the religious holy day(s). The instructor will negotiate with the student how any missed work can be achieved.

Visitors in the Classroom

Given the highly confidential and sensitive materials discussed in class, visitors not assigned to the Psychological Services Center and/or registered for the class will not be allowed.

Required Supplies

Students are required to purchase the course text book.

Classroom Rules of Conduct

To avoid disruption, all students are expected to appear for class in a timely manner. All cell phones, pagers, etc. should be turned off during class.

