



**American College of Forensic Psychology  
37th Annual Forensic Psychology Symposium  
April 28-30, 2022**

**Hosted by the American College of Forensic Psychology and  
Fielding Graduate University**

Fielding Graduate University is approved by the American Psychological Association to sponsor continuing education for psychologists. Fielding maintains responsibility for this program and its content. This program will offer a maximum of 22 hours of Continuing Education credits.

The American College of Forensic Psychology is seeking approval for 22 hours of MCLE credit from the State Bar of California.

**Goal:** The goal of this symposium is to keep forensic psychologists abreast of important issues which lie within the interface of psychology and law, recent developments in psychology that require new knowledge for expert witnesses, and new case law affecting forensic practice. **Target Audience:** The program is intended to benefit practicing forensic psychologists, psychologists in other subspecialties, and attorneys who litigate civil and criminal cases involving psychological evaluations and expert testimony. **Objectives:** Participants should improve their knowledge and skills in the following areas: (a) evaluation or treatment of forensic litigants and individuals with other forensic psychological issues; (b) new and ongoing research and developments in the field of forensic psychology; (c) relevant concepts useful in testifying and educating the court on mental health issues, and in working within the legal system; (d) changes in the law that affect clinical and forensic practice; (e) ethical and professional practice issues in forensic psychology.

**Disclosure of Potential Conflicts of Interest or Relevant Financial Relationships:** The American College of Forensic Psychology and Fielding Graduate University do not receive financial or commercial support for this symposium. All presenting faculty members were asked to disclose potential conflicts of interest, or relevant financial relationships with any commercial interest. Faculty indicated they have nothing to disclose.

All times listed are Pacific Daylight Time.

## DETAILED PROGRAM

Thursday, April 28

8:00 AM – 12:15 PM: Hot Topics in Forensic Psychology (4 CE credits)

8:00-8:45 AM

### **Extraordinary Popular Delusions: Free Speech, Fake News, and the Madness of Virtual Crowds**

Lorna Veraldi, J.D., and Donna M. Veraldi, Ph.D.

**Abstract:** The U. S. Constitution offers extraordinary protection to forms of speech that, under many other legal systems, would be punished as crimes. Racial and ethnic slurs and virulent verbal attacks on elected officials all are tolerated and, in some respects, encouraged by the First Amendment’s prohibition of government interference with free speech. With few exceptions, even lies are protected from government regulation, in the belief that more speech, not censorship, is the appropriate remedy and that truth ultimately will prevail over falsehood in a free marketplace of ideas. That theory is being tested by the persistence of misinformation on social media, where some users are believed to simmer in a toxic stew cooked up by algorithms that shelter them from fact, reality, and opposing views. This presentation explains how First Amendment precedent protects falsehoods and explores the impact of social media business models, personality, and cognitive function on the spread of misinformation.

#### **Learning Objectives:**

At the conclusion of this presentation, attendees will be able to:

1. Explain relevant U. S. Supreme Court decisions concerning First Amendment protection of misinformation.
2. Describe the ways in which the business models of social media affect the spread of misinformation.
3. Summarize relevant research on the ways in which personality and cognitive function affect the spread of misinformation.

#### **Relevant References:**

Kavanagh, J. & Rich, M. D. (2018). *Truth decay: An initial exploration of the diminishing role of facts and analysis in American public life*. RAND Corporation.

[https://www.rand.org/pubs/research\\_reports/RR2314.html](https://www.rand.org/pubs/research_reports/RR2314.html)

Lawson, M. A. & Kakkar, H. (2021). Of pandemics, politics, and personality: The role of conscientiousness and political ideology in the sharing of fake news. *Journal of Experimental Psychology: General*.

Advance online publication. <https://doi.org/10.1037/xge0001120>

Mackay, C. (1932). *Extraordinary popular delusions and the madness of crowds*. Noonday Press.

<https://doi.org/10.1037/14716-000>

Mendez, M. F. (2017). A neurology of the conservative-liberal dimension of political ideology. *The Journal of Neuropsychiatry and Clinical Neurosciences*, 29(2), 86-94.

<https://doi.org/10.1176/appi.neuropsych.16030051>

Schreiber, D., Fonzo, G., Simmons, A. N., Dawes, C. T., Flagan, T., Fowler, J. H., & Paulus, M. P. (2013). Red brain, blue brain: Evaluative processes differ in Democrats and Republicans. *PLoS One*, 8(2), Article e52970. <https://doi.org/10.1371/journal.pone.0052970>

U. S. v. Alvarez, 567 U. S. 709 (2012). <https://www.supremecourt.gov/opinions/11pdf/11-210d4e9.pdf>

van Baar, J. M., Halpern, D. J., & Feldman Hall, O. (2021). Intolerance of uncertainty modulates brain-to-brain synchrony during politically polarized perception. *Proceedings of the National Academy of Sciences of the United States of America*, 118(20). Article e2022491118

<https://doi.org/10.1073/pnas.2022491118>

**MCLE for Attorneys:** The presentation will provide relevant education to attorneys seeking a deeper understanding of the First Amendment as it applies to social media and the ways in which research on personality and cognitive function might contribute to the evolution of the law of free speech.

**Curriculum Content:** Presentation meets curriculum content area 2. Program content focuses on ethical, legal, statutory or regulatory policies, guidelines, and standards that impact psychological practice, education, or research, by analyzing the ways in which legal protections of free speech, the business models of social media, and personality traits and cognitive function contribute to the spread of misinformation.

**Biographies:** Lorna Veraldi, J.D., is an Associate Professor at the School of Communication and Journalism at Florida International University in Miami, Florida.

Donna M. Veraldi, Ph.D., is a psychologist with a private clinical and forensic practice in Billings, Montana.

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8:45-9:30 AM

**The Battle of the Century: Protecting Student Health and Education Rights in a High-Profile Custody Case During a Global COVID Pandemic**

Mark Burdick, Ph.D.

**Abstract:** The mere thought of COVID-19 attacking kids sounds alarms for most parents. This presentation analyzes a case which focuses on an elementary school age student from a high-profile family caught in the center of a parental battle of education rights. Mom's attorney argues for online instruction and dad's attorney for brick and mortar (live) classroom instruction in the state of Florida.

What happens next in the decision to protect this child by a Florida court room judge comes as a surprise to this forensic educational psychologist.

**Learning Objectives:**

At the conclusion of this presentation, attendees will be able to:

1. Recognize the value of using qualified educational experts vs. traditional court personnel in high profile custody matters.
2. Evaluate the benefit of non-commercial database research vs. for profit in answering the questions posed by the court.
3. Understand how community culture suffers through a pandemic and leaves open legal questions met with floods of emotion.

**Relevant References:**

Gould, J. W., & Martindale, D. A. (2009). Specific questions guide child custody investigations. *The Matrimonial Strategist*, 27(5).

Newton, S. (2011). Obtaining and analyzing school-related data in a child custody evaluation. *Journal of Child Custody*, 8(3), 189-211. <https://doi.org/10.1080/15379418.2010.512232>

Patel, S. H., & Choate, L. H. (2014). Conducting child custody evaluations: Best practices for mental health counselors who are court-appointed as child custody evaluators. *Journal of Mental Health Counseling*, 36(1), 18-30. <https://doi.org/10.17744/mehc.36.1.e00401wv7134w505>

**MCLE for Attorneys:** Legal teams working on family law matters benefit from utilizing experts within specialty areas. In this presentation, attorneys and judges learn how educational psychologists bring better tools to the court room to answer family law matters, particularly those involving education and psychological health and welfare.

**Curriculum content:** This presentation meets curriculum content area 2. Program content focuses on ethical, legal, statutory or regulatory policies, guidelines, and standards that impact psychological practice, education, or research. Specifically, this presentation will direct the participants to consider more sophisticated guidelines and standards needed to meet family courts' expectations in having an expert answer questions around education and health (mental and physical) practices. Often in the matters of education, the most important concerns are shelved for less pertinent, more highly controversial questions. This expert author provides a model to guide legal teams to help answer tough questions for the court.

**Biography:** Mark A. Burdick, Ph.D., AFBs is an international expert in education and psychological matters before courts in the U.S. and U.K. He provides consult and litigation support in both private and public school matters. He is past Chair of California Board of Behavioral Sciences (BBS).

9:45-10:30 AM

## Assessment of Long COVID

Inés Monguió, Ph.D.

**Abstract:** Over the past year it has become clear that the long-term effects of severe infection with COVID-19 are not limited to pulmonary or cardiac problems. There is plenty of evidence that some patients' neurological systems are affected, both peripheral and central. Cognitive and emotional symptoms are now recognized as part of the clinical picture of patients that recovered from the viral infection. In this presentation the areas of functioning to be assessed by the clinician will be explored.

### Learning Objectives:

At the conclusion of this presentation, attendees will be able to:

1. Recognize long COVID emotional and cognitive presentation.
2. Understand explanatory or causal hypotheses based on the current scientific knowledge.
3. Choose appropriate assessment methods for long COVID patients.

### Relevant Resources:

Gosh, R., Roy, D., Sengupta, S., & Benito-León, J. (2020). Autonomic dysfunction heralding acute motor axonal neuropathy in COVID-19. *Journal of NeuroVirology*, 26(6), 964-966.

<https://doi.org/10.1007/s13365-020-00908-2>

Ortelli, P., Ferrazzoli, D., Sebastianelli, L., Engl, M., Romanello, R., Nardone, R., Bonini, I., Koch, G., Saltuari, L., Quartarone, A., Oliviero, A., Kofler, M., & Versace, V. (2021). Neuropsychological and neurophysiological correlates of fatigue in post-acute patients with neurological manifestations of COVID-19: Insights into a challenging symptom. *Journal of Neurological Science*, 420. Article 117271. <https://doi.org/10.1016/j.jns.2020.117271>

Stephenson, S. (2021). New federal guidance says COVID-19's long-term effects can qualify as a disability. *JAMA Health Forum*, 2(8). <https://doi.org/10.1001/jamahealthforum.2021.2820>

**MCLE for Attorneys:** Attorneys will learn information about long COVID that is relevant to workers compensation issues, personal injury, and disability law.

**Curriculum content:** Program content focuses on criterion number 1. This program demonstrates the application of psychological assessment and/or intervention methods that have overall consistent and credible empirical support in the contemporary peer reviewed scientific literature beyond those publications and other types of communications devoted primarily to the promotion of the approach.

**Biography:** Inés Monguió, Ph.D., is a psychologist in private practice in Ventura, California. Her clinical and medical-legal practice focuses on neuropsychology and behavioral medicine. Her forensic practice focuses on neuropsychology, NGRI, mitigation factors, and competence.

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10:30-11:15 AM

**Extremist Hate Groups and the Lure Toward Violence**

Michael Ditsky, Ph.D.

**Abstract:** In recent years there has been increasing attention in the media about white supremacy. This presentation explores the unique dimensions of white supremacy and the emergence of domestic terrorism. The psychological causes of terrorism are both individual and collective. At the individual level, the cause is romanticized to younger men especially through social media. Additionally, studies have found that unhappy childhood experiences can drive people to join white supremacist groups. At the collective level, social camaraderie and a sense of identity are vital for extremist recruitment. The psychology of terrorism (Borum, 2004) provides a template for studying the emergence of extremist groups in the United States. The presentation concludes with a case study of an individual treated by the presenter.

**Learning Objectives:**

At the conclusion of this presentation, attendees will be able to:

1. Describe the psychology of terror.
2. Summarize the psychological dimensions of a domestic terrorist.
3. Apply strategies to the counseling of a terrorist seeking rehabilitation.

**Relevant References:**

Borum, R. (2004). *The psychology of terror*. University of South Florida.

[https://digitalcommons.usf.edu/mhlp\\_facpub/571/](https://digitalcommons.usf.edu/mhlp_facpub/571/)

Grzanka, P. R., Gonzalez, K. A., & Spanierman, L. B. (2019). White supremacy and counseling psychology: A critical-conceptual framework. *The Counseling Psychologist*, 47(4), 478-529.

<https://doi.org/10.1177/0011000019880843>

Kteily, N., Bruneau, E., Waytz, A., & Cotterill, S. (2015). The ascent of man: Theoretical and empirical evidence for blatant dehumanization. *Journal of Personality and Social Psychology*, 109(5), 901-931. <https://doi.org/10.1037/pspp0000048>

National Security Council. (2021). *National strategy for countering domestic terrorism*. Executive Office of the President. <https://www.whitehouse.gov/wp-content/uploads/2021/06/National-Strategy-for-Countering-Domestic-Terrorism.pdf>

**MCLE for Attorneys:** Because attorneys are likely to be involved in the prosecution and defense of alleged domestic terrorists, it is highly recommended that they be able to demonstrate an understanding of the psychology of both terror and domestic terrorists.

**Curriculum Content:** Program content meets content area 3 by focusing on topics related to psychological practice, education, research other than application of psychological assessment and/or intervention methods that are supported by contemporary scholarship grounded in established research procedures. This will be achieved by presenting the psychology of terror and its domestic proponents in the United States and by offering strategies for counseling domestic terrorists either court ordered or attorney referred.

**Biography:** Michael Ditsky, Ph.D., is a Texas licensed psychologist and fellow of the American College of Forensic Psychology. Dr. Ditsky has testified in federal and state civil and criminal courts for both the prosecution and the defense.

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11:30 AM - 12:15 PM

**Cyber Sextortion: Current Knowledge and Case Study**

Thomas Haworth, Ph.D.

**Abstract:** In the past decade or so, with the advancement of virtual communication online, the sexual exploitation of minors has evolved in scope and frequency. In cyber sexploitation, older adolescents or adults, often portraying themselves as someone else (different gender/age/location/etc.) engage a suitable victim online and groom the victim in the effort to ultimately obtain illicit self-images from the minor victim. The perpetrator then threatens the victim with distribution of the illicit images unless the victim complies with the perpetrator's demands for performing specified sexual behaviors, performed live, virtually, "on cam," which also can then be recorded and used as further means to continue the cyber-sexortion. This presentation will discuss the current literature on this phenomenon, including offender characteristics, victim characteristics, the nature of the demands, methodologies for gaining and maintaining access, incidence, and prevalence. Additionally, the presentation will offer case studies as examples of the problem and describe and discuss a common profile of such offenders.

**Learning Objectives:**

At the conclusion of this presentation, attendees will be able to:

1. Analyze and describe the current scientific literature on the phenomenon of cyber-sexortion.
2. List common characteristics of perpetrators and victims, including their psychological characteristics.
3. Analyze case studies to develop a deeper understanding of the underlying psychological factors which facilitate victimization by cyber-sexortion offenders.

**Relevant References:**

- Kloess, J. A., Hamilton-Giachritsis, C. E., & Beech, A. R. (2019). Offense processes of online sexual grooming and abuse of children via internet communication platforms. *Sexual Abuse, 31*(1), 73-96. <https://doi.org/10.1177/1079063217720927>
- O'Malley, R. L., & Holt, K. M. (2020). Cyber sextortion: An exploratory analysis of different perpetrators engaging in a similar crime. *Journal of Interpersonal Violence, 37*(4), 258-283. <https://doi.org/10.1177/0886260520909186>
- Wolak, J., Finkelhor, D., Walsh, W., & Treitman, L. (2018) Sextortion of minors: Characteristics and dynamics. *Journal of Adolescent Health, 62*, 72-79. <http://doi.org/10.1016/j.jadohealth.2017.08.014>

**MCLE for Attorneys:** Attorneys attending this presentation will learn about a new group of criminal defendants, their characteristics and behaviors. They will develop a deeper understanding of cyber-sextortion as a crime, and will be better prepared to prosecute or defend individuals in such criminal matters. Additionally, the impacts of cyber-sextortion on victims will assist attorneys in navigating civil matters related to the damages of such crimes.

**Curriculum Content:** This presentation meets the third requirement, in focusing on topics related to psychological practice, education, research other than the application of psychological assessment and/or intervention methods supported by contemporary scholarship grounded in established research procedures. In the proposed presentation, participants will learn about the current state of scholarly knowledge regarding cybersextortion. Additionally, through discussion of case examples they will build greater awareness of this growing problem in child online exploitation, and be better able to identify and intervene with individuals presenting in their practices.

**Biography:** Thomas Haworth, Ph.D., is a PA and NJ licensed psychologist and expert witness specializing in forensic and clinical psychology. Dr. Haworth has been a clinician for the past 30 years with a Ph.D. in Clinical Developmental Psychology from Bryn Mawr College. He has expertise in issues related to sexual misconduct involving victims and perpetrators for the past 22 years. Additionally, he has provided forensic evaluation and expert consultation in a wide range of criminal and civil matters.

Dr. Haworth is a faculty member at Rutgers University. He also served on the faculty of University of Pennsylvania and Medical College of Pennsylvania.

**1:00-5:15 PM: Diagnostic Issues in Forensic Practice (4 CE credits)**

1:00-1:45 PM

**Neuropsychology of TBI and Somatization in Personal Injury Law**

Amir Ramezani, Ph.D.

**Abstract:** The presentation describes the neuropsychological assessment of brain injury and somatization when individuals are confronted with a personal injury matter. The presentation outlines



the role of forensic psychologists and neuropsychologists in helping to answer basic questions about neurocognitive impairment as a result of a brain injury, about severity of brain injury, about the degree of chronic pain and somatic preoccupation impacting cognition and functional outcome. The use of records, neuroimaging / brain imaging, and psychometric tests in determining answers to the questions will be discussed.

### **Learning Objectives:**

At the conclusion of this presentation, attendees will be able to:

- 1) Identify the components of a neurocognitive evaluation in relation to brain injury, somatization, and personal injury.
- 2) Describe how chronic pain and somatization can impact neurocognitive functioning.
- 3) Describe how records, neuroimaging, and psychometric data play a role in decision making of neurocognitive impairments, psychological impairments, and functionality in the personal injury setting.

### **Relevant References:**

Sameh, G., Islem, F., Samar, A., Hedi, C., Mounir, B., & Habib, E. M. (2021). Neuropsychological and behavioral disorders, functional outcomes and quality of life in traumatic brain injury victims. *PanAfrican Medical Journal*. 38(346). 1-17. <https://doi.org/10.11604/pamj.2021.38.346.16120>

Schweitzer, A. D., Niogi, S. N., Whitlow, C. T., & Tsiouris, A. J. (2019). Traumatic brain injury: Imaging patterns and complications. *RadioGraphics*, 39(6), 1571-1597. <https://doi.org/10.1148/rg.2019190076>

Weber, E., Spirou, A., Chiaravalloti, N., & Lengenfelder, J. (2018). Impact of frontal neurobehavioral symptoms on employment in individuals with TBI. *Rehabilitation Psychology*, 63(3), 383-391. <https://doi.org/10.1037/rep0000208>

**MCLE for Attorneys:** This presentation will be helpful to attorneys to increase their understanding of the neuropsychology of TBI and somatization as it applies to the practice of personal injury law.

**Curriculum Content:** This presentation is consistent with content areas 1 and 3. Program content focuses on application of psychological assessment and/or intervention methods that have overall consistent and credible empirical support in the contemporary peer reviewed scientific literature beyond those publications and other types of communications devoted primarily to the promotion of the approach; and on topics related to psychological practice, education, research other than application of psychological assessment and/or intervention methods that are supported by contemporary scholarship grounded in established research procedures.

**Biography:** Amir Ramezani, Ph.D., conducts expert witness neuropsychological and psychological examinations in civil and criminal cases. Dr. Ramezani's training includes completing a fellowship in Neuropsychology at UCLA Semel Institute for Neuroscience, a fellowship focusing in Pain Psychology at

UCSF, and a dual PhD in Clinical Health Psychology and Behavioral Medicine at UNT. He has held multiple leadership and academic roles, including serving as the former president of WABN, former founding chair of SVPA BMN, and Associate Professor at AIU and former training director and current teaching faculty at UC Davis.

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1:45-2:30 PM

**A Review of Battered Woman Syndrome: A Subcategory of Post-Traumatic Stress Disorder**

Robert Meyer, Ph.D., Victoria M. Limón, M.A., M.S., M.P.H., Carrie Frost, B.A., Remington Longstreth, M.A., and Allyson Schubert, M.A.

**Abstract:** The presentation discusses the concept of Battered Women Syndrome (BWS), its clinical manifestation, and its history as a legal defense. In addition, we review a recent murder case in Lake County, IL in which a seven-month pregnant woman killed the father of her unborn child in self-defense. Finally, we review the procedures used in conducting the forensic evaluation, its conclusions, and its implications.

**Learning Objectives:**

At the conclusion of this presentation, attendees will be able to:

1. Understand the history of Battered Women Syndrome (BWS) and its relationship to complex Post-Traumatic Stress Disorder (PTSD).
2. Apply the recommended procedures used in reaching a diagnosis of BWS/PTSD.
3. Incorporate the broader use and implications of PTSD/BWS in self-defense and legal matters.

**Relevant References:**

Holloway, C. P., & Wiener, R. L. (2018). Abuse history and culpability judgments: Implications for battered spouse syndrome. *Psychology, Public Policy, and Law*, 24(3), 279-291.

<https://doi.org/10.1037/law0000167>

Marvasti, J. A., & Lewkowicz, M. (2021). Battered woman syndrome: Psychological and forensic aspects. *American Journal of Forensic Psychology*, 39(3), 33-59.

Miller, E., McCaw, B., Humphreys, B. L., & Mitchell, C. (2015). Integrating intimate partner violence assessment and intervention into healthcare in the United States: A systems approach. *Journal of Women's Health*, 24, 92-99. <https://doi.org/10.1089/jwh.2014.4870>

Plumm, K. M., & Terrance, C. A. (2009). Battered women who kill: The impact of expert testimony and empathy induction in the courtroom. *Violence Against Women*, 15(2), 186-205.

<https://doi.org/10.1177/1077801208329145>

Schuller, R. A., & Hastings, P. A. (1996). Trials of battered women who kill: The impact of alternative forms of expert evidence. *Law and Human Behavior*, 20(2), 167-187.

<https://doi.org/10.1007/BF01499353>

**MCLE for Attorneys:** This presentation is relevant to attorneys because, as stated in the third objective, it will review the broader use and implications of BWS/PTSD in self-defense and legal matters.

**Curriculum Content:** The presentation meets criteria 1, as it is specifically focused on the diagnostic category of BWS/PTSD and how one can reach that diagnosis during a clinical evaluation.

**Biographies:** Robert Meyer, Ph.D., is the principal supervisor at Mathers Clinic in Woodstock, IL. He has been a licensed psychologist since 1983 and has testified well over 100 times in court for state and federal trials. He is also a fellow of the American College of Forensic Psychology.

Victoria M. Limón, M.A., M.S., M.P.H., is a clinical psychology doctoral student at Roosevelt University in Chicago, IL. Her interests include working with current and formerly incarcerated individuals in a psychotherapeutic and diagnostic context. She is also passionate about prison reform advocacy.

Carrie Frost, B.A., is a clinical psychology doctoral student at Adler University in Chicago, IL. Her many years of professional experience includes working as a treatment provider for justice-involved individuals with chronic and severe mental illness.

Remington Longstreth, M.A., is a clinical psychology doctoral student at Adler University in Chicago, IL. He has previous experience working in law enforcement and active duty with the Army.

Allyson Schubert, M.A., is a clinical psychology doctoral student at Adler University in Chicago, IL. She has previous experience working with the correctional population and is passionate about forensic psychology.

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2:45-3:30 PM

<p><b>Does Someone with Dissociative Identity Disorder Have Agency When Their Alter Commits a Crime?</b> Elliot Atkins, Ed.D.</p>
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**Abstract:** The presenter was asked to conduct a forensic psychological evaluation of a teenage boy who claimed that one of his alternate personalities committed a sexual crime against his girlfriend. Naturally, the police, the prosecutor, and even his own attorney, were skeptical of this claim. Among other objectives was the need to determine whether the client met criteria for Dissociative Identity Disorder (DID). The presentation describes the protracted process by which the presenter ultimately concluded that the examinee, in fact, does suffer from DID. Questions addressed in the presentation include: What sources of information contributed most to arriving at this conclusion? What historical factors needed to be considered? In what manner would this discovery be utilized by counsel in his preparation of a

defense for his client? Given the DID diagnosis, could it be shown that the boy did not have agency over the alter that committed the offense?

**Learning Objectives:**

At the conclusion of this presentation, attendees will be able to:

1. Recognize the extent to which the Dissociative Identity Disorder (DID) diagnosis is controversial.
2. Apply the process by which a DID diagnosis can be made, including the problems associated with psychological testing and where to look for determinative data.
3. Understand the extent to which a DID diagnosis may inform the issue of culpability.

**Relevant References:**

Brand, B. L., Armstrong, J. G., & Loewenstein, R. J. (2006). Psychological assessment of patients with dissociative identity disorder. *Psychiatric Clinics of North America*, 29(1), 145-168.

<https://doi.org/10.1016/j.psc.2005.10.014>

Greene v. Lambert, 288 F. 3d 1081 (Court of Appeals, 9th Circuit 2002)

State v. Greene, 984 P. 2d 1024 (Wash. Supreme Court 1999)

**MCLE for Attorneys:** The presentation will discuss whether and how Dissociative Identity Disorder (DID) may impact the legal culpability of a defendant.

**Curriculum Content:** This program addresses criterion number 2. The program content focuses on a psychological assessment methodology that is empirically supported by contemporary peer reviewed scientific literature and that goes beyond those publications. It also focuses on the interface between the forensic psychological and criminal justice domains.

**Biography:** Elliot Atkins, Ed.D., is a clinical and forensic psychologist who has spent the past 35 years treating both victims and perpetrators of sexual offenses. For the past 29 years, he has been qualified as an expert in both state and federal courts regarding the evaluation of both sexual abuse victims and perpetrators. In the civil arena, he has testified for both the plaintiff and the defense. In the criminal arena, he has testified for both the prosecution and the defense. He has also been retained by both the prosecution and the defense as a trial consultant in sexual abuse cases by the United States Air Force's Judge Advocate General's Office.

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3:30-4:15 PM

**Forensic Psychological Assessment of Syncope, Transient Global Amnesia, and Other Altered States of Consciousness: Applications to Forensic Sciences**

Michael Perrotti, Ph.D., and Madeline Hemphill, B.A.

**Abstract:** Forensic psychologists are often presented with cases involving altered states of consciousness which may initially present as acute medical emergencies. This presentation focuses on altered states of consciousness and micro disruptions of consciousness, which have significant impacts on behavior and executive function. In some cases, the impact of these events is fatal. This presentation examines the nature of these events & forensic assessment of the events. The relationship between disruption of consciousness and brain function, memory structures, and executive function is discussed. The presentation is practical as it will provide information on methodology, procedures, and assessment of syncope as well as transient global amnesia and other altered memory states and states of consciousness.

### **Learning Objectives:**

At the conclusion of this presentation, attendees will be able to:

1. Identify and assess syncope, transient global amnesia, and other altered states of consciousness.
2. Apply methodologies for assessment of general amnesic syndrome.
3. Understand how to compile a forensic report and present comprehensive findings to a jury in cases involving altered states of consciousness.

### **Relevant References:**

- Noël, A., Quinette, P., Guillery-Girard, B., Dayan, J., Piolino, P., Marquis, S., de la Sayette, V., Viader, F., Desgranges, B., & Eustache, F. (2008). Psychopathological factors, memory disorders and transient global amnesia. *British Journal of Psychiatry*, 193(2), 145-151. <https://doi.org/10.1192/bjp.bp.107.045716>
- Pantoni, L., Bertini, E., Lamassa, M., Pracucci, G., & Inzitari, D. (2005). Clinical features, risk factors, and prognosis in transient global amnesia: A follow-up study. *European Journal of Neurology*, 12(5), 350-356. <https://doi.org/10.1111/j.1468-1331.2004.00982.x>
- Tong, D. C., & Grossman, M. (2004). What causes transient global amnesia? New insights from DWI. *Neurology*, 62(12), 2154-2155. <https://doi.org/10.1212/01.WNL.0000132256.64800.CB>
- Touyz, S., Byrne, D., & Gilandas, A. (1995). *Neuropsychology in Clinical Practice*. Academic Press.

**MCLE for Attorneys:** Content is relevant for attorneys as it will address Daubert and Frye legal standards in California, as well as the role of hearsay evidence and *People v. Sanchez* (2016) 63 Calif. 4th 665 in cases involving altered states of consciousness. The expert's reliance on witnesses vs third party information will be discussed as well as Montiel Court and Calif. Evidence Code § 352.

**Curriculum Content:** This program addresses criteria number 1. The presenter has utilized forensic neuropsychological assessment protocols which provide a retrospective analysis by comparing present results of neuropsychological testing to psychometric profiles of transient global amnesia (TGA) and other altered states, such as general amnesic syndrome (GAS). Clinical and psychometric features of GAS will be presented. Lasting disorders of memory such as GAS, forms of general amnesia, material-specific amnesias, transient amnesia, and epilepsy will be presented with a focus on assessment protocols. The larger picture of methodology for assessing the crime scene in scenarios involving these disorders will be presented. Moreover, translational research involving neurology, emergency medicine, and

neuroscience will be integrated into the presentation. Moreover, the relationship between epilepsy and TGA will be addressed as well as related medical conditions resulting in cognitive impairment. False negatives will be discussed, and how evaluations for TGA and related conditions such as syncope can be misdiagnosed by para-professionals.

**Biographies:** Michael J. Perrotti, Ph.D., is a clinical and forensic neuropsychologist. He is a researcher and field supervisor for UCLA interns. He was Assistant Professor, Psychiatry and Behavioral Science at the Keck School of Medicine, USC. He is an expert consultant for the California Board of Psychology. Dr. Perrotti has conducted numerous expert forensic assessments in areas involving transient loss of consciousness. He has provided expert opinions in this area to the courts and juries. He has extensive experience in the use of assessment protocols in relation to neurological and neuropsychological disruption of states of consciousness. Madeline Hemphill, B.A., is a research assistant for Dr. Perrotti.

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4:30-5:15 PM

**Strategies for Utilizing Objective and Unbiased Language in Forensic Report Writing**

Lisa Faille, Ph.D.

**Abstract:** Psychological reports should always be written with objective and unbiased language. Given that bias is considered rampant in forensic psychological assessment (Gowensmith & McCallum, 2019), it is imperative to address it. For example, offenders who are Biracial, Indigenous, or People of Color often receive higher scores by forensic evaluators on dynamic risk factors on common risk assessment measures (Chenane et al., 2015; Smallbone & Rallings, 2013; Varela et al., 2013). Further, Asian defendants in Hawaii were identified as not competent to stand trial much more often than members of other groups (McCallum et al., 2015). Also, female perpetrators were more likely to be perceived as legally insane than male perpetrators (Yourstone et al., 2008). Bias reflecting a patriarchal, Eurocentric, heteronormative, and Christian preference can influence a judge's interpretation of a report and reinforce differential treatment of various groups within the legal system. This presentation provides strategies for objective and unbiased forensic psychological report writing as well as specific case examples demonstrating how to revise potentially biased language in more neutral, objective terms.

**Learning Objectives:**

At the conclusion of this presentation, attendees will be able to:

1. Assess the ways in which bias impacts forensic psychological report writing.
2. Describe the importance of reducing bias in forensic psychological reports.
3. Apply strategies for decreasing bias in forensic psychological reports.

**Relevant References:**

- Chenane, J. L., Brennan, P. K., Steiner, B., & Ellison, J. M. (2015). Racial and ethnic differences in the predictive validity of the level of service inventory—Revised among prison inmates. *Criminal Justice and Behavior*, 42(3), 286-303. <https://doi.org/10.1177/0093854814548195>
- Gowensmith, W. N., & McCallum, K. E. (2019). Mirror, mirror on the wall, who's the least biased of them all? Dangers and potential solutions regarding bias in forensic psychological evaluations. *South African Journal of Psychology*, 49(2), 165-176. <https://doi.org/10.1177/0081246319835117>
- Greenwald, A. G., & Krieger, L. H. (2006). Implicit bias: Scientific foundations. *California Law Review*, 94(4), 945-967. <https://doi.org/10.2307/20439056>
- McCallum, K. E., MacLean, N., Gowensmith, W. N. (2015). The impact of defendant ethnicity on the psycho-legal opinion of forensic evaluators. *International Journal of Law and Psychiatry*, 39, 6-12. <https://doi.org/10.1016/j.ijlp.2015.01.015>
- Meyers, J. R., & Schmidt, F. (2008). Predictive validity of the Structured Assessment for Violence Risk in Youth (SAVRY) with juvenile offenders. *Criminal Justice and Behavior*, 35(3), 344-355. <https://doi.org/10.1177/0093854807311972>
- Smallbone, S., & Rallings, M. (2013). Short-term predictive validity of the Static-99 and Static-99-R for indigenous and nonindigenous Australian sexual offenders. *Sexual Abuse*, 25(3), 302-316. <https://doi.org/10.1177/1079063212472937>
- Varela, J.G., Boccaccini, M. T., Murrie, D. C., Caperton, J. D., & Gonzalez, E., Jr. (2013). Do the Static-99 and Static-99R perform similarly for white, black, and Latino sexual offenders? *International Journal of Forensic Mental Health*, 12(4), 231-243. <https://doi.org/10.1080/14999013.2013.846950>
- Yourstone, J., Lindholm, T., Grann, M., & Svenson, O. (2008). Evidence of gender bias in legal insanity evaluations: A case vignette study of clinicians, judges and students. *Nordic Journal of Psychiatry*, 62(4), 273-278. <https://doi.org/10.1080/08039480801963135>

**MCLE for Attorneys:** The content of this talk is relevant to attorneys, because effective forensic psychological report writing requires the knowledge of both legal and psychological professions. When attorneys request a forensic psychological report, being able to discern its accuracy and objectivity through the presence or absence of unbiased verbiage is essential.

**Curriculum Content:** This program addresses criteria number 1. Program content focuses on application of psychological assessment and/or intervention methods that have overall consistent and credible empirical support in the contemporary peer reviewed scientific literature beyond those publications and other types of communications devoted primarily to the promotion of the approach. The content of this program focuses on the application of bias reduction in forensic psychological assessment. The best approach to forensic psychological assessment is accuracy which can be achieved through objective and unbiased report writing. This presentation delineates the research that indicates the occurrence of bias in forensic psychological assessment and provides a framework for reducing it by offering specific strategies to forensic evaluators regarding the inclusion of objective and unbiased language in reports.

**Biography:** Lisa Faille, Ph.D., M.P.H., ABPP is a board certified, licensed clinical psychologist who specializes in forensic psychology. She holds a Bachelor's degree in psychology, masters in counseling

psychology, doctorate in clinical psychology, and Master's in public health. In her clinical work she has provided therapy and conducted assessments on violent and sexual offenders. Her research and presentation focus has been on gender and racial bias. She teaches online graduate psychology courses and appreciates the opportunity to support students who have experienced prior academic discouragement. She currently enjoys living in Rhode Island with her husband and two children.

Friday, April 29

8:00 AM – 12:15 PM: Ethical and Professional Practice Issues (4 CE credits)

8:00-8:45 AM

### **The Role of Psychology in Contested Confession Cases**

Brian Cutler, Ph.D.

**Abstract:** This presentation provides an overview of the application of psychology to contested confessions. Presentation topics include the phenomenon of false confessions and its relation to wrongful convictions, the psychological risk factors for false confession, the nature of modern police interrogation and its psychological effects, and the inadvertent contamination of confessions. Attention will be given to the roles that psychologists play in the adjudication of contested confession cases. These roles include the assessment of *Miranda* comprehension and personal risk factors for false confession, the assessment of the coerciveness of an interrogation, and expert witness. Attention will also be given to the types of criminal and civil cases that may involve contested confessions.

#### **Learning Objectives:**

At the conclusion of this presentation, attendees will be able to:

1. Understand the psychological risk factors for false confession.
2. Describe the roles that psychologists play in the adjudication of contested confession cases.
3. Assess the circumstances in which psychological knowledge can be applied to contested confessions.

#### **Relevant References:**

Kaplan, J., Cutler, B. L., Leach, A. M., Eastwood, J., & Marion, S. (2019). Evaluating coercion in suspect interviews and interrogations. In B. H. Bornstein & M. K. Miller (Eds.), *Advances in Psychology and Law: Vol 4* (pp. 1-40). Springer.

Kassin, S. M., Drizin, S. A., Grisso, T., Gudjonsson, G. H., Leo, R. A., & Redlich, A. D. (2010). Police-induced confessions: Risk factors and recommendations. *Law and Human Behavior, 34*(3), 3-38.

<https://doi.org/10.1007/s10979-009-9188-6>

Leo, R. A. (2008). *Police interrogation and American justice*. Harvard University Press.



**MCLE for Attorneys:** Attorneys can benefit from this presentation by understanding the nature and frequency of false confessions and their psychological bases. Attorneys will also benefit from learning the circumstances in which psychologists should be involved in cases of contested confession.

**Curriculum Content:** This presentation address curriculum content area 3. It focuses on topics related to psychological practice – specifically, applying psychology to contested confession cases – other than application of psychological assessment and/or intervention methods. The content of this presentation is supported by contemporary scholarship grounded in established research procedures.

**Biography:** Brian L. Cutler, Ph.D., is Media Psychology Program Director and Professor in the School of Psychology at Fielding Graduate University. Dr. Cutler regularly authors books, chapters, and articles on forensic psychology topics such as false confessions and eyewitness identification and serves as a consultant and expert witness in false confession and eyewitness identification cases.

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8:45-9:30 AM

**Suicide Risk Assessment in Forensic Psychiatric and Correctional Settings: Strategies for Improving Clinical Decision Making**

Craig Wetterer, Ph.D.

**Abstract:** Suicide risk assessment in forensic psychiatric and correctional settings is an often perilous task with serious consequences if the classification decision is wrong. The risk variables in correctional settings differ greatly from those seen in community settings, and there are few instruments that have been developed and normed on forensic populations. In one of the largest correctional systems in the United States (California Department of Corrections and Rehabilitation), clinicians utilize the Columbia Suicide Severity Rating Scale (CSSR-S; Posner et al., 2010) to inform their decision making. However, the CSSR-S was not developed or normed using forensic samples, and there are no items that assess feigned suicidality. This presents numerous challenges, as the mere endorsement of suicidal cognitions by an inmate is insufficient to conclude that risk of suicide is high, or that hospitalization is clinically indicated. This presentation compares the salient features of a genuine versus feigned presentation of suicidality in psychiatric and correctional settings and discusses strategies to improve clinical decision making. Lastly, a proposed new scale for the assessment of suicide risk in forensic settings is introduced.

**Learning Objectives:**

At the conclusion of this presentation, attendees will be able to:

1. Explain the limitations of current assessment measures that are being used to assess risk of suicide in correctional settings.
2. Assess genuine versus feigned suicidality in inmates/patients who are reporting suicidal cognitions, intent, or plan.

3. Apply clinical decision making in suicide risk assessment in forensic settings by incorporating a more comprehensive and relevant risk analysis, which includes assessing for feigning of suicidality.

**Relevant References:**

- Bongar, B. (2002). *The suicidal patient: Clinical and legal standards of care* (2nd ed.). American Psychological Association.
- Lester, D., McSwain, S. & Gunn, J.R. III. (2011). A test of the validity of the ISPATHWARM warning signs for suicide. *Psychological Reports, 108*(2),402-404.  
<https://doi.org/10.2466/09.12.13.PRO.108.2.402-404>
- Obegi, J. H. (2020). Differentiating genuine from feigned suicidality in corrections: A necessary but perilous task. *International Journal of Law and Psychiatry, 71*, Article 101573.  
<https://doi.org/10.1016/j.ijlp.2020.101573>
- Van Orden, K. A., Witte, T. K., Cukrowicz, K. C., Braithwaite, S. R., Selby, E. A., & Joiner, T. E., Jr. (2010). The interpersonal theory of suicide. *Psychological Review, 117*(2), 575-600.  
<https://doi.org/10.1037/a0018697>

**MCLE for Attorneys:** This presentation will inform attorneys about factors associated with genuine versus feigned suicidality in their clients. In addition, the presentation will inform attorneys of appropriate methods used by clinicians to assess suicide risk in forensic populations.

**Curriculum Content:** This presentation meets the first continuing education criterion as the content focuses on psychological assessment (suicide risk) practices that are evidence based, and empirically supported. The presentation also meets the third criterion, as there will be discussion of a proposed new research scale that is being developed to improve clinical decision making in suicide risk assessment in forensic settings.

**Biography:** Craig Wetterer, Ph.D., is a licensed psychologist in Nevada and California. He earned his Ph.D. from Fielding Graduate University in 2015. Dr. Wetterer has worked in a number of forensic settings, including a maximum security prison where he was the clinical director of an inpatient psychiatric crisis bed unit, and as a forensic evaluator in a state psychiatric hospital. He has extensive experience conducting suicide risk evaluations in forensic settings. Dr. Wetterer is currently an associate professor in the College of Psychology at California Northstate University, where he teaches doctoral courses in personality & intellectual assessment, forensics, and psychometrics.

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9:45-10:30 AM

**Ethical Issues in the Assessment of Intellectual Disability in Capital Habeas Cases**

Kristine M. Jacquin, Ph.D.

**Abstract:** Since the Supreme Court ruled in *Atkins v. Virginia* (2002) that defendants with intellectual disability cannot be executed, over 7% of death row inmates have filed *habeas* petitions claiming to have an intellectual disability (Blume et al., 2009). Countless other defendants have been evaluated pre-trial to determine the appropriateness of an *Atkins* exclusion of the death penalty. Regardless of the timing of an *Atkins* evaluation, several common challenges arise in these cases that do not typically occur in the assessment of intellectual disability in non-forensic settings. These challenges can be addressed with guidance from the psychology ethics code and forensic psychology specialty guidelines. This presentation describes common psycholegal challenges in *Atkins* evaluations and discusses how forensic psychologists can successfully address these challenges from an ethics perspective.

### **Learning Objectives:**

At the conclusion of the presentation, attendees will be able to:

1. Explain the intellectual disability challenges commonly raised in *Atkins* evaluations.
2. Describe the reasons for addressing the common intellectual disability challenges in an *Atkins* evaluation from an ethics perspective.
3. Summarize methods for successfully addressing intellectual disability challenges from an ethics perspective.

### **Relevant References:**

- American Psychological Association (2017). *Ethical principles of psychologists and code of conduct (2002, Amended 2010, 2016)*. <https://www.apa.org/ethics/code/>
- American Psychological Association (2013). Specialty guidelines for forensic psychology. *American Psychologist*, 68(1), 7-19. <https://doi.org/10.1037/a0029889>
- Churazzi, P., & Pirozzi, F. (2019). Advances in understanding – genetic basis of intellectual disability. *F1000 Research*, 5(599). <https://doi.org/10.12688/f1000research.7134.1>
- Huang, J., Zhu, T., Qu, Y., & Mu, D. (2021). Prenatal, perinatal and neonatal risk factors for intellectual disability: A systemic review and meta-analysis. *PLoS ONE*, 11(4), e0153655. <https://doi.org/10.1371/journal.pone.0153655>
- Morigaga, M., Hollander, A.-C., Heuvelman, H., Lundberg, M., Dalman, C., Rai, D., & Magnusson, C. (2021). Migration and risk of intellectual disability with and without autism: A population-based cohort study. *Acta Psychiatrica Scandinavica*, 144, 487-500. <https://doi.org/10.1111/acps.13350>

**MCLE for Attorneys:** This talk helps attorneys understand issues related to intellectual disability in capital cases. In particular, this presentation will increase attorneys' awareness of factors that should be addressed in *Atkins* evaluations in capital cases, and how these can be addressed from an ethics perspective.

**Curriculum Content:** This presentation meets curriculum content areas 1, 2, and 3. The talk examines best practices in psychological assessment in a certain type of legal case; these best practices have consistent and credible empirical support. The talk also focuses on ethical and legal standards that

impact practice (forensic assessment in capital cases). In addition, the non-assessment portions of the talk are based on peer reviewed, published research.

**Biography:** Kristine Jacquin, Ph.D., earned a B.A. at Northwestern University, and her M.A. and Ph.D. in clinical psychology at the University of Texas at Austin. Dr. Jacquin is a Professor and Dean at Fielding Graduate University. She is also a licensed clinical psychologist with a consulting practice focusing on forensic and neuropsychological evaluations, including *Atkins* evaluations in capital cases.

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10:30 AM - 12:15 PM

**Forensic Skills Panel**

Elliot Atkins, Ed.D., John White, Ph.D., Thomas Haworth, Ph.D., Elizabeth Kelley, J.D., and Valerie McClain, Psy.D.

**Abstract:** This forensic skills forum focuses on issues in civil and criminal law that interface with psychology and expert testimony by psychologists. This is an interactive session involving moderator, panelists and audience on advanced ethical and practice issues confronting the forensic psychologist. Vignettes submitted to the panel by practicing forensic psychologists will be read aloud and discussed. The vignettes describe problems and experiences that forensic psychologists often confront in their practices and in court. Attendees will be exposed to a wide variety of forensic cases and problems in civil and criminal areas.

**Learning Objectives:**

At the conclusion of this presentation, attendees will be able to:

1. Describe how to approach ethical and practice issues in practice and in court.
2. Explain how to address ethical dilemmas that arise in difficult cases.
3. Analyze forensic case dilemmas from an ethical perspective.

**Relevant References:**

American Psychological Association (2017). *Ethical principles of psychologists and code of conduct (2002, Amended 2010, 2016)*. <https://www.apa.org/ethics/code/>

American Psychological Association (2013). Specialty guidelines for forensic psychology. *American Psychologist*, 68(1), 7-19. <https://doi.org/10.1037/a0029889>

**MCLE for Attorneys:** Attorneys can benefit from this presentation by understanding how and why forensic psychologists, with whom they work, address ethical dilemmas that arise in practice.

**Curriculum Content:** This presentation meets curriculum content area 2 by focusing on ethical standards and guidelines that impact practice.

**Biographies:** Elliot Atkins, Ed.D., is in private practice in Pennsylvania and New Jersey.

John H. White, Ph.D., is a former Dallas Police Investigator Sergeant who was assigned to Patrol, Psychological Services, Internal Affairs, and the Fugitive and Special Investigations Units. He is currently a Professor of Psychology at Stockton University in Atlantic City, New Jersey, where he developed the Forensic Psychology curricula for both graduate and undergraduate programs.

Thomas Haworth, Ph.D., is a licensed psychologist in PA and NJ who has practiced clinically and forensically for the past 15 years. He is the past Executive Director of The Joseph J. Peters Institute, where he spent 15 years providing evaluation and treatment of sexual offenders and survivors of sexual abuse and other traumas, both adult and juvenile. As an expert witness he has been qualified in clinical and forensic psychology and issues related to sexual violence in courts across Pennsylvania and in the U.S. Federal Court since 2003.

Arthur Donato, J.D., is a criminal justice attorney in Pennsylvania.

Valerie R. McClain, Psy.D., is in private practice in Tampa, Florida, specializing in forensic psychology and neuropsychology.

**1:00-4:15 PM: Psychology of School Shootings (3 CE credits)**

1:00-2:30 PM

**School Gun Violence**

Jerry Brittain, Ph.D.

**Abstract:** This presentation focuses on school gun violence. Data from a study of past gun shootings and deaths will be presented. Terms such as rampage shooter, spree shooter, targeted shooting, and mass shootings will be defined. The talk will include a discussion of why research into school gun violence is rarely done. An analysis of 30 years of school gun violence will include the number of school shooting deaths, characteristics of school shooters and their victims, and whether school shooters are mentally ill. It will also discuss whether there is a profile of school shooters. Discussion will include touchstone past mass shootings and legal issues in identifying and treating threatening students. The role of school officials, School Resource officers, parents, and law enforcement will be presented. Laws that have impeded intervention will be noted. In addition, the role of mental health professionals will be presented, and what they can, cannot, and should and should not do, will be outlined. Lastly, the role of primary, secondary, and tertiary intervention for school gun violence will be presented for discussion.

**Learning Objectives:**

At the conclusion of this presentation, attendees will be able to:

1. Define basic gun violence terms such as spree shooter, rampage shooter, mass murder, and targeted shooter.
2. List reasons school gun violence research is rarely done.
3. Understand a study of 30 years of school gun violence.
4. Explain whether there is a profile of a school shooter.
5. Understand the role of the mental health professional in evaluating a student who is considered to be a danger.

**Relevant References:**

- Brittain, J. (In press). *The Virginia Tech tragedy. April 16, 2007. No one connected the dots*. Dementi Publishing.
- Cullen, D. (2009). *Columbine*. Twelve: Hatchett Book Group.
- Dedman, B. (2000, October 15-16). Deadly lessons: School shooters tell why. *Chicago Sun Times*, 1-20.
- Freilich, J. D., Chermak, S. M., Connell, N. M., Klein, B. R., & Greene-Colozzi, E. A. (2022). Using open-source data to better understand and respond to American school shootings: Introducing and exploring the American school shooting study (TASSS). *Journal of School Violence*, 21(2). <https://doi.org/10.1080/15388220.2021.1991804>
- Livingston, M. D., Rossheim, M. E., & Slidham Hall, K. (2019). A descriptive analysis of school and school shooter characteristics and the severity of school shootings in the United States, 1999-2018. *Journal of Adolescent Health*, 64(6), 797-799. <https://doi.org/10.1016/j.jadohealth.2018.12.006>
- Roy, L. (2009). *No right to remain silent: What we've learned from the tragedy at Virginia Tech*. Harmony Books.
- Virginia Tech. (2007). *Report: #140-07: Recommendations following investigation of April 16, 2007 critical incident at VA Tech, 2007*. Office of the Inspector General for Mental Health, Mental Retardation, & Substance Abuse Services, James W. Stewart.

**MCLE for Attorneys:** Attorneys will benefit from this presentation by learning about the characteristics of school shooters. Such knowledge would be helpful in prosecuting or defending a school shooting case.

**Curriculum Content:** This presentation meets continuing education criterion 3. The presentation focuses on topics related to psychological practice and research on school shootings. The content is supported by contemporary scholarship grounded in established research procedures.

**Biography:** Jerry Brittain, Ph.D., retired from the US Navy in 1998, with 23 years of honorable service. Subsequently, he worked at the CIA for almost ten years before relocating to North Carolina. At the time of the Virginia Tech tragedy, he became interested in how and why such an unimaginable tragedy could happen. He has spent almost 15 years researching school gun violence and the V.T. tragedy. He has written a book on the subject which will be published in spring 2022. At present, he works as a Clinical Psychologist at Wake Forest Baptist Medical Center, Psychiatry Department, Winston Salem, N.C.

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2:45-4:15 PM

**The Virginia Tech Tragedy**

Jerry Brittain, Ph.D.

**Abstract:** The Virginia Tech shooting tragedy in 2007 was the worst school shooting in US history. This presentation examines the history of the shooter, including the perspectives of multiple teachers, his parents, dormmates, and faculty who saw him as mentally ill, but because of a federal law, could not insist he receive treatment. The presentation will discuss the many interactions he had with many mental health professionals, and his failed inpatient psychiatric hospitalization.

**Learning Objectives:**

At the conclusion of this presentation, attendees will be able to:

1. Describe the many attempts of teachers and counselors to get the Virginia Tech shooter mental health treatment before the shootings.
2. Describe the involuntary psychiatric hospitalization of the shooter and how the shooter was ordered into outpatient treatment but failed to comply.
3. Understand and describe how FERPA was amended by Congress to correct a flaw that prevented school officials from making the shooter seek treatment or alerting his parents to their concerns before the shooting.
4. Describe the purpose and function of Threat Assessment Teams at schools and colleges.
5. Describe factors in the Threat Assessment Team concept that did not work.

**Relevant References:**

- Brittain, J. (In press). *The Virginia Tech tragedy. April 16, 2007. No one connected the dots*. Dementi Publishing.
- Giduck, J. & Bail, J. M., Jr. (2011). *Shooter down: The dramatic, untold story of the police response to the Virginia Tech massacre*. Archangel Group, Ltd.
- Jonson, C. L. (2017). Preventing school shootings: The effectiveness of safety measures. *Victims & Offenders, 12*(6). <https://doi.org/10.1080/15564886.2017.1307293>
- Lankford, A., Adkins, K. G., & Madfis, E. (2019). Are the deadliest mass shootings preventable? An assessment of leakage, information reported to law enforcement, and firearms acquisition prior to attacks in the United States. *Journal of Contemporary Criminal Justice, 35*(3). <https://doi.org/10.1177/1043986219840231>
- Roy, L. (2009). *No right to remain silent: What we've learned from the tragedy at Virginia Tech*. Harmony Books.
- Virginia Tech Review Panel. (2007). *Mass shootings at Virginia Tech: Report of the Virginia Tech Review Panel presented to Timothy M. Kaine, Governor, Commonwealth of Virginia*. Virginia Tech Review Panel. <https://scholar.lib.vt.edu/prevail/docs/VTReviewPanelReport.pdf>

Warren, L. J. (2017). Special section part III: Campus threat management. *Journal of Threat Assessment and Management*, 4(2). <https://doi.org/10.1037/tam0000084>

**MCLE for Attorneys:** Attorneys will benefit from this presentation by learning about the characteristics of the Virginia Tech shooter, which may be applicable to other school shooters. In addition, attorneys will benefit from understanding the threat assessment process and how this can be applied in attempts to prevent mass shootings. This knowledge would be helpful in litigating a mass shooting case.

**Curriculum Content:** This presentation meets continuing education criterion 3. The presentation focuses on topics related to psychological practice and research on school shootings. The content is supported by contemporary scholarship grounded in established research procedures. In addition, it meets criterion 1 because it focuses on the application of psychological assessment methods that have overall consistent and credible empirical support in contemporary peer-reviewed scientific literature to determine risk of violence.

**Biography:** Jerry Brittain, Ph.D., retired from the US Navy in 1998, with 23 years of honorable service. Subsequently, he worked at the CIA for almost ten years before relocating to North Carolina. At the time of the Virginia Tech tragedy, he became interested in how and why such an unimaginable tragedy could happen. He has spent almost 15 years researching school gun violence and the V.T. tragedy. He has written a book on the subject which will be published in spring 2022. At present, he works as a Clinical Psychologist at Wake Forest Baptist Medical Center, Psychiatry Department, Winston Salem, N.C.

Saturday, April 30

8:00 AM – 12:15 PM: Forensic Assessment (4 CE credits)

8:00-8:45 AM

**Investigating the Psychometric Properties of the Financial Assessment and Capacity Test (FACT) with UK Acquired Brain Injury Patients**

Henk Swanepoel, Ph.D., Mark Paramlall, M.D., and Rachel Ohman, BSc

**Abstract:** Psychologists and psychiatrists are often requested to make decisions regarding the capacity of a patient with Acquired Brain Injury (ABI) to handle financial matters (Robinson, 1999; Sousa et al., 2014). Some theoretical and empirical attention has been given to the psychogeriatric population in this regard, but very little on the ABI population (Black, 2007). Brain injury patients are often vulnerable for financial exploitation or not able to manage their financial affairs independently, therefore capacity assessments are frequently required. However, few studies address financial competence, especially pertaining to ABI patients. Studies evaluating clinicians' ability to determine the financial competence of patients identified the need for clinicians to become more aware of the issues surrounding financial competence of ABI patients (Malloy et al., 1996; Toffoli & Herrmann, 1993). Few assessment instruments or procedures are designed to assist with the assessment of financial competence in ABI,



therefore, this study investigated the psychometric properties of the Financial Assessment and Capacity Test (FACT) with specific reference to ABI patients in the UK.

### **Learning Objectives:**

At the conclusion of this presentation, attendees will be able to:

1. List assessment instruments designed to assist with the assessment of financial competence.
2. Discuss the use of the Financial Assessment and Capacity Test (FACT).
3. Summarize the psychometric properties of the Financial Assessment and Capacity Test (FACT) with specific reference to ABI patients in the UK.

### **Relevant References:**

- Black, E. (2007). A Financial Assessment & Capacity Test (FACT) for a Psychogeriatric Population. *Research Insights*, 4(5), 1-21.
- Carney, M. T., Neugroschl, J., Morrison, R. S., Marin, D., & Siu, A. L. (2001). The development and piloting of a capacity assessment tool. *The Journal of Clinical Ethics*, 12(1), 17-23.
- Clark, J. M. R., Jak, A. J., & Twamley, E. W. (2020). Cognition and functional capacity following traumatic brain injury in veterans. *Rehabilitation Psychology*, 65(1), 72-79.  
<https://doi.org/10.1037/rep0000294>
- de Guise, E., Degre, C., Beaujean, O., Julien, J., Lague-Beauvais, M., Dagher, J., & Marcoux, J. (2020). Comparison of executive functions and functional outcome between older patients with traumatic brain injury and normal older controls. *Applied Neuropsychology: Adult*.  
<https://doi.org/10.1080/23279095.2020.1862118>
- Kim, S. Y. H., Karlawish, J. H. T., & Caine, E. D. (2002). Current state of research on decision making competence of cognitively impaired elderly persons. *American Journal of Geriatric Psychiatry*, 10(2), 151-165. <https://doi.org/10.1176/appi.ajgp.10.2.151>
- Marson, D. C., Sawrie, S. M., Snyder, S., McInturff, B., Stalvey, T., Boothe, A., Aldridge, T., Chatterjee, A., & Harrell, L. E. (2000). Assessing financial capacity in patients with Alzheimer disease: A conceptual model and prototype instrument. *Archives of Neurology*, 57(6), 877-884.  
<https://doi.org/10.1001/archneur.57.6.877>
- Robinson, D. J. (1999). Financial capacity: assessing the elderly. *The Canadian Journal of CME*, 11(2), 151-164.
- Sousa, L. B., Simoes, M. R., Firmino, H., & Peisah, C. (2014). Financial and testamentary capacity evaluations: Procedures and assessment instruments underneath a functional approach. *International Psychogeriatrics*, 26(2), 217-228. <https://doi.org/10.1017/S1041610213001828>
- Whiting, D. (2020). Traumatic brain injury with personality change: A challenge to mental capacity law in England and Wales. *Psychological Injury and Law*, 13, 11-18. <https://doi.org/10.1007/s12207-019-09366-6>

**MCLE for Attorneys:** Attorneys may work with patients with acquired brain injury related to their capacity to handle financial matters. It is commonly known that brain injury patients are often vulnerable for financial exploitation or not able to manage their financial affairs independently,

therefore the need for capacity assessments are frequently required. Attorneys will benefit from understanding how psychologists assess financial capacity.

**Curriculum Content:** This presentation meets criterion 1. This presentation content focuses on application of psychological assessment, namely the Financial Assessment and Capacity Test (FACT). This test has consistent and credible empirical support in the contemporary peer reviewed scientific literature.

**Biographies:** Henk Swanepoel, Ph.D., has been working in the neuropsychological, clinical, and forensic field for over 20 years as a qualified neuropsychologist and clinical psychologist. He has extensive experience in the assessment and treatment of brain injuries as well as mental health disorders. Being a published, double doctorate in neuropsychology and forensic psychology, Dr. Swanepoel has lectured and supervised on graduate and post graduate level as a senior lecturer at various universities. Dr. Swanepoel is also CAMAG certified by the American Board of Independent Medical Examiners in the evaluation of permanent impairment. He has a special interest in traumatic brain injuries, neurodegenerative disorders, drug and alcohol abuse, mood disorders, psychosis, and personality disorders. His areas of expertise include neuropsychological assessment and rehabilitation, as well as forensic evaluations.

Mark Paramlall, M.D., is a consultant neuropsychiatrist working in a tertiary level unit specializing in brain injury. His training in psychiatry has been entirely in the London Deanery, including core training in the North East London and East London NHS Foundation trusts and higher specialty training in the Maudsley and South London NHS trust. In this capacity he has trained at the Institute of Psychiatry, Bethlem Royal, Maudsley Hospitals and with The National Hospital for Neurology and Neurosurgery; these are the premiere research and training institutions for psychiatry and neurology, respectively, in Europe. He has worked in national clinics for neurodevelopmental disorders including autism spectrum disorders, attention deficit hyperactivity disorder and Tourette's. He was an honorary clinical lecturer at the undergraduate and graduate level and was an examiner for both professional examination and in academic post graduate programs. He has presented work at various international and national conferences, contributed to a textbook and peer reviewed papers (in publication).

Rachel Ohman, BSc, is an occupational therapist at a neuropsychiatric rehabilitation hospital in the U.K.

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8:45-9:30 AM

<p><b>The Case for Parenting Focused Psychological Evaluations in High-Conflict Child Custody Cases</b> Jeffrey Siegel, Ph.D.</p>
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**Abstract:** The “high-conflict divorce” case has been the subject of mental health and legal research and opinion for many years. These cases repeatedly come before the family courts and are often the most contentious, conflictual, and hard to manage. The research has shown that the primary issues in high-conflict cases are the parents and their personalities. This presentation suggests a shift in the approach to high-conflict custody cases by focusing on the assessment of parents’ psychological functioning, understanding and describing these dynamics as essential to understanding their high conflict interactions. Custody evaluators should formulate assessment results into clinical impressions and compare those with the literature on parenting impacts on children. Recommendations can center on court-ordered management of parent interactions, as well as therapeutic suggestions. In sum, the evaluation focuses on each parent’s personality, the parenting research, and the ongoing conflict to address “what is the problem here, and how do we address it?”

**Learning Objectives:**

At the conclusion of this presentation, attendees will be able to:

1. Recognize what parent behaviors contribute to “high-conflict” custody cases.
2. Understand the differences between traditional child custody evaluations and the parenting-focused psychological evaluation.
3. Integrate the evaluation data with parenting research to develop realistic recommendations to the court.

**Relevant References:**

Garber, B., Prescott, D. E., & Mulchay, C. (2022). *The family law professional’s field guide to high-conflict litigation: Dynamics, not diagnosis*. ABA Publishing.

Gould, J. W., & Martindale, D. A. (2007). *The art and science of child custody evaluations*. Guilford Publishers.

Johnston, J. R., & Campbell, L. E. G. (1988). *Impasses of divorce: The dynamics and resolution of family conflict*. The Free Press.

**MCLE for Attorneys:** This presentation offers judges and attorneys an alternative to costly and time-consuming child custody evaluations. This process allows the court to have data that is directly relevant to the causes and continuation of the conflict. The process provides opportunities for the attorneys in settlement discussions or the court to directly impact those responsible for the issues before the court.

**Curriculum content:** This presentation meets continuing education criterion 1 by focusing on the application of psychological assessment methods that are based on relevant research.

**Biography:** Jeffrey C. Siegel, Ph.D., ABPP is a forensic and clinical psychologist in private practice in Dallas, Texas. He is a Fellow of the American College of Forensic Psychology and holds ABPP Diplomas in Clinical Psychology and Family and Couples Psychology. Licensed since 1981, he has conducted hundreds of evaluations in high-conflict child custody cases and frequently consults with family law attorneys across the country on dynamics of the parents in these emotionally charged and challenging cases.

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9:45-10:30 AM

**Pre-Employment Psychological Assessment of Police Officers**

Jamel Burroughs, Ph.D.

**Abstract:** The pre-employment psychological evaluation process for police officers has been criticized for lacking a standardized methodology (Corey & Ben-Porath, 2018; Corey & Zelig, 2020; Weiss, 2010). Across the U.S., police departments and mental health practitioners utilize different psychological testing batteries and methods to assess the emotional and psychological suitability of police candidates. The purpose of this presentation is to provide an overview of a recommended process for pre-employment psychological assessment of police officer candidates, with a focus on the essential components to include: administering psychological instruments; gathering relevant biographical data such as education, employment, military, legal, medical, and psychological histories; obtaining collateral data; and integrating and conceptualizing the data for qualification and disqualification decision-making.

**Learning Objectives:**

At the conclusion of this presentation, attendees will be able to:

1. Understand the pre-employment psychological assessment process specific to police officers.
2. Describe the essential components of the pre-employment police psychological evaluation.
3. Explain the relevant biographical components of the pre-employment psychological assessment of police candidates.
4. Discuss how to integrate and conceptualize the data that is collected during the assessment process for police candidates.

**Relevant References:**

Corey, D. M., & Ben-Porath, Y. S. (2018). *Assessing police and other public safety personnel using the MMPI 2 RF: A practical guide*. University of Minnesota Press.

Corey, D. M., & Zelig, M. (2020). *Evaluations of police suitability and fitness for duty*. Oxford University Press.

Weiss, P. A. (2010). *Personality assessment in police psychology: A 21st-century perspective*. Charles C. Thomas Publisher, LTD.

**MCLE for Attorneys:** Employment attorneys will benefit from understanding the psychological characteristics assessed in police officer pre-employment evaluations.

**Curriculum Content:** This presentation meets the continuing education criterion 2 by providing an introductory overview of the pre-employment psychological assessment process of police officers. The content of this presentation is guided by the current research in the field of police psychology and public safety, as well as the current guidelines, standards, and best practices in the field.

**Biography:** Jamel Burroughs, Ph.D., is a clinical psychologist and licensed clinical social worker with a psychotherapy and psychological assessment practice in Brooklyn, New York. Dr. Burroughs is also employed with the New York City Police Department (NYPD) in the Candidate Assessment Division, where he conducts pre-employment psychological evaluations and assesses fitness for duty of New York City police officers. He is a graduate of Fielding Graduate University's doctoral program in clinical psychology.

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10:30-11:15 AM

**Interviewing the Lawyers: The Often-Missing Competence Related Interview**

John Philipsborn, J.D., M.A.S.

**Abstract:** The assessment of competence to stand trial is arguably a heavily written about endeavor in forensic mental health practice. Significant strides have been made in the development of assessment protocols, aided by the development of second-generation assessment tools. But information that the United States Supreme Court has explained is relevant to the assessment of competence, and that is mentioned in much of the authoritative literature – namely information from defense counsel – is often either not inquired into at all by an assessing professional or is the subject of a formless and unstructured inquiry. In part because the effective assistance of counsel is dependent on client-attorney communication, experienced mental health professionals and experienced lawyers will be aware of the information that is available to lawyers that is not readily available to assessing experts. This presentation examines relevant subject areas including: the nature of the case; the available defenses; the complexity of the facts; the stresses on the client; the utility of client testimony; the decisions that likely need to be made by the client; and other subjects that defense counsel are often best positioned to discuss and to outline for the examiner.

**Learning Objectives:**

At the conclusion of this presentation, attendees will be able to:

1. Discuss and explain the areas of attorney-client communication that courts have described as important to effective assistance of counsel.
2. Discuss and explain the obligations of counsel in relation to attorney-client communications, and to the development of a relationship of trust.
3. Discuss and explain the decisions reserved for the accused as compared with the decisions that need to be made by counsel in consultation with the accused that shed light on competence.

**Relevant References:**

Beltrani, A. & Zapf, P. A. (2020). Competence to stand trial and criminalization: An overview of the research. *CNS Spectrums*, 25(2), 161-172. <https://doi.org/10.1017/S1092852919001597>

Philipsborn, J. (2017). Competently lawyering competence: The role and duties of a lawyer in addressing competence to stand trial where the questions are focused on client communication and capacity to assist. *ABA Criminal Justice*, 34-39.

Wall, B. W., Ash, P., Keram, E., Pinals, D. A., & Thompson, C. H. (2018). AAPL practice resource of the forensic psychiatric evaluation of competence to stand trial. *Journal of the American Academy of Psychiatry and the Law*, 46(3), 373. <https://doi.org/10.29158/JAAPL.003781-18>

**MCLE for Attorneys:** The presenter is the author of California CEB's Ch 48. "Forensic Mental Health, Laws and Procedures" in the CEB/University of California volume California Criminal Law, Practice and Procedure, published yearly, which is considered a definitive work (the book as a whole) on California criminal law practice. The work is distributed to courts throughout California and is bought by practitioners who work in the criminal courts. The presenter also authors the section on Mental Health Experts in the California Death Penalty Defense Manual, and often publishes on competence to stand trial issues in the journal of the National Association of Criminal Defense Lawyers. The subject of the assessment of competence to stand trial is of critical importance to members of the criminal defense and prosecution bar and is addressed in the ABA's Criminal Justice Mental Health Standards.

The above cited article on 'Competently Lawyering Competence' published by ABA Criminal Justice in 2017 is evidence of that. The presenter's work on the lawyering of competence to stand trial issues has been mentioned in some published court rulings. Lawyers seeking to maintain their status as specialists in criminal law, or in maintaining currency in the practice of criminal law whether in California or elsewhere need to be familiar with the assessment of the accused's competence to stand trial, and the standards of practice applicable to the endeavor.

**Curriculum Content:** This presentation meets content area 2. This presentation focuses on the constitutional (legal) requirements for a reliable and constitutionally defensible outcome in a criminal case including assurance that the accused is competent (or if not, that the issue of incompetence is addressed according to law). The presentation discusses a legally effective attorney-client relationship and the constitutionally based imperative of effective assistance of counsel in criminal cases. The presentation reviews the legal requirements that apply to the requirement of competence to stand trial and discusses generally accepted standards of practice as well as particular practice guidelines that apply to the assessment (by a mental health professional) of competence, and the need for the assessing expert to obtain information on matters within the knowledge of counsel of record. Specific case law, practice guidelines, practice related literature, and training materials will be referenced throughout the presentation, thus content area 3 also applies.

**Biography:** John Philipsborn J.D., M.A.S., has been a criminal defense lawyer for more than 40 years, and has defended cases, including death penalty cases, that involve mental health issues in many different jurisdictions throughout the United States. He has been a frequent presenter to the American College of Forensic Psychology, and has published more than 100 book chapters, articles, and practice manual sections, many of which are focused on forensic mental health issues. His work has been recognized by the California Continuing Education of the Bar, the National Association of Criminal Defense Lawyers,

and California Lawyers for Criminal Justice. He has also received recognition from the Forensic Mental Health Association of California and has presented to various programs sponsored by the American Psychological Association.

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11:30 AM - 12:15 PM

**Forensic Issues in Abbreviated and Short Intelligence Tests**

James Schutte, Ph.D., and Christopher W. Schutte, A.B.

**Abstract:** Abbreviated intelligence testing has a long research history, and includes both shortened versions of traditional IQ measures, such as the WAIS-x, and freestanding abbreviated instruments, such as the WASI-II and KBIT-2. Other short IQ instruments such as the RIAS-2 and WRIT purport to provide a comprehensive intelligence measure in much less time than traditional measures. Nonverbal intelligence tests, such as the CTONI-2 or TONI-4, may also be considered abbreviated measures, and are often used in non-English-dominant populations. Issues of convenience appear to have been the main driving force behind the creation of these instruments, but the question remains as to whether such testing is appropriate in forensic psychological evaluations, under what conditions, and with which populations. Issues regarding the use of abbreviated and short intelligence testing in forensic settings are considered, including psychometric matters, recommendations from test publishers, and suggestions for successfully using, presenting, and defending the use of such tests.

**Learning Objectives:**

At the conclusion of this presentation, attendees will be able to:

1. List commonly used short and abbreviated intelligence tests.
2. Understand basic psychometric properties of short and abbreviated intelligence tests, as well as publisher recommendations for their use.
3. Recognize appropriate forensic uses for these tests and be able to present and defend the use of these measures in forensic psychological evaluations.

**Relevant References:**

- Drozdick, L. W., Holdnack, J. A., Weiss, L. G., & Zhou, X. (2013). Overview of the WAIS-IV/WMS-IV/ACS. In J. A. Holdnack, L. W. Drozdick, L. G. Weiss, & G. L. Iverson (Eds.), *WAIS-IV, WMS-IV, and ACS: Advanced clinical interpretation*. Elsevier Academic Press. <https://doi.org/10.1016/B978-0-12-386934-0.00001-8>
- Homack, S. R., & Reynolds, C. R. (2007). *Essentials of assessment with brief intelligence tests*. John Wiley & Sons.
- Lezak, M. D., Howieson, D. B., Bigler, E. D., & Tranel, D. (2012). *Neuropsychological assessment* (5th ed.). Oxford University Press.

**MCLE for Attorneys:** This talk will educate attorneys on the use of abbreviated and short intelligence tests in forensic psychological evaluations and will assist them in identifying appropriate and inappropriate uses of such measures.

**Curriculum Content:** This presentation meets curriculum content criterion 1. The program content will focus on the application of psychological assessment methods that have overall consistent credible empirical support in the contemporary peer-reviewed scientific literature regarding abbreviated intelligence testing and its use in forensic psychological evaluations.

**Biographies:** James W. Schutte, Ph.D. is a bilingual psychologist in private practice in El Paso, Texas. His practice primarily involves the assessment of persons involved in Social Security disability claims and child protection matters, as well as criminal and civil litigation.

Christopher W. Schutte, A.B. is a postgraduate associate in the Anticevic Lab at Yale University, working on research in computational psychiatry.

**1:00-4:15 PM: Understanding Offenders and Offending (3 CE credits)**

1:00-1:45 PM

**Serial Murder Personality Research Project: Initial Results**

John White, Ph.D., and Laura Brand, B.A.

**Abstract:** The personality of serial murderers and their cognitive patterns are complicated and not well understood. The presenters analyzed surveys from 22 incarcerated serial killers. Subjects were male and each had killed two or more people for a combined total of 171 victims. Responses were coded and analyzed using the Five-Factor Model of Personality (FFM). The five factors include neuroticism, extraversion, openness to experience, agreeableness, and conscientiousness. One goal of this study was to determine if serial killers with certain strong personality traits are more amenable to being caught sooner than those with weaker traits. We will describe personality characteristics based on responses of the serial killers compared to their crime scene behaviors. Psychologist Adrian Raine believes many serial killers have features of Schizotypal Personality Disorder while Arturo Silva believes that some killers have high functioning autism spectrum disorder. How these disorders fit within the FFM and a possible neurological basis to some character traits will be addressed. We will also address how understanding these traits may enhance understanding of forensic examinees in general.

**Learning objectives:**

At the conclusion of this presentation, attendees will be able to:

1. List the character traits that comprise the Five-Factor Model of Personality.
2. Apply Five-Factor Model of Personality character traits to serial killers.
3. Describe brain areas relevant to the behaviors of serial killers.



**Relevant References:**

Edmundson, M., & Kwapil, T. R. (2013). A five-factor model perspective of schizotypal personality disorder. In T. A. Widiger & P. T. Costa, Jr. (Eds.), *Personality disorders and the five-factor model of personality* (pp. 147-161). American Psychological Association.

<https://doi.org/10.1037/13939-010>

McMurrin, M. (2009). Personality, personality disorder and violence: An introduction. In M. McMurrin & R. Howard (Eds.), *Personality, personality disorder and violence: An evidence based approach* (pp. 3-18). Wiley-Blackwell.

Raine, A. (2013). *The Anatomy of Violence: The Biological Roots of Crime*. Pantheon Books.

**MCLE for Attorneys:** Attorneys will benefit by understanding how the five-factor model of personality may be used to understand their clients.

**Curriculum content:** This presentation meets the third curriculum content area. This presentation focuses on research on serial murder and the application of the Five-Factor Model of Personality to understand the personalities of serial killers. The information is educational in nature in that it describes research results. The Five-Factor Model of Personality has been widely accepted by the psychological community and continues to be a topic of research, both in its conceptual and research dimensions.

**Biographies:** John H. White, Ph.D., is a former Dallas Police investigator sergeant where he was assigned to Patrol, Psychological Services Office, the Internal Affairs Division, and the Fugitive and Special Investigations Unit. He is presently a professor of psychology at Stockton University in Atlantic City, New Jersey. He also has a private practice where he evaluates and treats sex offenders. He acts as a consultant to police agencies and is a member of the Vidocq Society, an organization that examines cold case homicides for police agencies around the nation.

Laura Brand, B.A., is a private investigator in Boston and is a recognized authority on the Toolbox Killers. She is the executive producer of the television documentary entitled, "Toolbox Killers," about Lawrence Bittaker and Roy Norris, two sadistic serial killers in California. She formulated a questionnaire that elicited insights into serial killers' core personality traits. She has interviewed and/or surveyed 50 incarcerated serial killers in the United States.

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1:45-2:30 PM

**Paraphilic Disorders: Psychological and Forensic Aspects**

Jamshid Marvasti, M.D.

**Abstract:** As clinical literature indicates, patients with paraphilic disorders are often misunderstood and underserved populations. Paraphilias are considered more as a crime and individuals are labeled as

“deviant” and “perverted,” rather than a patient with a medical diagnosis in need of treatment. This presentation explores the paraphilic disorders in DSM-5 and the risk of sexual offending associated with each one. The presentation also examines the newest research on paraphilia and treatment of it. Focus is on psychotherapy and pharmacologic treatment of paraphilia. Psychiatric co-morbidity can have negative consequences for paraphiliacs, including hindering their treatment or even contributing to the continuance of paraphilic behavior. This will be discussed as will the side effects of medication and its effectiveness.

### **Learning Objectives:**

At the conclusion of this presentation, attendees will be able to:

1. Describe the 8 paraphilic disorders included in the DSM-5.
2. Assess/analyze risk of sexual offense by paraphilic patients.
3. Describe the psychological treatment of pedophilia and discuss the medications currently used in treatment of sex offenders.

### **Relevant References:**

- Berlin, F. S. (2019). Paraphilic disorders: A better understanding. *Current Psychiatry, 18*(4), 22-28.
- Choi, J. H., Lee, J. W., Lee, J. K., Jang, S., Yoo, M., Lee, D., Hong, J.-W., Noh, I. S., & Lim, M. H. (2018). Therapeutic effects of leuprorlin (leuprolide acetate) in sexual offenders with paraphilia. *Journal of Korean Medical Science, 33*(37), Article e231. <https://doi.org/10.3346/jkms.2018.33.e231>
- Harris, P. B., Boccaccini, M. T., & Rice, A. K. (2017). Field measures of psychopathy and sexual deviance as predictors of recidivism among sexual offenders. *Psychological Assessment, 29*(6), 639-651. <https://doi.org/10.1037/pas0000394>
- Lee, S. C., Hanson, R. K., Calkins, C., & Jeglic, E. (2020). Paraphilia and antisociality: Motivations for sexual offending may differ for American Whites and Blacks. *Sexual Abuse, 32*(3), 335-365. <https://doi.org/10.1177/1079063219828779>
- Marvasti, J. A. (2012). Pharmacotherapy for PTSD: Antidepressant medications. In J. A. Marvasti (Ed.), *War trauma in veterans and their families: Diagnosis and management of PTSD, TBI and comorbidities of combat trauma* (pp. 80-95). Charles Thomas Publishers.
- Marvasti, J. A. (2019). The pedophile and his penis: Is “anatomy destiny?” *Clio’s Psyche, 25*(2), 150-154
- Rosburg, T., Pflueger, M. O., Mokros, A., Boillat, C., Deurig, G., Spielmann, T., & Graf, M. (2021). Indirect and neuropsychological indicators of pedophilia. *Sexual Abuse, 33*(5), 579-605. <https://doi.org/10.1177/1079063220931822>

**MCLE for Attorneys:** Attorneys will benefit from understanding paraphilias commonly present in criminal defendants they may prosecute or defend. In addition, attorneys will benefit from understanding treatment approaches for addressing paraphilia in case alternatives to incarceration are considered.

**Curriculum Content:** This presentation meets continuing education criterion number one. Program content focuses on application of psychological assessment and/or intervention methods that have overall consistent and credible empirical support in the contemporary peer reviewed scientific literature

beyond those publications and other types of communications devoted primarily to the promotion of the approach. Specifically, the presentation examines empirically based interventions for paraphilic disorders.

**Biography:** Jamshid A. Marvasti, M.D. is a child and adult psychiatrist practicing at Prospect Manchester Hospital, in Manchester, Connecticut. He is a clinical assistant professor of psychiatry at the University of New England College of Osteopathic Medicine. Dr. Marvasti has published and edited a number of articles and books including *War Trauma in Veterans and Their Families* (2012), *Psycho-Political Aspects of Suicide Warriors, Terrorism, and Martyrdom* (2008), *Psychiatric Treatment of Sexual Offenders* (2004), and *Psychiatric Treatment of Victims and Survivors of Sexual Trauma* (2004).

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2:45-3:30 PM

**Child Pornography Offenders and Contact Sexual Abuse Offenders**

Hollida Wakefield, M.A.

**Abstract:** Many people assume child pornography offenders are undetected child molesters. Child pornography offenders are seen as high risk and sexually dangerous. This belief, however, has not been confirmed. Because of its importance in the effort to combat child sexual abuse, several studies have examined characteristics of online sex offenders. In this presentation, I review this research and discuss the characteristics of child sexual offenders whose only offenses involve child pornography, child sexual offenders who only commit contact offenses, and offenders with both child pornography and contact sexual offenses. Research indicates that there is a distinct group of offenders who restrict their offending behavior to online child pornography. These offenders are different from those who also have contact offenses. This is important in evaluating the likelihood that men who commit child pornography online offenses will later commit contact sexual offenses. In addition, correctional and forensic mental health systems should not combine pornography only offenders with contact child sexual abuse offenders and should carefully consider how each type of offender is managed.

**Learning Objectives:**

At the conclusion of this presentation, attendees will be able to:

1. Summarize the research on the differences between individuals who have committed only child pornography offenses, individuals who have committed hands-on contact offenses against children, and individuals who have committed both.
2. Explain why there is controversy about research on child pornography offenders.
3. Apply research on child sex offenders to risk assessments for sentencing, civil commitment of sexually violent persons, and decisions regarding the most effective treatment strategies.

**Relevant References:**

- Babchishin, K. M., Hanson, R. K., & VanZuylen, H. (2015). Online child pornography offenders are different: A meta-analysis of the characteristics of online and offline sex offenders against children. *Archives of Sexual Behavior, 44*(1), 45-66. <https://doi.org/10.1007/s10508-014-0270-x>
- Endrass, J., Urbaniok, F., Hammermeister, L. C., Benz, C., Elbert, T., Laubacher, A., & Rossegger, A. (2009). The consumption of internet child pornography and violent and sex offending. *BMC Psychiatry, 9*. Article 43. <https://doi.org/10.1186/1471-244X-9-43>
- Holt, K. H., Kissinger, J., Spickler, C., & Rush, V. (2021). Pornography use and sexual offending: An examination of perceptions of role and risk. *International Journal of Offender Criminology and Comparative Criminology*. Advance online publication. <https://doi.org/10.1177/0306624X211049183>
- King, C. K., & Rings, J. A. (2021). Adolescent sexting: Ethical and legal implications for psychologists. *Ethics & Behavior*. Advance online publication. <https://doi.org/10.1080/10508422.2021.1983818>
- Lee, A. F., Li, N.-C., Lamade, R., Schuler, A., & Prentky, R. A. (2012). Predicting hands-on child sexual offenses among possessors of internet child pornography. *Psychology, Public Policy, and Law, 18*(4), 644-672. <https://doi.org/10.1037/a0027517>
- Ly, T., Dwyer, R. G., & Fedoroff, J. P. (2018). Characteristics and treatment of internet child pornography offenders. *Behavioral Sciences and the Law, 36*(2), 216-234. <https://doi.org/10.1002/bsl.2340>
- Seto, M. C., Hanson, R. K., & Babchishin, K. M. (2011). Contact sexual offending with men with online sexual offenses. *Sexual Abuse: A Journal of Research and Treatment, 23*(1), 124-145. <https://doi.org/10.1177/1079063210369013>
- Wollert, R., Waggoner, J., & Smith, J. (2012). Federal internet child pornography offenders: Limited offense histories and low recidivism rates. In B. K. Schwartz (Ed.), *The Sex Offender: Current Trends in Policy and Treatment Practice: Vol. 7*. Civic Research Institute.

**MCLE for Attorneys:** This presentation will be relevant for attorneys who are involved in defending allegations of sexual abuse, sentencing hearings for sexual offenders, and SVP civil commitments.

**Curriculum Content:** This presentation meets continuing education criterion number one and three. The presentation content focuses on application of psychological assessment methods (that have overall consistent and credible empirical support in the contemporary peer reviewed scientific literature beyond those publications and other types of communications devoted primarily to the promotion of the approach) to predict risk of sex offending against children. In addition, the presentation content focuses on topics related to psychological practice other than application of psychological assessment and/or intervention methods that are supported by contemporary scholarship grounded in established research procedures, specifically, research related to risk of sex offending against children.

**Biography:** Hollida Wakefield, M.A., is a forensic psychologist in private practice in Northfield, Minnesota who has been involved in legal cases involving sexual abuse allegations since the 1980s. She has published articles and books and given presentations in the areas of psychology and law, sexual abuse allegations, the nature of memory, interviewing children, and nonvoluntary confessions.

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3:30-4:15 PM

**Concrete and Symbolic Thinking**

William Marek, Ph.D.

**Abstract:** Yochelson & Samenow (1976) wrote the definitive treatise [The Criminal Personality: A Profile for Change] on criminals. They explain how and why criminals think and behave the way they do, debunking the hoary rationalizations still used today by society's well-meaning (but inaccurate) psychological and societal apologists. The first half of this presentation reviews how their "concrete thinking" criminal personality element underpins the cognitive and behavioral characteristics of a criminal...and many of the personality disorders, as well. The latter half reviews symbolic thinking, generalization, transfer of learning, external validity, portability, and behavioral analysis.

**Learning Objectives:**

At the conclusion of this presentation, attendees will be able to:

1. Define and discuss concrete/symbolic thinking and how it best explains criminals' behavior.
2. Define and discuss concrete/symbolic thinking and their relationship to learning.
3. Discuss the relationship between symbolic thinking and behavioral analysis.

**Relevant References:**

- Ercikan, K. & Roth, W.-M. (2014). Limits of generalizing in education research: Why criteria for research generalization should include population heterogeneity and uses of knowledge claims. *College Teachers Record*, 116(5), 1-28.
- Osnes, P. G., & Lieblein, T. (2003). An explicit technology of generalization. *The Behavior Analyst Today*, 3(4), 364-374. <https://doi.org/10.1037/h0099994>
- Yochelson, S., & Samenow, S. (1976). *The Criminal Personality*. Aronson.

**MCLE for Attorneys:** Prosecutors will be able to use information obtained in this presentation to help refute the claims made by defense attorneys about their clients. Criminal defense attorneys will better understand their clients' behaviors.

**Curriculum Content:** This presentation meets continuing education criterion number three by reviewing criminological practice, theory and education, as formulated by Yochelson & Samenow. It then demonstrates how their work can improve service to the public and enhance contributions to psychology and society.

**Biography:** William Marek, Ph.D., is a psychologist with 30 years of experience in federal and state prisons.