

**PSY 8361**  
**FORENSIC ASSESSMENT II**  
**3 Credit Hours**  
**Spring, 2018**

**Location:** Psychological Services Center

**Time:** 6-9 Monday

**Instructor:**

Mary Alice Conroy, Ph.D., ABPP

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Office: Psychological Services Center

Office hours: 8-9 MTTh, 12-1 WF

**Required Text**

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* (3<sup>rd</sup> 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 civil arena, to provide experience and knowledge relative to forensic testimony, and to further explore issues of consultation in the forensic arena. Ethics in forensic evaluation and the dilemmas encountered in dealing with the diverse forensic populations are emphasized throughout the course. Students have the opportunity to observe and participate in actual forensic evaluations. The class itself will be conducted seminar style, relying on extensive class discussion. The concluding three weeks of the course will require that each student defend a completed forensic case in the context of a mock trial.

**Course Objectives**

Students will:

1. Gain an overview of the primary literature regarding forensic assessment, with special emphasis on issues relating to civil forensic practice.
2. Become familiar with appropriate roles for the advocate, the consultant, and the independent expert in forensic practice.

2. Examine research methodology and its pitfalls in investigating and guiding forensic assessment.
3. Have the experience of functioning in the role of expert witness in the context of a mock trial.
4. Practice analyzing ethical dilemmas frequently encountered in the context of forensic practice.
5. Have opportunities for further participation in forensic assessments for the courts.

## Schedule

The schedule outlined below is tentative and provided to assist you in planning your reading. Topics do not always fit neatly into 3 hour blocks, and the pace may be slowed or accelerated depending upon class response. You are strongly encouraged to begin reading immediately, as class sessions will be of limited value if you have not first read the material.

Jan. 22

General review

This class will begin by participants discussing cases in which they participated over break. The final examination from Forensic Assessment I will be reviewed. The remainder of the class will be spent pulling together what class participants have learned about the process of forensic interviewing and report writing. **Class members are asked to come prepared with questions but also with ideas as to some principles or directives that might be appropriate in terms of conducting the forensic interview and constructing the report. Class members are also encouraged to consider how their ideas about forensic assessment may have changed over the past semester.**

Jan. 29-Feb. 5

Juvenile evaluations

## Readings:

Melton et al. Ch. 14

Graham v. Florida [Docket No. 08-7412] and Sullivan v. Florida [Docket No. 08-7621]. *Amicus Curiae* by the American Psychological Association, U. S. Supreme Court, 2009. Retrieved on December 10, 2009, from [www.apa.org/psyclaw/graham-v-florida-sullivan.pdf](http://www.apa.org/psyclaw/graham-v-florida-sullivan.pdf)

Grisso, T., & Riggs Romaine, C. L. (2013). Forensic evaluation in juvenile delinquency cases. In R. K. Otto (Ed.), *Handbook of psychology, Volume 11, forensic psychology* (2<sup>nd</sup> ed.) (pp. 359-380). Hoboken, NJ: John Wiley & Sons, Inc.

Heilbrun, K., DeMatteo, D., Holliday, S. B., & LaDuke, C. (Eds.) (2014). Juvenile transfer and decertification. In K. Heilbrun, D. DeMatteo, S. B. Holliday, & C. LaDuke (Eds.), *Forensic mental health assessment: A casebook* (2<sup>nd</sup> ed.) (pp. 445-462). NY: Oxford University Press.

King, C. M. (2017). The psycholegal factors for juvenile transfer and reverse transfer evaluations. *Behavioral Sciences and the Law*, 1-19.  
<https://doi.org/10.1002/bsl.2298>.

Monahan, K. C., Steinberg, L., Cauffman, E., & Mulvey, E. P. (2013). Psychosocial immaturity from adolescence to early adulthood: Distinguishing between adolescent-limited and persisting antisocial behavior. *Development and Psychopathology*, 25, 1093-1105. Doi: 10.1017/S095457941.3000394.

O'Donnell, P. C., & Gross, B. (2012). Developmental incompetence to stand trial in juvenile courts. *Journal of Forensic Sciences*, 57, 989-996.  
doi: 10.1111/j.1556-4029.2012.02093.x

Salekin, R. T., Grimes, R. D., & Adams, E. W. (2016). Clinical forensic evaluations for juvenile transfer to adult criminal court. In R. Jackson & R. Roesch (Eds.), *Learning forensic assessment: Research and Practice* (2<sup>nd</sup> ed.) (pp. 294-323). NY: Routledge: Taylor & Francis Group.

Steinberg, L. (2017). Adolescent brain science and juvenile justice policy making. *Psychology, Public Policy and Law*, 23, 410-420.

Feb. 12-19

Civil Commitment

Readings:

Melton et al., Ch. 10

Heilbrun, K., DeMatteo, D., Holliday, S. B., & LaDuke, C. (Eds.) (2014). Civil commitment. In K. Heilbrun, D. DeMatteo, S. B. Holliday, & C. LaDuke (Eds.), *Forensic mental health assessment: A casebook* (2<sup>nd</sup> ed., pp. 252-257). NY: Oxford University Press.

Lareau, C.R. (2013). Civil commitment and involuntary hospitalization of the mentally ill. In R. K. Otto (Ed.), *Handbook of psychology, Volume 11, forensic psychology* (2<sup>nd</sup> ed.) (pp. 308-331). Hoboken, NJ: John Wiley & Sons, Inc.

Mrad, D. F., & Watson, C. (2011). Civil commitment. In E. Y. Drogin, F. M. Dattilio, R. L. Sadoff, & T. G. Gutheil (Eds.), *Handbook of forensic assessment: Psychological and psychiatric perspectives* (pp.479-501). Hoboken, NJ: John Wiley & Sons, Inc.

Phenix, A., Jackson, R. L. (2016). Evaluations for sex offender civil commitment. In R. Jackson & R. Roesch (Eds.), *Learning forensic assessment: Research and Practice* (2<sup>nd</sup> ed.) (pp.162-201). NY: Routledge: Taylor & Francis Group.

Weinstein, N. M. (2014). The legal aspects of conditional release in the criminal and civil court system. *Behavioral Sciences and the Law*, 32, 666-680.  
Doi: 10.1002/bsl.2137.

\_\_\_\_\_. (2006). Community treatment orders [Special Issue]. *International Journal of Law and Psychiatry*, 29 (6).

Feb. 26

Civil Competencies

Readings:

Melton et al., Ch. 11

Drogin, E. Y., & Gutheil, T. G. (2011). Guardianship. In E. Y. Drogin, F. M. Dattilio, R. L. Sadoff, & T. G. Gutheil (Eds.), *Handbook of forensic assessment: Psychological and psychiatric perspectives* (pp. 521-542). Hoboken, NJ: John Wiley & Sons, Inc.

Drogin, E. Y., & Barrett, C. L. (2013). Civil competencies. In R. K. Otto (Ed.), *Handbook of psychology, Volume 11, forensic psychology* (2<sup>nd</sup> ed.) (pp. 295-307). Hoboken, NJ: John Wiley & Sons, Inc.

Heilbrun, K., DeMatteo, D., Holliday, S. B., & LaDuke, C. (Eds.) (2014). Competence to consent to treatment and testamentary capacity. In K. Heilbrun, D. DeMatteo, S. B. Holliday, & C. LaDuke (Eds.), *Forensic mental health assessment: A casebook* (2<sup>nd</sup> ed., pp. 209-224). NY: Oxford University Press.

Mossman, D., & Farrell, H. M. (2015). Civil competencies. In B. L. Cutler & P. A. Zapf (Eds.), *APA handbook of forensic psychology, Volume 1, individual and situational influences in criminal and civil contexts* (pp. 533-558). Washington, DC: APA.

Mar. 5                      Personal Injury

Readings:

Melton et al., Ch. 12

Covell, C. N., & Wheeler, J. G. (2016). Personal injury evaluations. In R. Jackson & R. Roesch (Eds.), *Learning forensic assessment: Research and Practice* (2<sup>nd</sup> ed.) (pp.434-460). NY: Routledge: Taylor & Francis Group.

Drogin, E. Y., Hagan, L. O., Guilmette, T. J., & Piechowski, L. D. (2015). In B. L. Cutler & P. A. Zapf (Eds.), *APA handbook of forensic psychology, volume 1, individual and situational influences in criminal and civil contexts* (pp. 533-558). Washington, DC: APA.

Foote, W. E., & Lareau, C. R. (2013). Psychological evaluation of emotional damages in tort cases. In R. K. Otto (Ed.), *Handbook of psychology, Volume 11, forensic psychology* (2<sup>nd</sup> ed.) (pp. 172-200). Hoboken, NJ: John Wiley & Sons, Inc.

Heilbrun, K., DeMatteo, D., Holliday, S. B., & LaDuke, C. (Eds.) (2014). Personal injury. In K. Heilbrun, D. DeMatteo, S. B. Holliday, & C. LaDuke (Eds.), *Forensic mental health assessment: A casebook* (2<sup>nd</sup> ed.) (pp. 225-257). NY: Oxford University Press.

Mar. 19                      Employment Evaluations

## Readings:

Melton et al., Ch. 13

Corey, D. M., & Borum, R. (2013). Forensic assessment for high-risk occupations. In R. K. Otto (Ed.), *Handbook of psychology, Volume 11, forensic psychology* (2<sup>nd</sup> ed.) (pp. 246-270). Hoboken, NJ: John Wiley & Sons, Inc.

Foote, W. E. (2013). Forensic evaluation in Americans with Disability Act cases. In R. K. Otto (Ed.), *Handbook of psychology, Volume 11, forensic psychology* (2<sup>nd</sup> ed.) (pp. 271-294). Hoboken, NJ: John Wiley & Sons, Inc.

Heilbrun, K., DeMatteo, D., Holliday, S. B., & LaDuke, C. (Eds.) (2014). Harassment and discrimination and workplace disability. In K. Heilbrun, D. DeMatteo, S. B. Holliday, & C. LaDuke (Eds.), *Forensic mental health assessment: A casebook* (2<sup>nd</sup> ed.) (pp. 258-286). NY: Oxford University Press.

Lawson, A. K., Wright, C. V., & Fitzgerald, L. F. (2013). The evaluation of sexual harassment litigants: Reducing discrepancies in the diagnosis of posttraumatic stress disorder. *Law and Human Behavior*, 37, 337-347.

Piechowski, L.D., & Drukteinis, A. M. (2011). Fitness for duty. In E. Y. Drogin, F. M. Dattilio, R. L. Sadoff, & T. G. Gutheil (Eds.), *Handbook of forensic assessment: Psychological and psychiatric perspectives* (pp.571-591). Hoboken, NJ: John Wiley & Sons, Inc.

Price, M. (2017). Psychiatric disability in law enforcement officers. *Behavioral Sciences and the Law*, 35, 113-123.

Stock, H. V. (2007). Workplace violence: Advances in consultation and assessment. In A. M. Goldstein (Ed.), *Forensic psychology: Emerging topics and expanding roles* (pp. 511-549). Hoboken, NJ: John Wiley & Sons.

Stockdale, M. S., Sliter, K. A., & Ashburn-Nardo, L. (2015). Employment discrimination. In B. L. Cutler & P. A. Zapf (Eds.), *APA handbook of forensic psychology, Volume 1, individual and situational influences in criminal and civil contexts* (pp. 511-532). Washington, DC: APA.

Readings:

Melton et al. Ch. 4

Allan, A., & Grisso, T. (2014). Ethical principles and the communication of forensic mental health assessments. *Ethics and Behavior*, 24, 467-477.

Bush, S. S., Connell, M. A., & Denney, R. L. (2006). *Ethical practice in forensic psychology: A systematic model for decision making* (pp. 123-137). Washington, DC: APA.

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.

International Association for Correctional and Forensic Psychology (2010). Standards for psychology services in jails, prisons, correctional facilities, and agencies. *Criminal Justice and Behavior*, 37, 749-808.

Koocher, G. P. (2009). Ethical issues in child sexual abuse evaluations. In K. Kuehnle & M. Connell (Eds.), *The evaluation of child sexual abuse allegations: A comprehensive guide to assessment and testimony* (pp. 81-98). Hoboken, NJ: John Wiley & Sons.

Martindale, D. A., & Gould, J. W. (2013). Ethics in forensic practice. In R. K. Otto (Ed.), *Handbook of psychology, Volume 11, forensic psychology* (2<sup>nd</sup> ed.) (pp. 37-61). Hoboken, NJ: John Wiley & Sons, Inc.

April 2

Child Custody

This will be a special presentation by Dr. Carmen Petzold. Dr. Petzold is a long time private practitioner in the Houston area. This presentation will be open to others in the program.

Readings:

Melton et al., Ch. 16

American Psychological Association. (2010). Guidelines for child custody evaluations in family law proceedings. [www.apa.org/practice/guidelines/child-custody.aspx](http://www.apa.org/practice/guidelines/child-custody.aspx)

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.

Apr. 9-16 Consulting to the Court as an Expert Witness

Readings:

Melton et al., Chapter 18

Banks, S. C., & Packer, I. K. (2006). Expert witness testimony: Law, ethics, and practice. In A. M. Goldstein (Ed.), *Forensic psychology: Emerging topics and expanding roles* (pp. 421-445). Hoboken, NJ: John Wiley & Sons.

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

Bush, S. S., Connell, M. A., & Denney R. L. (2006). *Ethical practice in forensic psychology: A systematic model for decision making* (pp. 113-121). Washington, DC: APA.

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* (2<sup>nd</sup> ed.) (pp. 648-663). Hoboken, NJ: John Wiley & Sons.

Erickson, D. A., & Ewing, C. P. (2013). Legal contours of expert testimony. In R. K. Otto (Ed.), *Handbook of psychology, Volume 11, forensic psychology* (2<sup>nd</sup> ed.) (pp. 62-74). Hoboken, NJ: John Wiley & Sons, Inc.

Heilbrun, K., DeMatteo, D., Holliday, S. B., & LaDuke, C. (Eds.) (2014). Expert testimony. In K. Heilbrun, D. DeMatteo, S. B. Holliday, & C. LaDuke (Eds.), *Forensic mental health assessment: A casebook* (2<sup>nd</sup> ed.) (pp. 576-598). NY: Oxford University Press.

Otto, R. K., DeMier, R. L., & Boccaccini, M. T. (2014). *Forensic reports and testimony: A guide to effective communication for psychologists and psychiatrists* (pp. 171-221). Hoboken, NJ: Wiley.



\*\*\*FINAL\*\*\*

(will be distributed and is due no later than April 30, 2018)

Apr. 23- May 7

\*\*\*MOCK TRIALS\*\*\*

Class will meet in the CJ Center courtroom.

### **University Code of Conduct**

The class will be conducted in all ways in accordance with the University Code of Conduct

<https://netreg.shsu.edu/mirror/codeofconduct.html>

### **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.

**Course Requirements and Grading:** <https://www.shsu.edu/syllabus>

1. 25% of your grade will be based upon your leading of a class discussion on a select topic. Discussions should be roughly 50 minutes in length. Discussions should center around what you perceive to be the key issues on your topic. You are expected to actively engage your colleagues in this discussion. (See attachment for details.)
2. 20% of your grade will be based upon a final examination. This will be take-home and you will be expected to apply everything you have learned about forensic assessment to date.
3. 20% of your grade will be based on a research proposal that you are to develop based upon the literature review you did during Forensic Assessment I. This is expected to be a polished product that could be used as a thesis/dissertation proposal. The paper should be prepared in APA format. Although you are not required to conduct the research, it is expected that the project would be practical in your current environment and a suitable population potentially available. Papers should be submitted to me by e-mail. The final product is due April 2, 2018; half a letter grade will be deducted for late papers; papers will not be accepted after April 9, 2018.
4. 25% of your grade will be based upon your participation as an expert witness in mock trials to be conducted at the end of the semester. These will involve the participation of

both real and mock attorneys. Cases used will be sanitized versions of forensic evaluations you have actually conducted. Your grade will be based upon the effort you put forth and evidence of your understanding of the basic principles of expert testimony.

5. 10% of your grade will be based upon class participation.

### **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 a course/instructor evaluation form toward the end of the semester. 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. During this course you will be involved in forensic evaluations and be privy to very sensitive material. Careful compliance with all ethical standards pertaining to confidentiality is essential. Substantiation of any unethical conduct would result in a failing grade.

See university policy:

<http://www.shsu.edu/dotAsset/728eec25-f780-4dcf-932c-03d68cade002.pdf>

### **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. Any student with a disability that affects his/her academic performance should

contact the Office of Services for Students with Disabilities in the Lee Drain Annex (telephone 936-294-3512, TDD 936-294-3786) to request accommodations. They should then make arrangements with the instructor 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 Services for Students with Disabilities Office 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 Services for Students with Disabilities Office.

See university policy:

<http://www.shsu.edu/dotAsset9edd8433-cad5-40d1-b4bf-6a91b08f90e4.pdf>

## **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.

See university policy:

<http://www.shsu.edu/dotAsset/0953c7d0-7c04-4b29-a3fc-3bf0738e87d8.pdf>

## **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—with the exception of attendance at special presentations.

## **Required Supplies**

Students are required to purchase the course text book.

## **Classroom Rules of Conduct**

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

## **Attachment**

### **Class Discussion Leadership:**

The expectations for leading a class discussion is that you assume your peers have read the relevant materials. In other words, you are not to simply recount the reading materials for them. Rather, you are expected to pick out relevant issues and controversies that merit professional discussion. Ethical dilemmas can be particularly enlightening. You will be evaluated on how well you engage your colleagues in the topic. You are encouraged to integrate important general forensic evaluation principles into the discussion.

## **FORENSIC ASSESSMENT II**

### **Discussion topics**

Competence to consent to treatment  
Child sexual abuse evaluations  
Cross Examination  
Disability accommodations in employment evaluations  
Ethical issues in correctional settings  
Evaluating fitness for duty  
Evaluating proximate cause in cases of personal injury  
Guardianship competencies  
Juvenile transfer to adult court  
Outpatient civil commitment/conditional release  
Sexual harassment evaluations  
Sex offender commitment  
Testamentary capacity  
Workplace violence

