



From the President-Elect

Taking Psychology and Law into the 21st Century: A Proposed Presidential Initiative

James R. P. Ogloff
AP-LS/APA Division 41 President-Elect

I. Background

As we enter the next millennium, the American Psychology Law Society will be just over thirty years old. In that time, we have grown to become a medium-sized division of the American Psychological Association. Article I(2) of our by-laws specify that "the purposes of the Society shall be:

- a. To advance the contributions of psychology to the understanding of law and legal institutions through basic and applied research;
- b. To promote the education of psychologists in matters of law and the education of legal personnel in matters of psychology, including the appropriate use of psychologists in the legal system; and
- c. To inform the psychological and legal communities and the general public of current research, educational, and service activities in the field of psychology and law.

As the above purposes indicate, we exist both as a collegial organization that enhances the interaction of scholars and practitioners in our field and as a mechanism for driving our field. While we have grown, we have developed many programs to facilitate these ends; however, the new millennium offers an opportunity to re-evaluate our society and our field.

Along with the growth of AP-LS has come an increased work load for division officers. Speaking with past presidents, and drawing upon my own experience chairing committees and serving as treasurer, I have learned that the presidential year is spent juggling paper and working from one task to another. Following the model of other associations, it is useful to establish presidential initiatives that may be undertaken during the three year term of the presidential officer. Such initiatives would enable the presidential officers to undertake longer-term projects and allow them to focus their energy beyond the daily tasks of taking care of business as president.

Continued on page 2

Inside...

Minutes from AP-LS	5
Test Review: VIPJ	11
Bylaws Ballot	15
Test Review: TOMM	16
Division 41 APA Meeting Agenda	19
Expert Opinion	25
Funding Opportunities	27
Upcoming Events	28
Student Column	31
Call for Papers and Manuscripts	33
Fellowships and Positions	34
Forensic Psychology as a Specialization	36
AP-LS Membership Application	44

From the Editor

The Redondo Beach meeting, as many of you know, was an astounding success with attendance at an all time high, and a greater number of presentations than ever. People are already planning for the next Biennial, to be held in New Orleans in 2000.

Included in this issue of the newsletter is the division's schedule for the APA meeting in San Francisco. Edie Greene and Dale McNeil put an excellent program together and I hope to see all of you there. Also presented in this issue is a Presidential Initiative proposal by President Elect Jim Ogloff. A discussion of the specialty petition is included, and for those of you who are clinically focussed, reviews of two recently released instruments with potential forensic applications-the TOMM and VIP-are inside. Also, proposed by-law amendments are included - please don't forget to vote.

We are always looking for contributions to the newsletter, and the Executive Committee is eager to involve more members in the work of the organization more generally. Please feel free to contact me or other members of the Executive Committee to express your interest in terms of participating in division activities.

Randy Otto ■

The AP-LS NEWS is published 3-4 times a year by the American Psychology-Law Society/Division 41 of the American Psychological Association, 13301 Bruce B. Downs Blvd. MHH-115, Tampa, FL 33612-3899.

From the President-Elect

Taking Psychology and Law into the 21st Century, *cont...*

Continued from page 1

It is my intention, as president-elect, to initiate and facilitate a planning and implementation process to ensure that AP-LS is responsive and sensitive to the needs of our diverse membership. Moreover, the proposed initiative will play an appropriate role in reviewing the state of our field to determine both where we have been and where we should be going in the new millennium.

II. The Initiative

The proposed initiative will focus on a planning process that will consider the state of AP-LS and the state of the discipline. At the end of this process, it is my hope that we will enter the new millennium with a stronger society and a discipline better equipped to satisfy the purposes of AP-LS, as articulated in Article I(2) of the by-laws. The initiative includes two separate, but related, emphases, each with a number of related issues and/or tasks to be completed.

A. The Society: Accommodating Change and Diversity

While the past three decades have seen our society grow steadily, the organizational structure itself has not been altered considerably. The presidential initiative will address three particular issues.

1. Balancing the interests of science and practice. One of the benefits and strengths of our society is that it includes both scientists and practitioners. Generally speaking, a healthy tension exists between these

groups. This tension is beneficial because it encourages the exchange of information, ideas, and opinions. On rare occasion, the tension can increase to the point where the dialogue becomes stifled. It is important, therefore, to address this tension and to strike a balance that enables us to maintain a healthy tension. Admittedly, this is a difficult issue, but one with which we must wrestle now.

2. Managing growth and affecting change. As noted above, the organizational structure of AP-LS has not changed significantly for many years. We must ensure that the Executive Committee is representative of the many interests of the society's members. Some divisions of APA have established vice-presidential positions to better represent the interests of members. For example, we might consider developing vice-presidential positions to help balance the interests of science and practice discussed above.

Along with considering the current organizational structure, we need to be more inviting of new members and those who have not been involved in the division to take a more active role. In particular, I will take an active role in inviting individuals to participate in the division.

Continued on page 3

Drawing upon the initiative of APA President-Elect Richard Suinn, it is timely for us to consider issues in our division surrounding race and ethnicity. In particular, we must continue to strive for the recruitment and inclusion of greater representation of members in AP-LS and in positions of authority within the society.

In addition to trying to get new members involved, I would like to see a recruiting campaign directed toward law professors, lawyers and judges. As our field gains greater recognition in the law, it is important to welcome members of the legal profession into the "society."

Apart from organizational and membership issues, it would be timely to consider and review the AP-LS specialty guidelines for forensic psychologists, and other similar documents that may exist.

3. Relationships with APA and other organizations. Obviously, the relationship with the "division" and the "society" is cemented in place and has proved to work well. Attention must be paid, though, to our ongoing relationship with APA and with other organizations, both within APA and external to APA. In particular, we must consider the following:
 - a. The extent to which our division is a part of APA. For the most part, our relationship with APA may be best expressed as one at "arms length." Unlike many other divisions, we tend to play a limited role in the operation of APA.

- b. Given the very substance of our division, it is critical that we consider a more formal relationship with APA's Committee on Legal Issues (COLI) and with the office of APA's counsel. Recently, letters have been exchanged between AP-LS and COLI moving us in this direction.
- c. To the extent that our membership overlaps, we cannot overlook the need to consider our relationship with the American Academy of Forensic Psychology. At the very least, for example, we might explore the possibility of entering an agreement to hold biennial meetings in cooperation with AAFP.
- d. Informal talks have begun with the American Association of Correctional Psychology. Action will be taken to review the possibility of a closer relationship. Such relationships may provide a benefit to our members, and may attract new members.
- e. A number of AP-LS members are members of the American Psychological Society and there exists the possibility of considering our relationship with that organization.

It is my hope that many of the issues and questions raised in this part of the initiative may dovetail with the proposed strategic planning process the EC has planned to undertake. If not, it is important that we consider these issues in other fora.

B. Reviewing the Discipline: Bridging the Future

The discipline of psychology and law has developed more by accident than by plan. While some could argue that this has served us well, the simple fact is that our discipline has been relatively ineffective in the law. Of more concern, perhaps, is that we have been at least as ineffective in influencing psychology more generally. As stated at the outset of this document, the first purpose of AP-LS, as provided Article I(2), is "to advance the contributions of psychology to the understanding of law and legal institutions through basic and applied research." This part of the initiative will consist of a review of the field, with the goal of reviewing where areas of research "have been," where they are now, and where they should be headed in the future.

The initiative I propose will draw upon the "state of the discipline" project that Gary Melton initiated approximately a decade ago. At that time, the initiative was halted because of the very precarious financial position of AP-LS. At the present time, we have considerable cash on reserve, a small portion of which could be devoted to reviewing the discipline.

While the initiative I propose is consistent with that proposed by Gary Melton, I would envision the review of the discipline much like a program evaluation of each of a number of areas within our field. Furthermore, following from the theme of the approaching millennium and "taking psychology and law into the twenty first century," I would like to see this part of the initiative bridge the generations of

Continued from page 3

researchers. In particular, the outline of this initiative is as follows:

1. Identify a limited number of areas to be reviewed within the field.
2. Organize a small working group to review the area. Each working group would consist of a senior scholar in the area, a junior, but well-recognized scholar, and a senior graduate student or postdoctoral fellow who shows great promise in the area.
3. Bring together the members of all of the working groups for an intensive three day working session. The final day of the meeting will be spent sharing information with the members of the other groups
4. Following the meeting, each group will prepare its reviews. In addition to providing a critical review of the research within an area, the focus of the review will be on suggesting future directions for the research to take (both methodologically and substantively).
5. In addition to the specific areas identified, consideration also will be given to "new" or developing areas that might be considered.
6. The products of the reviews would be published together in an edited book and would be presented at AP-LS meetings.

III. The Time Line

The first phase of the initiative is a consultative one. This brief document is intended to spawn discussion and to facilitate the sharing of information.

The initial consultative phase will continue until August 1998, at which time I would like to have an action plan in place. From now until August people will be invited to comment on the initiative and to make suggestions. As wide a constituency as possible will be consulted, using the newsletter, the website, and the Psylaw listserve. The final plan will be presented at the AP-LS EC meeting in August 1998 for approval. The time line of the work for the organizational review will depend upon the strategic planning process. During the 1998/1999 presidential year, I would like to see most of the actual work done.

Participants for the discipline reviews would be identified by or immediately following the EC Meeting at the 1998 APA convention. The working meeting for the discipline review will take place in the spring of 1999, with the reviews final reports prepared by the end of 1999. The reviews would be presented at the 2000 biennial meeting and a the APA conference that year.

I invite members' thoughts and comments about my proposed initiative. Please contact me at Department of Psychology, Simon Fraser University, Burnaby, British Columbia, C A N A D A , james_ogloff@sfu.ca ■

Minutes from...

AP-LS Executive Committee Meeting

AP-LS/Division 41 of the APA

Match 5, 1998

Submitted by

Diane R. Follingstad, Secretary

Attending Members and Committee Chairs:

Jack Brigham, Laurie Butts, Diane Follingstad, Solomon Fulero, Gail Goodman, Edie Greene, Patty Griffin, Tom Grisso, Stephen Hart, Wendy Heath, Dale McNeil, Steve Norton, Jim Ogloff, Randy Otto, Steve Penrod, Marisa Reddy Pynchon, Ronald Roesch, Barry Rosenfeld, Alan Tomkins, Rich Wiener, Melissa Warren, Melissa Westerdorf, Beth Wiggins

Approval of Minutes

The minutes from the August 1997 meeting of the Executive Committee at APA were presented. Jim Ogloff moved that the minutes be approved and Randy Otto seconded the motion. The minutes were approved unanimously.

Executive Committee Membership

There has been some confusion as to the status of editors as voting members on the Executive Committee. Discussion ensued that the editors should be at the EC meeting for input, but there were differences in considering whether they should be able to vote.

Motion: Solomon Fulero moved that we amend the bylaws by removing the word "voting" in section 3B and 4 under article V of the Bylaws where it refers to the editors of the Newsletter and the Journal effective as of the EC meeting in the year 2000. Section 2a under article IV will be amended by adding after the first sentence that all three editors be exofficio members. This was seconded by

Mark Small. The motion passed with two abstentions.

Treasurer's Report

Mark Small presented the 1997 budget. The income for 1997 was \$137,810 while the expenses totaled \$116,354. Both income and expenses exceeded the budget. Income and expenses fairly closely approximated each other.

There has been some confusion about reimbursement of expenses for EC members. The original understanding was that reimbursement would take place for airfare (excursion) and two nights hotel. There was a need to determine what the policy is for this.

Motion: Jim Ogloff moved that the EC members including exofficio members be reimbursed for two nights hotel and excursion airfare except the president who is reimbursed for all expenses effective immediately. Randy Otto seconded the motion. The motion passed unanimously.

Mark Small recommended that any EC members who want input on necessary expenses for 1998 and 1999 budgets contact him directly.

Motion: Solomon Fulero moved that the two program chairs (for both the Biennial and the APA conference) for the current conference they chair, be reimbursed for their hotel for the entire conference and airfare. Rich Wiener seconded — passed unanimously.

Re: Caton Roberts' video project had been allocated \$5000, but was to be completed March 15, 1998. Solomon Fulero moved that we extend the deadline for one year to the Midwinter Winter 1999 meeting at which time the funding will

no longer exist (but with reimbursement of expenses to that time) and Mark Small seconded this. Seven in favor; two opposed, one abstention.

Mark Small asked for clarification as to whether the EC wished to continue to pay dues to certain organizations. We have historically paid dues to the Fed. / Behav, Psych, CogSc organization and sentiment was to continue. The Executive Roundtable of Practice Divisions (of APA) also received support to continue, but the Assem. Scient.Prac Psychology was removed.

Report of the Conference Committees

1998 Biennial Conference

Beth Wiggins and Melissa Warren are co-chairs for this Biennial Conference. More than half of the submissions were rejected as original requests (e.g., as a paper presentation) due to lack of space. Many papers were moved to poster sessions in order to accommodate them, thus the poster session is extremely large. Quality remains high in terms of submissions. Approximately 80% of the submissions are reflected in the program.

Over 443 individuals had already registered and numerous on-site registrations were expected. Income is estimated to be \$42,055 and expenses are expected to be approximately \$41,700.

Students who are first author paper presenters or first author poster presenters will receive an equal portion of the \$4000 allocated for student presenters for student travel (divided by the number of

Continued on page 6

Minutes from...

AP-LS Executive Committee Meeting, *cont...*

Continued from page 5

the students meeting this criteria and being present at the conference). This should be a regular part of the Division budget (for AP-LS conferences only) rather than the Conference budget.

Melissa Warren and Beth Wiggins were thanked for the tremendous effort they have put forth for this conference.

1998 APA Conference

Edie Greene is the chair and Dale McNeil is the co-chair for the Division 41 meeting at the APA Conference in 1998.

Submissions were up twice what they were the prior year. Unfortunately, a number of symposia had to be rejected due to not having enough hours (approximately 45% being accepted). Approximately 85% of the papers and posters were accepted. Some papers were moved to the poster session. Quality of submissions was high.

Henry Steadman is receiving the AAFP Outstanding Contributions Award.

Betty Bottoms will be receiving the Saleem Shah Award for Early Achievement in Research.

Lawrence Wrightsman will be making an invited address on "Supreme Court Decision-making."

Dale McNeil has organized a panel related to policy for AIDS entitled "Updates on AIDS/HIV and the Law."

The EC meeting is scheduled for Thursday afternoon prior to the conference beginning on Friday.

A Hospitality Suite will be available and some of those whose symposia were rejected may present in the hospitality suite.

The budget for the Social Hour will be approximately the same as the prior year. AAFP will be asked about a contribution for the Social Hour.

Margaret Bull Kovera will be the co-chair with Dale McNeil for the Division meeting at the 1999 APA Conference. She will then be the chair for the 2000 meeting.

2000 Biennial Conference

Marisa Reddy Pynchon and Randy Borum are the co-chairs for this meeting.

The EC members decided on the host city for the Biennial. New Orleans, Orlando, Galveston Island, and Tampa/St. Petersburg/Clearwater were considered. Marisa Reddy Pynchon recommended New Orleans based on it being ranked as a highly desirable site, reasonable hotel rates, accessibility, and availability of activities. Also, the convention bureau has been very helpful.

Motion: Diane Follingstad moved that we have the 2000 Biennial Conference in New Orleans the weekend of March 8-12, 2000. Jim Ogloff seconded the motion. The motion unanimously passed.

Marisa Reddy Pynchon and Randy Borum were commended for their efforts in getting this information so early and working in conjunction with AAFP.

Marisa Reddy Pynchon recommended the Hyatt Regency New Orleans due to the hotel rates. The conference will be expanded to three days over the current 2-1/2 days.

Consideration of Special Issues

Second APA Council Seat

Division 41 received a second APA council seat, necessitating the election of a second representative.

Affiliate Status of High School Teachers

The approved bylaw amendment will be put in the Newsletter for voting by the membership.

American Bar Association/ AP-LS/APA Projects

APA and ABA are conducting a joint conference on Psychology and Criminal Law in October 1999. There is the necessity to nominate a coordinating person for Division 41 to work with the group to coordinate the Conference and be part of the steering committee that would represent APA in discussions and planning with the ABA. Nominations will be made to Jack Brigham who will appoint someone.

Alan Tomkins is a co-chair of COLI which will be the entity within APA handling this with the ABA.

Jack Brigham will appoint a representative, after receiving nominations, to be part of a working group to explore the establishment of an Institute on Family, Marriage, and Divorce.

The Future of AP-LS

Jim Ogloff, as the incoming President, delivered a proposal for "Taking Psychology and Law into the 21st Century." He delineated two concerns — determining where we sit as an organization in relation to other organizations and where we should be going.

To this end, Jim will solicit input from four other people to be involved in thinking through these questions. In addition, he would solicit input from a wide range of division members in general. The goal at present is to have a formal proposal ready by the August 1998 meeting.

Jim Ogloff would like to address the following issues: Balancing the interests of science and practice; Managing growth and effecting change; and Developing our relationships with APA and other organizations. "Balancing the interests of science and practice" would

Continued on page 7

be geared to encouraging the exchange of information, ideas and opinions. "Managing growth and effecting change" is needed to ensure that the executive committee is representative of the many interests of the society's members. The current organizational structure could be developed and/or revised as well as finding ways to increase involvement from a broader range of individuals in the division. This area was also seen as the one which would address race and ethnicity issues in our division. Recruitment of persons in the law profession would also occur. "Relationships with APA and other organizations" would consider what our current and ongoing relationship with APA and other organizations might be. This would be done with an eye to developing more formal relationships with some organizations and beginning contact with other organizations.

Jim Ogloff would also like to develop a "state of the discipline" project to identify a limited number of area to be reviewed within the field. Each area could determine what has been done to date and where the area should go in the future. These reviews could be published in an edited book and presented at AP-LS meetings.

His intention is to have an action plan in place by August 1998. Budget considerations must be taken into account, which would be approximately \$15,000-\$20,000. He proposed meeting at Simon Fraser University where the cost of the rooms and some other costs can be provided by the University.

AP-LS Website

The Website has been up and running, supervised by Steven Penrod. Newsletters are getting out as promptly as possible. Steve inquired into the possibility of putting abstracts from the conference on the Website.

Steve Penrod would like the EC to consider whether we would be willing to move the Newsletter to the Website, thus avoiding printing and mailing costs.

Steve Penrod is also looking for a commitment for continuation of funding for students to put information on the Website.

Psychology and Law International Conference in Dublin, July 1999

This will be the first joint conference between AP-LS and the International Psychology and Law Association. It will take place in Dublin in July 1999. The first notice and call for papers will be coming soon and go to all members of AP-LS. The deadline is likely to be sometime in the fall 1998. An edited book is published after every conference.

Ronald Roesch is coordinating submissions from the United States and Canada for this conference.

APS Summit Meeting of Scientific Psychological Societies

This summit meeting will occur May 1-3, 1998 and is being hosted by the University of California, Santa Barbara. Jack Brigham and Richard Wiener will be the two representatives from our organization and members are encouraged to email them with any issues which you would want them to bring up at this summit.

The theme of the summit is "Advancing the Scientific Base of Psychology: Achievements, Opportunities, and Obstacles." The objective will be to develop specific strategies and actions for promoting achievements in the field and for overcoming obstacles to further progress.

APA/APL Presidential Plaque

The division sought approval from APA to have early AP-LS presidents included on this plaque. This was recently approved. The degrees of the presidents were also tracked down for inclusion on the plaque. The plaque should be ready soon and on display at APA.

Student Section Report

The website is not up and running quite yet, but is in progress. This is expected to be a place where students can share information and

ideas as well as to find others to share expenses with while attending conferences.

The Student Section was extremely pleased with the response to the APA Symposium on Internships and Careers at the Division 41 meeting in Chicago.

During the Biennial, they are hosting a workshop on Forensic Evaluations on the first day of the conference. There will also be an informal Social Hour for students.

Another symposium for APA 1998 is being planned on opportunities for research funding for students.

Report of the Standing Committees

Awards and Nominations Committee

We currently need to have an election for several offices and the second APA Council Representative.

The recommended slate for President-Elect is:

Larry Wrightsman
Murray Levine

The recommended slate for Council Representative is:

Don Bersoff
Jane Goodman-Delahunty

The recommended slate for Member at Large is:

Dick Repucci
Edie Greene
Melissa Warren

Motion: The Awards and Nominations had considered giving an award for Distinguished Contributions to Psychology and Law to Larry Wrightsman. Solomon Fulero moved that the EC give such an award to him to be presented at APA 1998. This was seconded by Mark Small and passed unanimously.

Careers and Training Committee Report

The committee developed a document meant to handle the frequently asked questions about forensic psychology by high school and college students. It includes:



Minutes from...

AP-LS Executive Committee Meeting, cont...

Continued from page 7

a general overview of psychology and law, frequently asked questions (and answers); a description of the subfields of psychology and law (developmental, clinical, cognitive, social), a description of various kinds of training models, updated information on various programs, and a list of general references. The document is open for review and comments should go to Steve Norton for any suggested changes or additions. These should be in by June 1st. The document is meant to be available on the AP-LS website. It will also include the AP-LS application for easy usage.

Motion: Jack Brigham moved that \$1000 be allocated for printing costs for this document. Jim Ogloff seconded this motion which passed unanimously.

Caton Roberts is nearing completion on the videotape on competency that includes professionally taped interviews with judges and attorneys and videotaping related to assessment and treatment of competency defendants and a mock competency issues group.

A fourth edition of the syllabus collection is soon to be available on the AP-LS Website. This project is being overseen by Larry Heuer.

The Handbook of Teaching Materials for Psychology and Law has been updated. Copies can be requested from Edie Greene.

Randy Otto and Gail Vant Zelfde have prepared a directory of internship and post-doctoral training opportunities in clinical-forensic psychology. The directory is available from Randy Otto at cost.

Dissertation Awards Committee

The 1997 Dissertation Award recipients are:

- 1) David Glass, J.D., Ph.D.
Title: The effectiveness of perceived coercive and

noncoercive pressures to enter methadone maintenance treatment for heroin addiction.

Chair: Don Bersoff

- 2) Stephen J. Anderer, J.D., Ph.D.
Title: Development of an instrument to evaluate the capacity of elderly persons to make personal care and financial decisions.

Chair: Christine Nezu

- 3) Richard E. Redding, J.D., Ph.D.
Title: Relationships between lawyers' socio-political attitudes and their judgments of social science in legal decision making.

Chair: Dick Reppucci

All recipients were notified of the upcoming awards and presented their work at the 'Winners' Circle at the Poster Session at the Biennial conference. Caton Roberts heads this committee.

Educational Outreach Committee

An announcement regarding the Educational Outreach program was posted on the Website, to the PSYLAWS, Social Psychology, and Law Professors lists.

Steve Penrod traveled to the Grant Sawyer Center for Justice Studies at the University of Nevada at Reno on November 18-19, 1997 to present a two-hour public lecture and a 1-1/2 hour seminar. The lecture was entitled "Free press and fair trials: How great is the tension?" and the seminar was entitled "Scientific evidence in the post-Daubert era."

The committee, headed by Solomon Fulero, is currently in the final stages of planning a second presentation at the College of Wooster in Wooster, Ohio, which will likely occur in the Spring quarter of this academic year.

Fellows Committee

This committee has been headed by Murray Levine. There have not been many applicants asking for forms.

Grants-in-Aid Committee

Wendy Health is chairing this committee. In the past year, the committee received 45 proposals for funding.

In the Fall of 1997 the committee awarded \$5269.50 to 11 of 22 applicants with awards ranging from \$397.50 to \$500. Currently, the committee is deciding among 23 proposals.

The Fall 1997 cycle was the first cycle for which there was increased funding and allowed the committee to fund a larger number of worthy proposals.

Matt Zaitchik was added to the committee in order to have two members of the committee with a clinical or forensic background.

65% of the submissions came through e-mail, increasing the percentage of proposals being submitted in this fashion.

In the Spring 1998 cycle, 4 of the 23 applications were previous AP-LS recipients. These applicants were asked to submit abstracts indicating that the previously funded research had been completed.

It was recommended by the committee that the proposal submission deadline be the date by which proposals have to arrive as opposed to a postmark date.

Law and Psychology in Corrections

David Glenwick is the current president of the Association of Correctional Psychology, which is an organization independent of APA. This association is examining the possibility of closer ties to APA. Among the options they are considering are a) forming a new APA Division, or b) being more involved in a section of an existing Division. Currently, Division 18

Continued on page 9

Continued from page 8

(Psychologists in Public Service) has a section on corrections. Division 41 has a committee in this area, chaired by Melissa Warren. Dave Glenwick was inquiring as to whether AP-LS would have any interest in creating a section for psychologists involved in corrections.

Most members of the EC felt that a new Division would not be a useful direction to go as our Division seemed very appropriate for psychologists in corrections. Others thought a new Division would be fine and might complement our Division.

There was a proposal to form an ad hoc committee to address these issues and whether Division 41 would be a reasonable division for them to join. This committee could include David Glenwick, Steve Norton and some representatives from Division 41.

APA/AP-LS Liaison Committee
Marsha Liss chairs this committee. She received a report from the APA Public Policy Office for the APA Council and abstracted the following points most relevant to AP-LS:

APA worked on projects addressing Juvenile Justice involving incarceration of minors, overrepresentation of minority juveniles, and protection for status offenders.

APA lobbied for funding for the Violence Against Women Act which addresses domestic violence and stalking.

Gay and lesbian issues were addressed in the Employment Non-Discrimination Act.

APA examined hate crimes and advocated for the inclusion of questions about hate crimes in the National Victimization Survey.

APA lobbied against the diminution of affirmative action policies at the national, state and local levels.

The Public Interest Directorate continues to work on issues related to the interests of AP-LS members with respect to the Presidential Task Forces on violence and adolescent girls.

The Public Interest Directorate sponsored a brochure on teen dating and violence entitled "Love Doesn't Have to Hurt," to be published Fall 1998.

A brochure entitled "Protecting our Children from Child Abuse and Neglect" will be published in Summer 1998. The full report of the Child, Youth, and Families Committee will be arriving in the near future.

Membership Committee

This committee is headed by the Secretary of AP-LS, Diane Follingstad. Currently, there are 1,928 APA members who are members of Division 41, 160 members-at-large, and 467 students. This represents a slight increase from the statistics gathered for the 1997 meeting at the APA convention. This fall and early winter, Cathy Oslzly sent out over 800 applications to individuals who indicated an interest in Division 41 on the APA interest form.

Cathy Oslzly is going to be moving all of the membership records over to the Access software. For the 1998 billing and on new member applications, she will be asking for gender/ethnicity information. She expects that this information will be ready to disseminate by the August 1998 meeting.

There were no member-at-large applicants who did not meet the basic requirements, therefore no applications required a waiver by the EC.

Publications Committee

Law and Human Behavior. Richard Wiener is the editor of *LHB*. Since taking over as editor of the journal in December, 1996, he has received 139 submissions. Of these, 26 (19%) are currently under review, 8 (6%) are actively being revised and resubmitted, 26 are inactive (in which the authors were asked to revise and resubmit these

manuscripts), 62 (45%) were not suitable for publication and 17 (12%) have been accepted for publication. Assuming that half of the 8 papers currently being revised and resubmitted are accepted, the overall publication rate for the journal since December 1996 will be 21/139 (15%). Thus, the best estimate of the overall rejection rate is about 85%. During the calendar year 1997, Richard Wiener received a total of 121 submissions. For the calendar year 1998, he has completed four out of six editions and is almost finished filling the 5th (October 1998) edition. The first edition of 1998 was a special edition on *Gender and the Law*, edited by associated editor, Pat Frazier and her graduate student, Jennifer Hunt, at the University of Minnesota. (For this special edition, 27 papers were submitted and 5 were accepted for a rejection rate of 82%.) The editor has scheduled two additional special editions, one for 1999, and one for the year 2000. Jim Ogloff will edit the special edition for 1999. The title of that special edition is: "The First 20 years of Law and Human Behavior." Randy Otto and Randy Borum will edit the special edition for the year 2000. The topic of that special edition is not yet set, but is likely to focus on empirical advances in forensic assessment.

Richard Wiener has maintained the student reviewer format that was originated by the former editor, Ronald Roesch. Richard Wiener also utilizes three reviewers for each manuscript. Submission topics remain skewed toward jury decision making, eyewitness identification, and predicting violence. More papers in other topics have been submitted of late.

Book Series. Ronald Roesch is the person coordinating the book series. The following books are under contract:

Grisso, T., & Borum, R. *Evaluating competencies*. (January 1999)

Haney, C. *Capital punishment as a sociological system: Empirical studies of death-based justice*. (September, 1998)

Continued on page 10



Minutes from...

AP-LS Executive Committee Meeting, cont...

Continued from page 9

Haney, C. Psychological jurisprudence: Law, behavior and the promise of legal change. (April, 1998)

Wiener, R. A social analytic examination of sexual harassment law, policy and research. (July 1998)

Woolard, J., & Reppucci, N.D. Juvenile accountability. (January 1999)

Wrightsmann, L. Judicial decision making: Is psychology relevant? (April 1998)

The edited book with Ronald Roesch, Steve Hart and Jim Ogloff entitled Psychology and Law: The state of the discipline has been submitted to Plenum and will be published later this year. Kirk Heilbrun has submitted most of his book to Tom Grisso, who will carry on as editor of this book. There is one proposal under consideration.

Ronald Roesch is still looking for more proposals as Plenum seems enthusiastic about publishing a substantial number of books in this series.

Relations with Other Organizations Committee

Barry Rosenfeld heads this committee. He reported that recently a symposium of AP-LS was completed at the annual meeting of the American Academy of Forensic Sciences. AAFS is a broad, multidisciplinary organization that includes a wide range of professionals who work in various forensic arenas, but has traditionally had relatively little participation from psychologists. The symposium of AP-LS members represents the second year in succession that we have organized such a panel, in hopes of increasing the ties between AP-LS and AAFS. This year's symposium was on recent issues in the prediction of violence and featured presentations by Dale McNiel, Dan Martell, and David Faigman. The panel was very well received by the organization and

will likely be repeated again next year with different speakers and a different topic.

Also under development is a proposal by Lisa Berman to organize an interdisciplinary day-long conference on divorce mediation with attorneys and psychologists to discuss the various law/psychology issues involved in mediation. Further work on such a conference may be pursued pending general interest from AP-LS members and the EC.

Scientific Review Paper Committee

There has been a review paper out for a period of time now. The topic is "Eyewitness identification procedures: Recommendations for lineups and photospreads." Authors are Gary Wells, Mark Small, Steven Penrod, Roy Malpass, Solomon Fulero, and C.A.E. Brimacombe.

Motion: Rich Wiener moved that this paper be designated as an AP-LS Scientific Review Paper. Diane Follingstad seconded the motion. The motion passed unanimously. The paper will be submitted to the peer review process for Law and Human Behavior.

Richard Wiener will be submitting an announcement in the next Newsletter asking for ideas for additional scientific review paper topics as no other subcommittees are active at this time.

Report of APA Council Representative

Tom Grisso is the current APA Council Representative. He reported on matters of interest for Division 41 which included the following:

The Guidelines for Psychological Evaluations in Child Protection Matters was passed.

The Plan for Division Dispute Resolution was postponed and referred to the divisions for their review.

APA is debating whether "clinical" as a term should ever be attached to define specialties other than "Clinical." An ad hoc committee will be discussing this.

Several amicus briefs were filed re: Hudgins v. Moore and Huntoon v. TCI Cablevision. Tom Grisso did not feel Division 41 needed to take any action on these.

In March, the APA Website will provide the near-final draft of the revision of the Standards for Educational and Psychological Tests for member review and comment.

School Psychology was approved as a specialty. Clinical and Counseling are expected to soon be approved as specialties.

Progress continues on APA/ABA joint initiatives through the efforts of COLI.

Catherine Acuff (COPPS) asks for authors of chapters for a book related to the APA Child Custody and Child Protection guidelines.

Alan Tomkins has invited APA's publication office to videotape the Redondo Beach session on judicial review of admissibility of repressed memory testimony. A financial arrangement is proposed involving sales of the videotape by APA, with profit sharing by AP-LS and APA Publication Office. ■

Instrument Review

The Validity Indicator Profile:

Review of a New Instrument to Assess Response Style

Michael Gamache
Private Practice/Tampa, Florida

Validity Indicator Profile (VIPJ), 1997, National Computer Systems, Inc., P.O. Box 1416 Minneapolis, MN 55440. Created by Richard I. Frederick, Ph.D. Available from NCS Assessments, 1-800-627-7271. Preview package includes VIP manual, one test booklet, and three answer sheets for three interpretive reports, \$98.00

Overview and Background

Richard Rogers is generally credited with stimulating a dramatic increase in efforts to detect malingering and deception in the context of psychological and neuropsychological examinations. Since the publication of the first edition of *Clinical Assessment and Malingering* (Rogers, 1988, 1997), there has been a concerted effort to establish new methods, criteria and technology for the detection of effort in general and malingering in particular. Rogers, Harrell & Liff (1993) later encouraged the development of specific measures to detect malingering in neuropsychological examination and identified six strategies for detecting feigned neuropsychological impairment, including: floor effects, symptom validity testing, performance curves, magnitude of error, atypical presentation, and psychological sequelae.

The importance of specific examination of malingering, deception and effort in neuropsychological examination is underscored by recent research suggesting that the base rate for

malingering or deception among individuals claiming cognitive impairment may range from 20% (Griffin et al., 1996) to 40% (Greiffenstein, Baker & Gola, 1994), with some studies suggesting much higher rates of dissimulation in select populations. Multimodal assessment of effort, motivation and deception is a necessary component of evaluations involving presenting complaints of a cognitive or neuropsychological nature where there is the potential for secondary gain.

The Validity Indicator Profile (VIP) was designed to be incorporated as one element of a multimodal assessment strategy that would enable the examiner to conduct a general assessment of response style, including invalid response styles in addition to outright malingering or intentional deception. By design, it incorporates floor effect, symptom validity testing, performance curve and atypical presentation strategies.

Early work by Richard Frederick (Frederick & Foster, 1991), the author of the VIP, building on the forced choice technique for detecting malingering served as the foundation for the Validity Indicator Profile. Rather than relying strictly on binomial theorem and less than chance performance as is typically the case with Symptom Validity Testing, Frederick & Foster set out to establish multiple measures or indices of malingering utilizing the forced choice paradigm.

In 1994, Frederick (Frederick et al., 1994) published a validation study of response bias using a forced choice modification of the Test of Nonverbal Intelligence (Brown, Sherbenou & Johnsen, 1982). This forced choice modification of the TONI, following the general paradigm of Symptom Validity Testing, became the foundation for the nonverbal subtest of the VIP. To complement the nonverbal portion of the test, the authors

simultaneously developed a verbal, forced-choice subtest following the same basic principles for administration and assessment. The verbal and nonverbal subtests, together or independently, are *...intended to provide a broad spectrum of information about an individual's performance on an assessment battery to indicate whether the testing should be considered representative of his or her true overall capacities.* The Validity Indicator Profile is promoted as an *...objective measure to evaluate an individual's motivation and effort during cognitive testing.*

In formulating the VIP, Frederick conceptualizes the factors affecting cognitive test validity to vary along two dimensions— motivation and effort. Frederick described motivation as varying from the intentional motivation to fail testing at one extreme, to the motivation to excel on testing at the other. Effort was characterized as ranging from low to high. Thus, the combination of these two dimensions could result in one of four classifications of response style, with only one classification being considered valid. The valid classification involves a combination of motivation to excel and high effort. It is only under these circumstances that an examiner can put full faith in the validity of the test results as an indication of the examinee's true functional abilities. When motivation is present but effort is poor, the patient is classified as careless. By contrast, a test-taking set whereby the examinee is highly motivated to appear impaired is classified as malingering. An irrelevant response style involves both poor effort and motivation are poor, and can occur for a variety of reasons, including apathy, lack of examiner/examinee rapport, confusion, random responding, or patterned responding.

Continued on page 12

Instrument Review

The Validity Indicator Profile, cont...

Continued from page 11

Hall & Pritchard (1996), among others, have criticized the traditional application of Symptom Validity Testing that uses cutoffs based exclusively on statistically worse than chance performance. This method has been criticized because it may result in excessively high false negative rates, missing a substantial portion of the population of individuals who may employ variable test-taking strategies, or who may not exaggerate their impairment sufficiently to be detected by this method. The VIP attempts to overcome this criticism by incorporating multiple measures of test performance, rather than relying simply on an index of performance in comparison with pure chance. For example, the VIP incorporates both verbal and nonverbal measures of response style to maximize opportunities to detect invalid responding, which may vary depending on the test administered. The VIP also incorporates a gradient of difficulty such that within both the verbal and nonverbal subtests, there is a full range of item difficulty, ranging from easy items where correct performance is typically well above 80%, even for genuinely impaired individuals with documented head injury or brain damage, to much more difficult items where the rate of correct responding in compliant individuals deteriorates to 30% due to a built-in pull toward incorrect responses in compliant subjects. The gradient of difficulty helps to reveal the noncompliant, random responding of the poorly motivated subject or the examinee making less than a reasonable effort.

Test Format

The VIP is a 178-item instrument administered in pencil and paper format. There is a 100 non-verbal

item subtest and a 78 verbal item subtest, which can be administered individually or in combination. Scoring and generation of interpretive reports is available through NCS Assessments via mail in scoring, fax scoring, and the Micro Test QJ Assessment System software for on-site scoring and interpretation. Price ranges from \$13 to \$16 per report depending on volume and scoring style. A word of warning for the hurried, cost-conscious psychologist—the scoring and interpretive report price more than triples for the quick turnaround that can be accomplished by fax transmission, and these added costs are not identified in their promotional literature.

The VIP is presented to the test subject as a measure of cognitive ability. The spiral-bound test booklet contains two practice items and the 100 forced choice items making up the nonverbal subtest. These items were borrowed from the TONI, which essentially involves picture matrix items. The directions for this portion of the test advise the examinee that it is a test of nonverbal ability, and that he /she *will be solving picture puzzles by choosing the correct picture or pictures that best complete the puzzle*. Examinees are to select the correct answer from each of two choices, and warned that they may not *know* the answers to each of the 100 items, but when they do not they should at least make their best guess. Examinees are discouraged from leaving any items blank and are not given any feedback regarding the accuracy of their responses. The manual suggests that the nonverbal subtest typically takes approximately thirty minutes to complete.

Upon completing the nonverbal subtest, the spiral test booklet is removed and on the backside of the four-page answer sheet appear the instructions for the verbal subtest and each of the 78 verbal subtest items. For each verbal subtest items, the examinee is

presented with a stimulus word, ranging from very familiar to very difficult. For each stimulus word, the patient is instructed to choose one of two adjacent words, that is *more similar in meaning to the first word*. The 78 item verbal subtest is estimated to take approximately twenty minutes to complete. Thus, it can be reasonably expected that administration of the entire VIP will take approximately one hour.

Test Development

The VIP is partly derived from the Symptom Validity Test approach developed by Pankratz in the late 1970's, and its development was stimulated in part by the recommendations of Faust et al. (1988). The author's objective was to extend the SVT approach beyond the limitations of assessment and interpretation confined to sub-chance or below-chance responding, and to increase the sensitivity rates for identification of malingering or other invalid response styles.

The initial development of the VIP involved a total sample of 1,048 subjects, of which 104 were classified as clinical participants and the remaining 944 were classified as non-clinical participants and were obtained from populations of college students and employees of the test publisher. The age range of the development sample was from 15 years of age to 71, however, the vast majority of subjects studied were relatively young, and in the age range of 18 to 25. The so-called *clinical participants* were described as adults undergoing neuro-psychological evaluation, some of whom were actively involved in litigation at the time of the evaluation. These subjects took the VIP in the context of a larger battery of cognitive and neuropsychological tests. By contrast, the non-clinical group, for the most part, took the VIP only, and the vast majority of subjects (N = 909) took only the nonverbal portion of the VIP.

Continued on page 13

The non-clinical subjects were randomly assigned to either compliant or noncompliant criterion groups. They instructed the compliant criterion group to give their best effort on the test battery, whereas the noncompliant criterion group was given specific instructions on faking *believable cognitive impairment and were provided with strategies to avoid detection*. The sample of so-called *coached normals* was supplemented by a sample of computer generated cases intended to represent entirely random responding to test items. They further subdivided the coached normals into naive malingering and informed malingering groups, with the naive malingering group being instructed to fake believable cognitive impairment without being obvious, and the informed malingering group being provided with specific strategies to avoid detection. The clinical participants were subdivided based on a combination of subjective and objective assessment of their compliance. Of the 110 clinical participants, 49 were classified as suspected malingerers based on *the individual's performance on three screening tests of malingering* (specifically the Rey Memory Test, the Rey Word Recognition Test, and the Rey Dot Counting Test; Lezak, 1995) and *A priori clinician ratings regarding the likelihood that the patient would mangle on tests, based on subjective clinician evaluations of the potential for malingering*. Ultimately, the clinical participants were classified as suspected malingerers if *either the clinician evaluation or the classification from the screening test was invalid*.

Based on this initial validation study, the authors developed six measures or indices that they referred to as Primary Validity Indicators, and corresponding cut scores from the samples that were used to discriminate between valid and invalid test performance. The

cut scores were set *so that 90% of the compliant participants would be correctly classified by the VIP (i.e., a 10% false positive rate)*.

Following the initial validation study, the authors conducted a cross validation study utilizing 152 non-clinical participants, 61 patients with well documented traumatic brain injury, 49 suspected malingerers, and 40 adults with diagnosed mental retardation. Clinical participants were paid between \$25 and \$40 for completing the study, and a \$40 contribution was made to the school of the non-clinical participants. To boost motivation of the non-compliant criterion group in the cross validation study, these subjects were offered an opportunity to earn an additional \$50 contribution to their school *if they could fake believable impairment and not be detected by the VIP*.

Psychometric Characteristics

The results of the validation study are reported in the manual for individual subtest, for agreement between subtests, for diagnostic efficiency, and in comparison with other measures of malingering. The results indicate that 93% of the non-clinical participants whom they instructed to respond honestly were correctly classified by the VIP as exhibiting a valid response style on the nonverbal subtest. Of the sample of clinical participants, they correctly classified 74% as valid responders, however, the authors add that 14 of the remaining 16 clinical participants whom they incorrectly classified as invalid responders were classified as such due to a careless response style, as opposed to a malingered or irrelevant response style. The implication is that genuinely brain injured subjects can respond carelessly, perhaps as a combination of genuine impairment and lack of effort, or genuine impairment causing lack of effort.

In the noncompliant group, all 50 of the computer generated random responses were correctly classified

as invalid, with 96% of these being more specifically classified as product of an irrelevant response style. Seventy-five percent of the *coached normal protocols* (i.e., protocols of those subjects instructed how to feign impairment) were correctly classified as invalid. The least effective discrimination was among the remaining 49 subjects who were suspected malingerers, among which they correctly classified only 45% as invalid on the nonverbal subtest, with most of them classified as responding in a careless style.

The results on the verbal subtest were quite similar to the nonverbal subtest for all classifications, except for the suspected malingerer group. The VIP verbal subtest proved to be even less effective than the nonverbal subtest in correctly classifying this group, with only 27% of the suspected malingerers producing results classified as invalid. The overall agreement between the subtests was 85.1%, resulting in a coefficient of correlation of .70.

The overall efficiency of the VIP in correctly classifying the initial validation sample as either valid or invalid test responders resulted in a 73.5% sensitivity statistic for the nonverbal subtest and 85.7% specificity. The VIP nonverbal subtest correctly classified a total of 79.8% of the sample. Sensitivity for the verbal subtest was 67.3% and specificity was 83.1% resulting in a correct classification rate of 75.5%.

The VIP test results were compared with several other measures of malingering, including the Portland Digit Recognition Test (Binder, 1993), the Rey Memory Test (Rey, 1958), the Word Recognition Test (Rey, 1941), and the Dot Counting Test (Rey, 1941). Although the correlations were generally low (.07 to .20 between the VIP nonverbal subtests and alternate measures of malingering, and .04 to .16 between the VIP verbal

Continued on page 14

Instrument Review

The Validity Indicator Profile, cont...

Continued from page 13

subtests and alternate measures of malingering), the agreement between test classifications of valid versus invalid was reasonably high, ranging from 69% to 73% agreement for each of the VIP subtests.

The low rate of agreement between the VIP subtests and other measures of malingering is dismissed by the author on the grounds that these alternative measures may be specific in identifying malingering, but are quite weak in terms of sensitivity. This does appear to be one of the unique advantages of the VIP in that its sensitivity ranges from 67.3% to 73.5% versus sensitivity of 17% or less for the alternate measures that were used in this study. However, it is worth pointing out that the alternate measures of malingering used in this validation study do not necessarily reflect the state of the science in terms of tests of malingering. Other recent, more sophisticated, measures may have much greater sensitivity (i.e., Word Memory Test, Green, Astner & Allen, 1995; Colorado Malingering Test, Davis et al., 1994; Test of Memory Malingering, Tombaugh, 1996, see review in this issue).

Test Interpretation

The manual for the VIP recommends that test results first be interpreted via the *Primary Validity Indicators*, which allow for the initial classification of the test response style as valid or invalid. The Primary Validity Indicators include three consistency measures and three interaction measures, for each of which there is a derived score and classification as either *pass* or *fail*. The consistency measures include a consistency ratio, nonconformity index, and individual consistency index. The

interaction measures include score by correlation, slope by consistency ratio, and curvature.

The manual directs that each of these Primary Validity Indicators was designed *to detect departures from an expected progression of responses. When the test taker responds with good effort and motivation to perform well throughout the entire test, performance is high for items within his or her range of ability and random for items outside the range of ability. Each of these measures captures a different element of the deviations from this expected pattern.*

It is recommended that if, on the basis of the Primary Validity Indicators, the protocol is classified as invalid, it is then appropriate to analyze the other characteristics, including performance curve measures, which may reflect on the particular style of responding which resulted in the invalid classification.

The scoring options are limited to the mail-in service and computerized scoring so it is essentially impossible for the individual examiner to score and generate an interpretation on their own. While this may not be especially desirable, the interpretive report generated by NCS is concise, appropriate, and offers sufficient information for the examiner to incorporate the VIP test results into the overall diagnosis and interpretation of the rest of the neuropsychological battery.

A particularly strong and useful part of the interpretive report is the graph plotting the examinee's performance curve with the proportion of correct responses on the Y axis and the running mean serial position on the X axis. The plot of the examinee's curve versus the expected performance curve is informative and would be useful, particularly in forensic settings, for illustrating deviations from normal, expected performance.

In summary, the VIP represents a well conceived, sophisticated, and invisible instrument for the assessment of response style and validity of test-taking attitude. It is appropriate for use in the context of neuropsychological and cognitive assessment. It is well designed, easy to administer, and generally cost effective, assuming that rush processing can be avoided. The VIP is particularly useful in identifying the exact response style utilized by examinees in their reaction to testing, and allows for solid inferences regarding the results of neuropsychological testing. It seems to avoid or circumvent some of the problems with other measures based on Symptom Validity Testing that are so easy as to be readily recognized by sophisticated or coached malingerers, diminishing their overall effectiveness. As with any of the other instruments that are now available for the assessment of malingering, it is recommended that the VIP not be used alone or as the sole measure for determining response style, validity, or dissimulation. In conjunction with other instruments intended for this purpose, it offers a potentially very valuable addition to the armamentarium of the careful and competent clinician and deserves strong consideration for inclusion in future research concerning the validity of neuropsychological testing.

References

- Binder, L. (1993). Assessment of malingering after mild head trauma with the Portland Digit Recognition Test. *Journal of Clinical and Experimental Neuropsychology*, 15, 170-182.
- Brown, L., Sherbenou, R., & Johnsen, S. (1982). *Test of Nonverbal Intelligence: A language-free measure of cognitive ability*. Austin, TX: Pro-Ed.
- Davis, H., King, J., Bajszar, G., & Squire, L. (1994). *Colorado Malingering Test*. Colorado Springs, CO: Colorado Neuropsychology Tests, Co.

Continued on page 43

Bylaws Ballot

Proposed High School Teacher Affiliate Bylaw

There has been a request by high school teachers of psychology to be able to join AP-LS in an affiliate capacity. After checking with APA regarding the status afforded to high school teachers by APA, Jim Ogloff devised the following bylaw amendment which the EC passed:

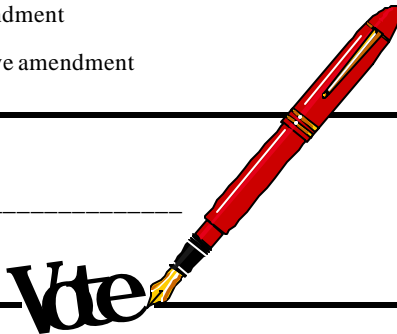
There shall be a class of High School Teacher Affiliates of the Division who shall not be Members or Associates of the Division, and who shall not represent themselves as such. To be eligible to be a High School Teacher Affiliate, one must be a High School Teacher Affiliate of the American Psychological Association. High School Teacher Affiliates do not serve on committees of the Division and do not vote in Division elections or meetings. They shall have such privileges as may be granted by the Executive Committee.

Now that the above amendment has been approved by the Executive Committee, the motion must be put to a vote by the membership. Please indicate whether you approve or reject the amendment.

- I approve the above amendment
- I do not approve the above amendment

Send your ballots to: Cathy Oslzly, Department of Psychology, Burnett Hall, University of Nebraska - Lincoln, Lincoln, Nebraska 68588-0308 no later than **July 25**.

YOUR NAME: _____
Please print



Bylaws Ballot

Authority to Vote on Executive Committee Issues

At the current time, the bylaws are inconsistent as to whether 3 ex-officio members of the Executive Committee (EC)—the Newsletter Editor, the editor of *Law & Human Behavior*, and the book series editor, should have the authority to vote when the Executive Committee considers issues. The Executive Committee discussed this issue and has offered a proposed bylaw amendment making clear that while the Newsletter Editor, the editor of *Law & Human Behavior*, and the book series editor are ex-officio members of the EC, they will not have voting powers since they are not elected by the AP-LS membership, but are appointed by the EC. Accordingly, the following bylaw amendments are proposed by the EC (with recommended changes or additions underlined).

- 1) **Change Article IV.2. from**
There shall be an Executive Committee of the Society, consisting of the President, the President-elect, the immediate past-President, the Secretary, the Treasurer, the Divisional Representatives, three Directors-at large, and other such officers as may be elected in accordance with provisions of this article.
To There shall be an Executive Committee of the Society, consisting of the President, the President elect, the immediate past-President, the Secretary, the Treasurer, the Divisional Representatives, three Directors-at large, the Newsletter editor, the editor of the society's journal, the book series editor, and other such officers as may be elected in accordance with provisions of this article. The Newsletter editor, the editor of the society's journal, and the book series editor are non-voting, ex-officio members of the Executive Committee.
- 2) **Change Article V.3.b from**
...The (newsletter) editor shall be appointed to a three-year term and shall serve as an ex-officio, voting member of the Executive Committee.
To The (newsletter) editor shall be appointed to a three-year term and shall serve as an ex-officio, non-voting member of the Executive Committee.
- 3) **Change Article V.4 from**
...The (Law & Human Behavior) editor shall be appointed to a three-year term with the possibility of two extensions, and shall serve as an ex-officio, voting member of the Executive Committee.
To The (Law & Human Behavior) editor shall be appointed to a three-year term with the possibility of two extensions, and shall serve as an ex-officio, non-voting member of the Executive Committee.

- I approve the above amendment
- I do not approve the above amendment



Test Review

Test of Memory Malingering

Glenn Smith
James A. Haley VA Hospital
Tampa, Florida

Test of Memory Malingering (TOMM), 1996, Multi-Health Systems, 908 Niagara Falls Blvd., North Tonawanda, NY, 14120-2060. Created by Tom Tombaugh, Ph.D. Available from MHS, 1-800-456-3003, www.mhs.com.

Introduction and Test Description

The Test of Memory Malingering (TOMM) is a 50-item recognition test designed to differentiate between bona fide memory-impaired patients and those malingering such condition. The test stimuli consist of 50 line drawings of common objects, presented to the subject for a period of three seconds with a one second interval between presentations. In Trial 1, after all 50 drawings have been presented, the subject is asked to identify the original stimuli from a single distractor in a forced choice paradigm. In Trial 2, the same 50 target drawings again are presented but in a different order. A forced choice recognition phase also follows as it did in Trial 1. However, the distractors are not paired with the same targets as they were in Trials 1 and 2. Also, it is important to note that the subject is provided with feedback about the correctness of each selection in both trials and, if questioned, the examiner provides a total number of correct responses. In the third, optional Retention Trial, the subject

is involved with non-visual tests (Tombaugh, 1996, p.18) for a period of 15 minutes before beginning the task. The targets are not readministered but the test taker is simply administered 50 two choice items — a target and single distractor. It should be noted that the same 50 targets are utilized in this Retention Trial. The estimated administration time for Trials 1 and 2, excluding the optional Retention Trial, is 15 minutes. As this review went to press the publisher, Multi-Health Systems, published a computerized version of the TOMM which, in addition to aiding in administration and report generation, allows for analysis of response latency data.

Scoring the instrument is a matter of summing the correct selections - a total of 50 for each trial. Two criteria are offered as indications of malingering. The first criterion is a total number of correct responses below 18 on any trial. The underlying rationale for this first criterion is rooted in the symptom validity testing (SVT) paradigm (e.g., Pankratz, 1979). In such a paradigm, the subject is presented with multiple, two-choice items. Pure guessing would result in a hit rate (correct selection) of 50%. The malingerer, wishing to present with the condition, will score below 50% or a total correct of 25. According to the author, the application of the binomial formula (Siegel, 1956) indicates that a score below 18 is significant at the 95% level of confidence. Consequently, scores at this level or lower should raise the index of suspicious for malingering. The author, however, admits that this is often not a sensitive indicator. Subsequent research seems to confirm this.

A second detection criterion involves a score lower than 45 on Trial 2 or the Retention Trial. This score was determined through the investigations (outlined below) as the one that provides the greatest sensitivity and specificity. Still, the author notes in the test manual that a score below 45 is not to be interpreted in a rigid fashion. Rather, the more an individual test score falls below this level, the higher should be the index of suspicion regarding malingering.

Scale Development and Validation

At the time of this writing a series of separate investigations were available for review. Those devoted to initial validation of the instrument are outlined in the test manual (Tombaugh, 1996) as well as in a recent article (Tombaugh, 1997). A second series of investigations provided additional, convergent information (Rees, Tombaugh, Gansler, & Moczynski, 1998). The initial validation research, a series of five separate experiments, will be addressed

In Experiment 1, an initial version of the TOMM was constructed from a pool of some 550 line drawings and administered to some 405 cognitively—intact adults in a four choice format with no explicit feedback. Criteria for inclusion of individual drawings was not described. Results demonstrated a high level of accuracy (94%) in recognition of target stimuli. This level of accuracy was in contrast to the predictions of the subjects and, the author conjectured, confirmed the tendency to underestimate performance. It was reasoned that malingerers would be detected because of the discrepancy be-

Continued on page 17

tween the perceived versus actual difficulty of the task (their scores would be lower). However, the results of this investigation pointed to increasing predictions of performance over succeeding trials. This finding suggests that while the subjects may have initially misperceived the difficulty of the task, this perception becomes less discrepant with increased test taking experience.

In Experiment 2, the format of the TOMM was altered in two ways. First, only two items (target and distractor) were presented instead of the four (target and three distractors). This change was the result of feedback to Experiment 1 that pointed to the subjects estimates of performance being based on the number of trials (25 out of a total of 50) as opposed to the number of responses within each trial (one out of four within an individual item). The second change was the use of explicit feedback with each item in order to allow malingerers to better adjust performance. Again, because of the assumed discrepancy in perception versus reality of the task difficulty, this adjustment would presumably further widen the gap between malingerers and honestly responding individuals. A total of 70 community volunteers completed the task. Notable in the results was the restricted range of scores (e.g., mean of 49.9 ± 0.4 on Trial 2 with a total of 50 points possible).

In Experiment 3, this revised version of the TOMM was administered to a clinical sample. The purpose of this investigation was to determine the responses of various criteria groups. A total of 138 participants completed the TOMM. Subgroups included a No Cognitive Impairment Group ($n=13$),

Cognitive Impairment Group ($n=42$), Aphasia ($n=21$), Traumatic Brain Injury (TBI) ($n=45$), and Dementia Group ($n=37$). Several things were noteworthy with regard to the Dementia Group. First, this subgroup was significantly older than the other groups. Second, there was some apparent, differential administration. This was clearly in an effort to ensure that these subjects understood the nature of the task. However, these differences were remarkable and included pointing to the target stimuli, verbally redirecting subjects back to the task at hand, and not accepting a response until the experimenter had pointed to both pictures during the actual trials. Third, those in the Dementia Group scored significantly lower on all trials compared with all groups (the single exception being the Cognitive Impairment Group on Trial 1).

In Experiment 4 the author considered the responses of some 27 undergraduate simulators and 22 control subjects. Such a simulation design would be the first step in considering the real world effectiveness of the TOMM in the detection of malingering. In general, the instrument was able to significantly distinguish between simulators and control subjects. Mean scores for the simulating subjects on Trials 1 and 2 were 32.5 ± 7.5 and 35.3 ± 9.4 , respectively. While significantly lower than the same means scores for controls (i.e., 48.9 ± 1.6 and 49.9 ± 0.2), it is notable that the scores of the earlier noted Dementia Group in Experiment 3 fell in between (i.e., 41.0 ± 6.6 and 45.7 ± 5.3).

In the final investigation, as outlined in the test manual, the author considered the response patterns of those at risk for malingering in an effort to replicate the real world

situation as much as possible. Subjects consisted of individuals who had experienced traumatic brain injury (TBI) who were not involved with litigation ($n=17$), TBI subjects who were involved in litigation ($n=17$), 11 cognitively-intact controls, and 12 patient controls with focal neuropsychologic impairment. As expected, those who had experienced TBI and were involved in litigation scored significantly lower than the other groups. Mean scores for this group on Trials 1 and 2 were 25.3 ± 10.8 and 32.8 ± 13.4 , respectively.

Convergent Investigations

As noted earlier, an additional series of convergent investigations on the utility of the TOMM has recently been published (Rees et al., 1998). In an additional series of five separate experiments, the researchers considered issues of varying test sophistication, embedding the TOMM within a neuropsychologic test battery, the response patterns of those with genuine TBI who were instructed to simulate/exaggerate memory impairment, and the use of response latency as a detection strategy in a computerized version of the TOMM. In each of these investigations, the authors report the exceptional performance of the TOMM. Use of the second detection criterion (i.e., score lower than 45 on Trial 2 or the Retention Trial) yielded consistently high levels of both sensitivity and specificity. For example, the cutoff score of 45 on the Retention Trial yielded 100% sensitivity and specificity for the TBI malingering group, TBI control group, and cognitively intact control group.



Test Review

Test of Memory Malingering, *cont...*

Continued from page 17

Conclusions

In general, the TOMM appears to hold considerable promise for the future as a brief detection device for malingering. One of the positive features of the instrument is the use of a different stimuli compared with other testing instruments such as the Recognition Memory Test (Warrington, 1984). Having a variety of instruments with differing strategies or stimulus fields can help to prevent sophisticated clients from undermining the test. Thus, the clinician can choose from a wider selection of tests with different stimulus fields.

Secondly, the author demonstrated considerable care and thoughtfulness in development and validation of the TOMM. Guided by the results of each stage of their investigation, he attempted to refine and improve the instrument. For example, Tombaugh gave consideration to possible visual neglect and homonymous hemianopsia in the positioning of items on the page. In particular, the investigators are to be commended for their efforts in examining the TOMM in a real world setting (i.e., TBI patients involved in litigation).

Third, the supportive documentation (i.e., test manual) is brief but succinctly provides information regarding the nature of the instrument, an overview of malingering and review of past research into the various detection strategies. In addition, the manual clearly outlines the limitations of the TOMM with regard to the diagnosis of malingering — that is, test scores be-

ing only one piece of data within the context of a full evaluation. Also, the author briefly outlines some potential indications of malingering on other tests.

Despite these positive features of both the instrument and the validation efforts, there is a concern involving a possible floor effect. Simply put, there may be difficulties with tests employing forced-choice paradigms, which are based on the assumption that malingerers will exaggerate the part they adopt to the point that their test scores will fall below chance values. As others have noted (Rogers, Harrell, & Liff, 1993), if this underlying logic is uncovered, the malingerers can easily accommodate to it. Haines and Norris (1995) point out that this results in only the most blatant malingerers being detected. Thus, it becomes crucial for instruments such as the TOMM to be perceived by subjects as strictly a test of memory and not a malingering detection device. However, this assumption can be easily circumvented and the value of the instrument can be lost. Though not directly, demonstrated there seemed to be some intra-test learning taking place even in the validation research for the TOMM. Specifically, in Experiment 1 the author noted that subjects estimates of performance were less discrepant with actual performance as they moved from one trial to the next.

Future Research Directions

One issue that should be addressed in future research with the TOMM is the potential overlapping scores of simulators, those at risk for malingering, and those with dementia on the TOMM. As outlined, the total scores for those with dementia

Continued on page 29



APA Meeting Notes

Executive Committee Meeting

The Executive Committee Meeting is scheduled on:

Date: Thursday, August 13

Time: 1:00 - 6:00 p.m.

Place: California Room
Palace Hotel ■

Hospitality Suite

Those interested in scheduling time in the hospitality suite at APA may make arrangements by contacting Edie Greene at:
egreene@brain.uccs.edu ■

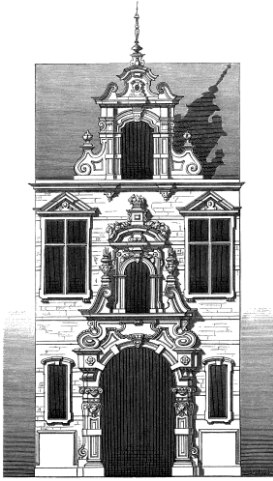
Correctional Psychology Social Hour

Come meet your colleagues and hear what the Corrections Committee has been discussing with the American Association of Correctional Psychology.

Date: Sunday, August 16

Time: 10:00 a.m.

Place: AP-LS hospitality suite ■



Division 41 Program

APA Meeting in San Francisco

August 14-18, 1998

PRELIMINARY AGENDA

Friday, August 14

8:00 - 9:50 a.m.

Symposium: Four National Approaches to Training Interrogators.

Paul Ekman, Chair

- The P.E.A.C.E. Interviewing Programme in the U.K.
Thomas Williamson
- The History of Analytic Interviewing
James Newberry
- Statement Analysis and Criminal Interrogators
John C. Yuille
- Overcoming Obstacles in Interrogation Training
Meir Gilboa
- Discussant, Paul Ekman

10:00 - 10:50 a.m.

Paper Session: Developments in Clinical Assessment With Forensic Populations.

Richard Frederick, Chair

- An MMPI-2 Content Scale-Based Typology in Female Forensic Patients
Nancy Wrobel, Judith S. Thompson,
Bianka Von Kulajta, Amanda Aiken, Graham Michelle,
Joan Costaras
- Characteristics of the MMPI-2 Infrequency-Psychopathology Scale Among Criminal Forensic Examinees
Richard I. Frederick
- Validation of the Psychopathic Personality Inventory in Correctional Populations
John F. Edens, Norman G. Poythress,
Scott O. Lilienfeld, James G. Frank
- A New Approach to Generating MMPI-Based Sex Offender Typologies
James G. Frank

11:00 - 11:50 a.m.

Symposium: The Use and Misuse of Psychology in Justice Studies.

Mark A. Small, Chair

- Psychology and Legal Change: What Happened to Justice?
Craig Haney
- Putting Social Justice Findings in Political Context
Tom Tyler
- False Consciousness as a Problem for Social Psychology
John T. Jost
- Psycholegal Scholarship's False Consciousness About Injustice
Dennis Fox
- Control and Symbolic Measures in Procedural Justice
Larry Heuer
- Discussant, Mark A. Small

3:00-3:50 p.m.

Conversation Hour: The Civil Practice of Forensic Psychology: Assessing Emotional Injuries.

Stanley L. Brodsky

Stuart A. Greenberg

2:00 - 2:50 p.m.

Symposium: Daubert and Its Progeny: Theory, Research and Applications

David L. Shapiro, Chair

- Forensic Assessment: Guidelines for the Judicial Application of Daubert
Kirk Heilbrun
- Reliability and Validity: The Psycholegal Research Agenda After Daubert
Solomon M. Fulero
- Constraints on Expert Testimony
David L. Shapiro
- Discussant, Thomas Grisso

Continued on page 20

Division 41 Program

APA Meeting in San Francisco

PRELIMINARY AGENDA, cont...

Continued from page 19

Saturday, August 15

8:00 - 9:50 a.m.

Discussion: APA and the Amicus Process

- A Psychologist's / Advocate's Perspective
James Werth
- COLI's Perspective
William Foote
- APA's General Counsel's Perspective
James McHugh, Jr.
- Inside the Attorney General's Office and Inside the Supreme Court
David Ogden
- Donald Bersoff, Discussant

10:00 - 10:50 a.m.

Invited Address: American Academy of Forensic Psychology Distinguished Contribution Award
J. Reid Meloy, Chair

- The Local Jail as a Locus for the Innovative Practice of Forensic Psychology
Henry J. Steadman

11:00-11:50 a.m.

Paper Session: Judgment and Decision Making in Psychology and Law
Melissa A. Pigott, Chair

- Experimental Study of Males Sexual Harassment Victimization
Melissa A. Pigott, Charles J. Covati,
Adina J. Wasserman, Linda A. Foley
- Differentiating Between Suggestion, Deception and Compliance in Children
Janet C. Wilson
- Backward Fusion: The Effect of Injury Severity on Liability Judgments
Jason Z. Bowman, Edie Greene, Michael Johns
- The Effects of Trial Experience on Procedural Justice Judgments
Robert M. Johnstone, Robert Mauro

12:00-12:50 p.m.

Poster Session

See list of poster session participants at the end of the agenda.

2:00-2:50 p.m.

Symposium: Update on HIV / AIDS and the Law.
Dale E. McNeil, Chair

- AIDS and Public Policy: Responding to the New Challenges
Steven F. Morin
- HIV / AIDS and the Courts
Ann Alpers
- Discussant, Bernard Lo

3:00-3:50 p.m.

AP-LS Division 41 Presidential Address.
James Ogloff, Chair

- What is Forensic Psychology, Anyway?
John Brigham

4:00-4:50 p.m.

Business Meeting

5:00 p.m.

Social Hour

Sunday, August 16

8:00-8:50 a.m.

Symposium: Navigating Treacherous Waters in Child Protection Evaluation.
Steven N. Sparta, Chair

- The Ultimate Question: Do Psychologists Make Dispositional Recommendations?
Catherine Acuff
- Role Definitions and Boundary Problems in Child Protection
Michael C. Gottlieb
- Use of Multiple Methods of Data Gathering in Child Abuse Evaluations
Lisa Grossman

Continued on page 21

- Psychologists Performing Child Protective Evaluations:
Informed Consent
Jody Porter
- Discussant, Steven B. Bisbing

9:00-10:50 a.m.

Symposium: Female Offenders: The Forgotten Minority.
Adelle E. Forth, Chair

- Developmental Pathways to Antisocial Behavior:
Delayed-Onset Pathway in Girls
Persephanie Silverthorne
- Victimization, Coping, and Psychopathy in Female Offenders
Donna L. Mailloux
- Institutional Adjustment and Post-release Outcome Among Federally Sentenced Women
Kelley Blanchette
- Antisocial Personality Disorder and Psychopathy
Megan Rutheford
- The PCL-R in Female Offenders: Where is the Line Drawn?
Jennifer Vitale

11:00-11:50 a.m.

Invited Address: AP-LS Distinguished Contributions in Psychology and Law Award.
John Brigham, Chair

- The Psychology of Supreme Court Decision Making
Lawrence Wrightsman

1:00-2:50 p.m.

Symposium: Sexual Offenders: Current Issues in Assessment and Treatment.
J. Reid Meloy, Chair

- Juvenile Sex Offenders
Judith V. Becker
- Assessing Risk of Dangerousness in Evaluations of Sex Offenders
Robert A. Prentky
- Assessment Domains in the Evaluation of Sexual Offenders
Moss Aubrey
- The Sexuality of the Psychopath: The Psychodynamics of a Large Explainable Variance
J. Reid Meloy

3:00-4:50 p.m.

Symposium: Child Custody Assessment:
A Comparison of Four Empirical Approaches II.
Stephan Podrygula, Chair

- The Parenting Satisfaction Scale
John Guidubaldi
- The Parenting Satisfaction Scale
Helen Cleminshaw
- The Child Abuse Potential Inventory
Joel Milner
- The Parenting Stress Index
Richard Abidin
- NIMS Observation Checklist
Jerry Nims
- Discussant, Thomas Grisso

Monday, August 17

8:00-8:50 a.m.

Symposium: Funding Your Psycholegal Research:
Graduate Students Can Get Grants, Too!
Jason Schklar, Lori Butts, Chairs

- Smaller Grants
Jason Schklar
- Funding Your Dissertation Research
Dennis P. Stolle
- Working On a "Real" Grant With a Faculty Advisor
Matthew T. Huss
- Discussant, Margaret B. Kovera

9:00-9:50 a.m.

Paper Session: Current Issues in Psychology and Law.
Margaret H. Coggins, Chair

- Legal Considerations in the Assessment of the Elderly
Martin D. Zehr
- Agents' Perceptions of Mental Health Consultations For Secret Service Investigations
Margaret H. Coggins, Marisa Reddy Pynchon
- Does Family Mediation Have a Protective Value For Children Whose Parents Divorce?
Francine Cyr, Julie Achim, Veronique Tremblay
- Profiles and Prejudice: The Case of the Drug Courier Profile
Robert Mauro

Continued on page 22

10:00-10:50 a.m.

On the Expert Testimony of Mental Health Professionals: A Debate.

Randy K. Otto, Chair

- *Whores of the Court*: An Overview
Margaret A. Hagen
- *Whores of the Court*: A Response
Solomon M. Fulero
- Discussant, Randy Otto

11:00-11:50 a.m.

Invited Address: Saleem Shah Award.

Gail S. Goodman, Reid Meloy, Chairs

- Adults' Perceptions of Child Sexual Assault Allegations
Belle L. Bottoms

2:00-2:50 p.m.

Paper Session: Advances in Violence Risk Assessment.

Kirk Heilbrun, Chair

- Psychiatric Inpatients Who Stalk and Harass Hospital Staff After Discharge
David A. Sandberg, Dale E. McNiel,
Renee L. Binder
- Disposition Decisions: The Utility of the HCR-20 and the PCL:SV
Karen E. Whittemore, James R.P. Ogloff
- Expert and Practitioner Approaches to Communicating Violence Risks
Kirk Heilbrun, J. Philipson, M. O'Neill,
M. Paninopolous, L. Strohman, Q. Bowman
- Assessing Risk: Accuracy of Clinical Assessments
W. Carson Smiley, Lori J. McHattie

3:00-4:50 p.m.

Symposium: The Effects of Stress and Trauma on Children's Memory and Suggestibility.

Gail S. Goodman, Mitchell L. Eisen, Chairs

- Stress and Children's Reports of Personally-Experienced Medical Procedures
Lynne Baker-Ward, Peter A. Ornstein,
Betty N. Gordon

- Examining the Interactive Effects of Stress and Dissociation on Maltreated Children's Event Memory
Mitchell L. Eisen, Gail S. Goodman,
Jain Jain Quin, Susan L. Davis
- Children's Recall of Stressful and Positive Events
Robyn Fivush
- Discussant, Peter A. Ornstein

Tuesday, August 18

9:00 - 9:50 a.m.

Symposium: The Americans With Disabilities Act and Psychological / Psychiatric Disabilities.

Solomon M. Fulero, Chair

- Psychological Evaluation and the ADA: Between Qualification and Disability
William E. Foote
- The ADA and Psychiatric Claims, Legal Issues and Judicial Perspectives
Jane Goodman-Delahunty
- An Economic Analysis of the ADA and Psychiatric Claims
Peter D. Blanck

10:00-10:50 a.m.

Symposium: In Pursuit of Stalking Behavior.

J. Reid Meloy, Chair

- Stalking: Current Clinical Research Findings
J. Reid Meloy
- Developmental and Social Antecedents of Stalking
Kris K. Kienlen
- A Behavioral Approach to Stalking
Darrah A. Westrup
- Discussant, Robert A. Fein

11:00-11:50 a.m.

Symposium: Preventing and Responding to Workplace Violence.

Charles P. Ewing, Chair

- Responding to Violence and Fear in the Workplace
Michael Gelles
- Domestic Violence in the Workplace: From Understanding to Prevention
Charles P. Ewing
- Preventing Targeted Violence in the Workplace: Lessons from a Study of Assassination
Robert A. Fein

Continued on page 23

PRELIMINARY AGENDA, continued from page 22

- Evolution of Threat Assessment: A “Wave Theory” Analysis
Chris Hatcher

12:00-12:50 p.m.

Paper Session: Contemporary Themes in Law and Mental Health.

Nahama Broner, Chair

- Effect of Competency Restoration Training of Defendants with Mental Retardation
Shawn D. Anderson
- Computer Televideo Applications for Forensic Psychology
Frances J. Lexcen, Gary Hawk
Michael Blank, Steve Herrick
- Psychosocial and Legal Issues of Sex Offenders with Mental Illness
Nahama Broner, Cheryl Paradis,
Rosanne Pinti, Jeanne M. Drake
- Clinical and Social Characteristics of Suicidal Behavior in an Incarcerated Population
Romeo L. Vitelli

Poster Session

Saturday, August 15

12:00 - 12:50

1. Legal Resolution of Sexual Assault Cases by Victim-Offender Relationship
Janice Du Mont, Lana Stermac, Berit Schei
2. Psycholinguistic Credibility Assessment
Cheryl K. Hiscock, Kevin W. Colwell
3. Normative Advice to Crime Victims: Effects of Gender, Age, and Alcohol
Kim S. Menard, Maureen Outlaw, Jennifer Schaffer,
R. Barry Ruback
4. Rational Emotive Behavior Therapy Effectiveness With Sex and Violent Offenders
Jerome Fransblow, W. Carson Smiley
5. An Investigation of Abilities Required for Treatment Versus Adjudicative Competence
Patricia A. Zapf, Ronald Roesch

6. Development of an Instrument to Assess Attitudes Toward Conditional Release
Joti Samra-Grewal, Praneeta D. Chandra,
Ronald Roesch
7. Role of Legal and Non-Legal Coercion in Substance Abuse Treatment
David S. DeMatteo, Geoffrey Marczyk, Elizabeth P. Merikle, David F. Festinger, Douglas B. Marlowe
8. Validity of the Personality Assessment Inventory (PAI) for Forensic Assessments
Keving S. Douglas, Stephen D. Hart, P. Randall Kropp,
Mark E. Olver
9. Reliability of the Psychopathy Checklist: Screening Version Among Insanity Acquitees
Chantelle K. Klassen, Stephen D. Hart, Kevin S. Douglas, Christopher D. Webster, Deborah Ross
10. A Psychometric Analysis of the VRAG Among Federal Offenders
David R. Lyon, Lynne E. Sullivan, Rebecca J. Dempster,
Stephen D. Hart
11. Sexual Fantasies and Reported Perceptions of Responsibilities for Molesting Behavior in a Forensic Population
Jerome V. Baumgartner, Mario J. Scalora,
Matthew T. Huss
12. Megan’s Law: Impact on Sex Offender Attitudes
Marc W. Patry, Mario J. Scalora
13. Psychometric Properties of HCR-20 Violence Risk Assessment Scheme in Insanity Acquitees
Kevin S. Douglas, Chantelle K. Klassen, Deborah Ross,
Stephen D. Hart, Christopher D. Webster
14. Socio-Demographic and Behavioral Dimensions of Hate Crime Perpetration
Desiree A. Cervecoeur, Nadine Recker, Attia Hany,
Cheryn Chatham, Edward Dunbar
15. Psychologists’ Perceived Tarasoff Duty to Protect with HIV Positive Clients
Simone J. Simone, Solomon M. Fulero
16. Workplace Violence: Risk Factors From a Midwestern Sample
David O. Washington, Mario J. Scalora
17. On Shaky Ground: HIV/AIDS and the Duty to Protect
David J. Williams, Alison J. Donnell, Walter C. Buboltz

Continued on page 24



PRELIMINARY AGENDA,

Poster Session, continued from page 23

18. The Crime Attribution Scale: Internal versus External Explanations
Carl B. Clements, Kimberley P. Brown
19. Factors Affecting Hospitalization Stay in a Maximum Security Facility
Marianne J. Moran, Beverly Wise, M. Richard Fragala, Tammy Novak
20. Profiling Offender Characteristics from Child Abuse Victim Recall
Charles C. Morrow, Luis A. Vega
21. Reporting Suspected Child Abuse: Deterrents Perceived by Teachers
Maureen C. Kenny
22. Criminal Thinking in Sex Offenders
Mary A. Hatch, Mario J. Scaloraa, Leah Osborne
23. Factors Associated with Insanity Acquittal in Female Defendants
Gayle H. Wuttke, Judith S. Thompson
24. HIV, Confidentiality, and Duty to Protect: A Decision Making Model
Tiffany A. Chenneville
25. Effects of Choice on Computerized Multimedia Mug Books
Hunter A. McAllister
26. Sexual Assault: Effects of Defendant Age, Consent and Consequences
Ginean M. Giandrea, Wendy P. Heath
27. PAI Profiles of Male Pretrial Defendants
Steven J. Shea, Geoffrey R. McKee, Mary A. Stroupe
28. Gender and Fitness to Stand Trial
Anne G. Crocker, Malijai Caulet, Etienne Roy, Maurice Ohayon
29. Effects of Eyewitness Testimony in Strong and Weak Cases
Micheal R. Leippe, Hope M. Seib, Donna Eisenstadt, Nelly Alia-Klien
30. Development of a Risk Assessment Measure for Women
Tonia L. Nicholls, Lindsey A. Jack, James R.P. Ogloff
31. Informed Consent, Confidentiality Limits, and Clinician Duty to Protect
Vesna A. Hampel, Norman A. Scott
32. Judge Evaluations of Expert Evidence: Are They Effective Gatekeepers?
Margaret B. Kovera, Bradely D. McAuliff
33. Forensic Psychologists' Judgments of Juvenile Competency to Stand Trial
Geoffrey R. McKee, Steven J. Shea
34. Completed versus Attempted Jail Suicides by Hanging
Geoffrey R. McKee
35. Enhancing Cooperative Suspects' Memories of Unsolved Crimes: A Laboratory Simulation
Mark R. Phillips, Ronald P. Fisher
36. Impact of Sex Offender Amenability to Treatment Upon Recidivism
Mario J. Scalora, Calvin P. Garbin
37. Incarcerated Adolescents' Conflict Attitudes: Relationship with Offense and Disposition Factors
Michael R. Van Slyck, Jared Pitts, Robert Van Bramer
38. Are Lay Persons' Beliefs About Suggestibility Consistent With Expert Opinion?
Bradley D. McAuliff, Margaret B. Kovera
39. Factor Structure of Felonious Crime Rates in American Cities
James J. Hennessy, Ketrin Saud
40. Regulating and Investigating Pain Prescriptions: State Medical Board Executives' Impressions
Patricia F. Pound, Sandra H. Johnson, Richard L. Wiener



Expert Opinion

Unethical Behavior: A Complex Issue for Forensic Psychologists

The Question

You have been retained by the plaintiff's attorney in a civil case in which a young man is suing for damages resulting from a traumatic injury in which a mild head injury was sustained. In the course of your review of available records, you detect what you believe to be unethical behavior on the part of the man's treating psychologist. Among other things, the psychologist has provided him with dozens of photocopies of copyrighted neuropsychological tests (e.g., the Digit Symbol subtest from the WAIS-R) for the patient to practice as a form of cognitive remediation. The attorney retaining you has informed you that a trial should occur sometime in the next year.

What, if anything, is your obligation to report this psychologist's seemingly unethical behavior? Can you disclose this behavior to the APA or state ethics review board even though the case has not yet been heard in court? Do you need permission from the attorney that retained you to do so? If so, what can be done if the attorney requests you do not?

The Response

The response is from Alan M. Goldstein, Ph.D., Diplomate in Forensic Psychology - American Board of Professional Psychology and Continuing Education, American Academy of Forensic Psychology.

This case raises a somewhat complex issue for the forensic psychologist. As is true in any complicated case, it is always best to consult with colleagues before reaching a final decision as to what to do. Following this principle, I spoke with David Shapiro and Paul Lipsitt, both fellow members and chairs of the ABPP Ethics Committee. If I were the expert evaluator in this case, I would be comforted by the unanimity of agree-

ment as to the issues and what should be done to resolve them.

The evaluator has learned of the misuse of assessment techniques by the treating psychologist. Both legal and ethical questions are raised when psychologists photocopy copyrighted material. In addition, in using neuropsychological tests as "remedial exercises", the treating psychologist has violated Ethical Principles...by using these tests for purposes that are inappropriate. A conflict arises because of the nature of the attorney/client privilege and the need to report what the evaluator believes to be ethical violations.

As the expert in this case, your services have been retained by the plaintiff's attorney and conse-

quently, the attorney/client privilege applies. Yet, Ethical Principles indicate that once you have learned of a possible violation, you should, "take reasonable steps to prevent others from misusing the information these techniques provide." Similarly, since the tests have been used inappropriately and you have relied upon these tests, in part, to formulate an opinion, the data upon which you have relied has been contaminated. The APA Principles already require that you do not "participate in activities in which it appears likely that...data will be misused by others...." Again, to avoid misrepresentation of your opinion, you are required to, "take reasonable steps to correct or minimize the misuse or misrepresentation." These are the most obvious issues.

In attempting to resolve these issues, your primary obligation is to notify the plaintiff's attorney in writing, explaining that you have reason to believe that the treating psychologist has acted unethically and that you must report his/her actions to the APA Ethics Committee, but because of attorney/client privilege, you require consent of the attorney before you do so. Also, because of the possible contamination of the data you have relied upon, you must remove yourself from this case. You should ask that the attorney respond to your letter in writing.

Drs. Lipsitt, Shapiro and I agree that if the attorney requests that you do not report this complaint because of attorney/client privilege, you should refrain from doing so. Nonetheless, you should remove yourself from any participation as an expert in this case. In notifying

Continued on page 26

Committee Chairs & Others

<u>Committee</u>	<u>Chair</u>	<u>E-mail Address</u>
• Scientific Review Paper Committee	Rich Wiener	wienerrl@sluvca.slu.edu
• Careers and Training Committee	Steve Norton	sknort539@aol.com
• Committee on Relations with Other Organizations	Barry Rosenfeld	brosenfe@hornet.liunet.edu
	Lisa Berman	no e-mail address
• Educational Outreach Committee	Solomon Fulero	sfulero@sinclair.edu
• AP-LS Book Series/Publications Editor	Ronald Roesch	rroesch@arts.sfu.ca
• APA Council Representative	Tom Grisso	tgrisso@banyan.ummed.edu
• Committee for the Recognition of Specialties and Proficiencies in Professional Psychology	Kirk Heilbrun	heilbrun@hal.hahemann.edu
• <i>Law and Human Behavior</i> Editor	Rich Wiener	wienerrl@sluvca.slu.edu
• Grants-in-Aid	Margaret Bull Kovera	koveram@fiu.edu
• Dissertation Awards	Caton Roberts	cfrobert@facstaff.wisc.edu
• Women in Law Committee	Beth Wiggins	bwiggins@fic.gov
• Chair of AP-LS/APA Liaison Committee	Marsha Liss	lissmars@justice.usdoj.gov
• Division Administrative Secretary	Cathy Oslzly	coslzly@unlinfo.unl.edu
• Fellows Committee	Murray Levine	psylevin@acsu.buffalo.edu
• Committee on Law and Psychology in Corrections	Melissa Warren	mgw.apa@email.apa.org
	Steve Norton	sknort539@aol.com
• Conventions and Conferences Committee		
1998 APA Program Chairs	Edie Greene	egreene@mail.uccs.edu
	Dale McNeil	dale_mcneil@ccmail.ucsf.edu
1999 APA Program Chairs	Dale McNeil	dale_mcneil@ccmail.ucsf.edu
	Margaret Bull Kovera	koveram@fiu.edu
2000 AP-LS Biennial Program Chairs	Randy Borum	rborum@psych.mc.duke.edu
	Marisa Reddy Pynchon ...	MPynchon@aol.com
2000 APA Program Chair	Margaret Bull Kovera	koveram@fiu.edu

Expert Opinion

Unethical Behavior, cont...

Continued from page 25

the attorney and asking for his/her consent to notify the APA Ethics Committee, you have taken "reasonable steps" to resolve this issue.

Consistent with Ethical Principles..., it is appropriate and consistent with the principle that you bring this matter to the attention of the treating psychologist by speaking with him/her about the inappropriateness of his/her conduct. In doing so, the expert has, "...not violated any confidentiality right that may be involved" because of the attorney/client privilege. Had you

reported what you believed to be a violation to the APA Ethics Committee, this action would conflict "with confidentiality rights in ways that cannot be resolved."

Although this hypothetical case involves attorney/client privilege existing between you and the plaintiff's attorney, the same issues and proposed resolutions would apply had the expert's services been retained by the respondent's attorney.

"Expert Opinion" is edited by Barry Rosenfeld, Ph.D., Department of Psychology, Long Island University, Brooklyn, NY 11201. Direct inquiries or suggestions for topics to Dr. Rosenfeld at 718-488-1170 or E-mail at: Brosenfe@Hornet.LIUnet.edu ■

Funding Opportunities

Division 41 Stipends for Graduate Research

The Division 41 Grants-in-Aid Committee is accepting proposals for small stipends (maximum of \$500) to support empirical graduate research that addresses psychological issues (the award is limited to graduate students who are student affiliate members of AP-LS). Interested individuals should submit a short proposal (a maximum of 1500 words will be strictly enforced) in either a hard-copy (four copies) or electronic format that includes: (a) a cover sheet indicating the title of the project, name, address, phone number, and e-mail address of the investigator; (b) an abstract of 100 words or less summarizing the project; (c) purpose, theoretical rationale, and significance of the project; (d) procedures to be employed; and, (e) specific amount requested, including a budget. If the application has previously received funding from the committee, their application must also include an abstract describing their completed research.

Applicants should include a discussion of the feasibility of the research (e.g., if budget is for more than \$500, indicate source of remaining funds). Applicants should also indicate that IRB approval has been obtained, or agree that it will be prior to initiating the project.

Five copies should be sent to:
Margaret Bull Kovera
Department of Psychology
Florida International University
3000 NE 151st Street
North Miami, Florida 33181

Electronic submissions can be submitted via e-mail to koveram@fiu.edu.

Committee members: Wendy Heath, Rider University; Margaret Bull Kovera, Florida International University; Mindy Rosenberg, Private Practice and UC-Berkeley; and Matt Zaitchik, University of Massachusetts Medical Center.

There are two deadlines each year: September 30 and January 31. ■

Dissertation Grants AAFP Award Winners

The American Academy of Forensic Psychology (AAFP) announced the recipients of its 1998 Dissertation Funding Program. Each year AAFP makes available funds to offset dissertation costs for doctoral students conducting research in areas of applied law and psychology. This year's applications were reviewed by a committee of three AAFP Fellows—Drs. Bruce Frumkin, Harley Stock, and John Super. Students granted awards for 1998 include:

Judith Philipson, Allegheny University—Third Party Information and Reliability: Factors Influencing Ward Staff Observations of Malingered Psychosis.

Alicia Caputo, University of Alabama—Community Notification Laws for Sex Offenders: Possible Mediators and Moderators of Citizen Coping.

Kelly Goodness, University of North Texas—Retrospective Evaluation of Malingering: A Validation of the R-SIRS and CT-SIRS.

Jenine Boyd, University of South Florida—The Competence Related Abilities of Juveniles in Court.

Applications are due in mid January, each year. Application requirements are published each fall in the AP-LS Newsletter. Students interested in applying for 1999 awards should contact:

Randy Otto, Ph.D.
Dept. Mental Health Law & Policy
Florida Mental Health Institute
University of South Florida
13301 Bruce B. Downs Blvd.
Tampa, FL 33612
otto@hal.fmhi.usf.edu ■

Executive Committee E-mail Addresses

- President: Jack Brigham
brigham@psy.fsu.edu
- Past President: Gail Goodman
ggoodman@ucdavis.edu
- Member at Large: Solomon Fulero
sfulero@sinclair.edu
- Secretary: Diane Follingstad
follings@garnet.cla.sc.edu
- Treasurer: Mark Small
small@siu.edu
- Member at Large: Patty Griffin,
griffinpa@aol.com
- Member at Large: Steve Hart
shart@arts.sfu.ca
- President Elect: Jim Ogloff
james_ogloff@sfu.ca
- Newsletter Editor: Randy Otto
otto@hal.fmhi.usf.edu
- Publications Editor: Ronald Roesch,
rroesch@arts.sfu.ca
- *Law & Human Behavior*
Editor: Rich Wiener

Upcoming Events

AP-LS/EAPL Conference in Dublin

AP-LS will join with its European counterpart, the European Association of Psychology and Law, to co-sponsor a major international conference to be held in Dublin, Ireland from July 6-9, 1999. We are very excited about the prospects of joining with our European colleagues and the conference organizers hope that this will serve to facilitate scholarly collaboration and exchanges between members of our two organizations. The co-chairs of the conference are David Carson, a law professor at the University of Southampton, England, who will represent EAPL, and Ronald Roesch, who will represent APLS.

We welcome proposals for symposia, papers, and posters on any topic, but particularly those related to the identified themes of the conference. Ronald will be responsible for submissions from North America and David Carson will handle submissions from Europe. Submissions from elsewhere can be sent to either Ronald (rroesch@arts.sfu.ca) or David (d.c.carson@soton.ac.uk).

Key Conference Themes

- Symposia, papers and posters on any topic, particularly emerging and/or comparative topics, within psychology and law, will be welcome. All papers will be subject to review. However the key themes are as follows:
- Psychology, Human Rights and International Organizations. The contribution of psychology and

law to the protection of human rights.

- Legal procedures and judicial roles. Comparative legal procedures; investigatory versus adversary trial procedures.
- Law reform. Psychology's contribution to the legislative law reform program.
- Crime and punishment. Particularly comparative studies and insights into causes, effects and responses to criminal behavior and its punishment.
- Cross-cultural studies and meta-analysis. Problems and promise of comparative studies of juries, crimes, treatment programs, etc.
- Nationality and community. The role of community in justice decisions, treatments, policing, etc.
- Comparative mental health law. Including capacity and competence, insanity and other defenses, risk assessment and management, implications for family and compensation laws.
- The conference has a web site with details about the program and submissions: <http://www.soton.ac.uk/~law/bstcd.html>. The deadline for submissions to Ronald is **November 15, 1998**, but please submit as early as possible. If you don't have access to the web site, you can write or E-mail Ronald for more information.

Ronald Roesch
Director, Mental Health, Law,
and Policy Institute
Simon Fraser University
Burnaby, BC V5A 1S6

Phone: 604/291-3370
Fax: 604/291-3427
E-mail: rroesch@arts.sfu.ca ■

Time to Register The International Congress of Applied Psychology

The organizers of the 24th International Congress of Applied Psychology, taking place August 9-14, 1998 in San Francisco, have issued a circular, which includes Congress registration and housing reservation materials. The early registration deadline is April 1, 1998.

Hosted by the American Psychological Association (APA) on behalf of the International Association of Applied Psychology, the Congress program will feature an array of individual and group presentations.

The Congress program will also offer: an exhibit of major publishing, technological, and psychological companies; continuing education workshops; site visits to clinics, laboratories, and industrial settings; and excursions to nearby tourist attractions.

To request a copy of the circular, contact:

Congress Secretariat
APA Office of International Affairs
750 First Street, NE
Washington, DC 20002-4242

Fax: 202/336-5956
E-mail: icap@apa.org ■

**Call for
Participation
1998 Annual
Meeting of The Law
and Society
Association**

**Snowmass Village
Aspen, Colorado
June 4-7, 1998**

The Law and Society Association has issued a Call for Participation for its 1998 Annual Meeting to be held June 4-7 in Snowmass Village at Aspen, Colorado. The theme is "*Connections Across Disciplines, Theories, and Methods.*" For a copy of the Call and information on submission of proposals contact the LSA Executive Office by E-mail: lsa~legal.umass.edu; Fax: 413/545-1640; Phone: 413/545-4617; Website: w'tvw.umass.edu/legal/lsa; or by Mail to:

Executive Office
Law and Society Association
Hampshire House
University of Massachusetts
Amherst, MA 01003. ■

To have your event listed in the upcoming AP-LS NEWS, submit it to:

Randy Otto
Mental Health Law & Policy
Florida Mental Health Institute
University of South Florida
13301 Bruce B. Downs Blvd.
Tampa, FL 33612-3899
Phone: 813/974-4510
Fax: 813/974-9327
E-mail: otto@hal.fmhi.usf.edu

**Test Review
Test of Memory
Malingering, cont...**

Continued from page 18

were significantly lower than those of the other criteria groups. Further, these scores were lower despite what appeared to be deviation from the standardized administration, raising the possibility that they may have been still lower. Three of the subjects in the dementia group were excluded from the final analysis because of the severity of their impairment. As a consequence, the possibility exists that under standard administration the TOMM might not effectively distinguish between malingering subjects, simulators, and those with dementia.

Additional research may also help to refine the detection criteria for the TOMM. As indicated earlier, the author noted two possible detection strategies. One was scoring below 50% correct on any trial. The second is a score lower than 45 on either Trial 2 or the Retention Trial. Most malingerers will not be detected by the first criteria. This is confirmed by subsequent research (Rees et al., 1998). Perhaps future investigations could consider the development of a discriminant function, the use of inter-trial performance curves, or the introduction of computerized administration that would incorporate other useful test data (e.g., reaction times), thereby increasing the effectiveness of detection. Relying on multiple strategies within a single instrument could serve to improve its effectiveness. For example, the use of reaction times even with established instruments such as the MMPI have met with positive results (Brunetti,

Schlottmann, Scott, & Hollrah, 1998). In the more recent investigation (Rees et al., 1998), such a strategy was utilized with promising results though they admit to the need for further normative research prior to using latencies scores (p. 17).

The refinement of such scoring strategies could be particularly important as future investigations consider the response of other diagnostic groupings. For example, the author admits to the possible impact of psychiatric difficulties such as depression on the responses to the TOMM, and he has undertaken preliminary research with this population which proves promising. Refining the scoring criteria might also serve to enhance the effectiveness of the instrument in other populations such as those with dementia.

Another area for additional explanation might be the criteria for the item selection for the final version of the TOMM. While Tombaugh does point to the superiority of visually presented stimuli over auditory, there is no indication of the rationale behind individual items drawn from a pool of some 550 line-drawings. It is at least conceivable that all items do not possess the same level of predictive validity particularly in the detection of malingering. A consideration of the potential differences between individual items might enhance the usefulness of the instrument through the introduction of additional detection strategies such as qualitative differences (e.g., failing easier items while passing more difficult ones).

Finally, future research should continue efforts aimed at the development of additional testing instru-

Continued on page 30

Test Review

Test of Memory

Malingering, *cont...*

Continued from page 29

ments. Communication with the primary author (T. Tombaugh, personal communication, March 27, 1998) revealed that such work does continue. More specifically, normative data is being collected on a second generation instrument referred to as the TOMM II. This device, consisting of 24 abstract pictures, is intended to be used as a companion to the original test and to offer clinicians yet another tool in their detection arsenal.

References

Brunetti, D. G., Schlottman, R. S., Scott, A. B., & Hollrah, J. L. (1998). Instructed faking and MMPI-2 response latencies: The potential for assessing response

validity. *Journal of Clinical Psychology, 54*(2), 143-153.

Haines, M. E., & Norris, M. P. (1995). Detecting the malingering of cognitive deficits: An update. *Neuropsychology Review, 5*, 125-148.

Pankratz, L. (1979). Procedures for the assessment and treatment of functional sensory deficits. *Journal of Consulting and Clinical Psychology, 47*, 409-410.

Rees, L. M., Tombaugh, T. N., Gansler, D. A., & Moczynski, N. P. (1998). Five validation experiments of the Test of Memory Malingering (TOMM). *Psychological Assessment, 10*, 10-20.

Rogers, R., Harrell, E. H., & Liff, C. D. (1993). Feigning neuropsychological impairment: A critical review of methodological and clinical considerations. *Clinical Psychology Review, 13*, 225-274.

Siegel, S. (1956). *Nonparametric statistics for the behavioral sciences*. New York: McGraw-Hill.

Tombaugh, T. N. (1996). *TOMM: Test of Memory Malingering*. North Tonawanda, New York: Multi-Health Systems Inc.

Tombaugh, T. N. (1997). The Test of Memory Malingering (TOMM): Normative data from cognitively intact and cognitively impaired individuals. *Psychological Assessment, 9*, 260-268.

Warrington, E. K. (1984). *Recognition Memory Test: Manual*. Berkshire, UK: NPER-Nelson.

Glenn Smith, Ph.D. is Staff Psychologist and Coordinator of the PTSD Treatment Program at the James A. Haley Veterans Hospital, Tampa, Florida. Dr. Smith is a graduate of the University of Missouri-St. Louis and the author of the Structured Inventory of Malingered Symptoms (SIMS). ■

American Psychology - Law Society News

The American Psychology-Law Society News is a publication devoted to dissemination of information, news, and commentary about psychology, mental health, and the law. The newsletter is published spring/summer, fall, and winter. Please submit materials in both written format and on either an IBM-PC compatible or Macintosh disk. Files may be written with any major word processing application and saved in both that format and in ASCII (DOS) or Text (Macintosh) formats. Indicate the application and version used on the disk.

Editor

Randy K. Otto

Production Editors

Kelly M. Lyon

Student Editor

Alicia Hall

Send submissions to:

Randy K. Otto / MHC 2616
Dept. of Mental Health Law & Policy
Florida Mental Health Institute / USF
13301 Bruce B. Downs Blvd.
Tampa, Florida 33612-3899

How to contact the editors:

Phone 813/974-4510, Fax: 813/974-9327
Via Internet: otto@hal.fmhi.usf.edu
lyon@hal.fmhi.usf.edu
halla@hal.fmhi.usf.edu

Student Column

To Protect and Serve... Elections '98

Written by
Christian A. Meissner



AP-LS Student Officers E-mail Addresses

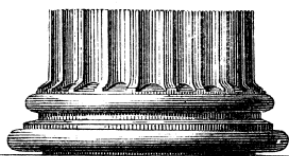
Chair, Lori Butts
butts@law.vill.edu

Chair Elect, Melissa Westendorf
westendorf@law.vill.edu

Past Chair, Barbara Watts
76101.3614@compuserve.com

Secretary-Treasurer, Tom Hecker
hecker@vm.temple.edu

Student Newsletter Editor,
Chris Meissner
meissner@psy.fsu.edu



To protect and serve... Elections '98

It is time again to solicit nominations for AP-LS Student Officer positions! Three positions will be open from which individuals may select, including: Chair Elect, Secretary-Treasurer, and Newsletter-Web Editor. The duties and responsibilities of each position are outlined below. To be considered for a position, nominees must currently be a graduate student and student affiliate of AP-LS in good standing. Nominations must be received by **May 20, 1998**, and may be sent to Lori Butts via email (butts@law.vill.edu) or telephoned at 610/645-9575. Candidates must include the following information: name, address, telephone, email, position of candidacy, and a 150-200 word summary describing their background and qualifications for the office. Ballots will be mailed to all student affiliate members after nominations have been collected.

Chair Elect

- 3-year commitment
- Attends/chairs meetings of the student officers and membership for the 1999/2000 APA conventions, and 2000 AP-LS conference
- Attends AP-LS Executive Committee as an ex-officio member
- Participates in the development and organization of student section projects
- Establishes goals and monitors progress
- Maintains correspondence and assesses needs of membership

Secretary-Treasurer

- 1-year commitment
- Attends meetings of the student officers and membership for the 1999 APA convention

- Welcomes new members and maintains an updated student directory
- Develops and monitors the student section budget
- Facilitates correspondence with membership
- Participates in the development and organization of student section projects

Newsletter-Web Editor

- 1-year commitment
- Responsible for the student column in each of 4 AP-LS Newsletter editions
- Updates and maintains student section web-site
- Participates in the development and organization of student section projects
- Assists in correspondence with membership

Thank you notes...

The recent Biennial AP-LS conference was a tremendous success! Kudos to Lynne Sullivan, our student convention chair, for her hard work in organizing the proceedings; and to Lori Butts, our current section chair, for developing and inviting such wonderful speakers to our student workshop. We would also like to thank all of you who participated either as an attendee, a presenter, or most especially, as a volunteer.

Destination APA:

San Francisco, CA...

We are looking forward to seeing a few of you again at the upcoming APA Convention in San Francisco, California! The Student Section will be sponsoring a symposium there to discuss a topic very dear to all of our hearts...opportunities for student research funding in the field of psychology and law! Look for more

Continued on page 32

Student Column Elections '98, cont...

Continued from page 31

information in this issue of the newsletter.

Student Section Web Site...

During the recent student section business meeting, much of our discussion revolved around the breadth of information to be included in the AP-LS student web site. Many great suggestions were made that will add tremendously to the knowledge access and networking capabilities of our membership. Things to look for include: a directory listing of all current student section members (including email and other contact information); a job posting section of both academic and applied psychology-law positions; a general information section regarding conference announcements and funding opportunities; and a bulletin board section for student members to post information or requests pertinent to the organization. Development of the site is underway, and should be concluded within the coming months. If you have any further suggestions, please don't hesitate to let us know! ■

Researchers Win Achievement Award

The research department at the Penetanguishene Mental Health Centre has been given an award that recognizes the centre's outstanding contribution to the understanding of violence and its relationship with mental disorder. Since it was established in 1976, the research department has gained an international reputation for its research in aggression and violence.

Department staff, under the leadership of director Dr. Marnie Rice, have published hundreds of research reports that have been used to improve treatment programs for people who have committed acts of violence, and one of the department's most important contributions has been in the area of predicting the risk of violence by people with mental disorders.

A report published in 1994, *The Violence Prediction Scheme: Assessing Dangerousness in High Risk Men*, has been hailed as the most important book of the decade on the prediction of violence. The department's violence risk appraisal guide is used throughout Canada and the U.S. as a tool for deciding whether to permit people who have committed violent acts to return to the community.

In 1995, Dr. Rice received the prestigious Award for Distinguished Contribution to Research in Public Policy from the American Psychological Association.

Representing her department, she was presented with the Amethyst Award for Outstanding Achievement by Ontario Public Servants. Other members of the research department are Dr. Grant Harris, Terry Chaplain, Catherine Cormier, Carol Lang and Sonja Dey.

The Amethyst Award is named after Ontario's official mineral. It recognizes outstanding achievement and contributions by members of the provincial civil service. The 21 award recipients were nominated by Ontario public service employees across the province. A total of 81 nominations were submitted from 17 ministries and government agencies in this year's fifth annual awards.

For more information, contact:
Sonya Kapusin
Ministry of the Environment
77 Bloor Street West, 4th Floor
Toronto, Ontario M7A-2R9
Phone: 416/323-4326 ■

If you would like to include your announcement, call for papers, fellowship or position vacancy in the next AP-LS Newsletter, contact Randy Otto at 813/974-4510 or via the Internet at: otto@hal.fmhi.usf.edu ■

ABA/APA **Workgroup**

Gathering Information on Collaborative Efforts

Volunteer and staff members of the American Psychological Association and the American Bar Association are working together to facilitate interactions and effective collaboration between psychologists and lawyers on issues of mutual interest. One initiative of this interdisciplinary workgroup is to identify and gather information on projects and other collaborative efforts that already exist between lawyers and psychologists. Any assistance you can provide in identifying projects involving formal, informal, and community-based collaborations between psychologists and lawyers, whether they be individuals or groups of professionals, would be appreciated. If you have information that may be helpful or have questions concerning this request, contact:

Task Force on APA/ABA Relations, c/o Donna Beavers, Office of General Counsel, American Psychological Association, 750 First Street, N.E., Washington, D.C. 20036.

Fax: 202/336-6069

Email: djb.apa@email.apa.org ■

Call for Papers and Manuscripts

Employment Discrimination

Behavioral Sciences and the Law will devote a special issue to Employment Discrimination. Potential contributions can focus on any relevant topic; however, we especially are interested in manuscripts that address issues relevant to the Americans with Disabilities Act.

Preference will be given to manuscripts received by June 1, 1998. Manuscripts should be twenty to thirty double-spaced pages. Failure to conform to the style requirements of the newest Publication Manual of the American Psychological Association or the 15th edition of a Uniform System of Citation may lead to rejection of manuscript. Submissions must contain a 150 word abstract.

Send three copies (2 of which need to be prepared so that they can be "blind-reviewed") to either of the special issue editors, Alan Tomkins or Peter Blanck.

Professor Tomkins can be reached at the University of Nebraska-Lincoln, Law/Psychology Program, 335 Burnett Hall, Lincoln, NE 68588-0308 USA. Phone: 402/472-3743; Fax: 402/472-4637; or

E-mail:
tomkins@unlinfo.unl.edu.

Professor Blanck can be reached at the University of Iowa, College of Law, Iowa City, IA 52242-1113. Phone: 319/335-9043; Fax: 319/335-9019; E-mail: P-blanck@iowa.edu ■

Book Series

AP-LS sponsors a book series, *Perspectives in Law and Psychology*, published by Plenum Press. The series publishes scholarly work that advances the field of psychology and law by contributing to its theoretical and empirical knowledge base. Topics of books in progress include forensic assessment, sexual harassment, judicial decision making, death penalty, and juvenile accountability. The series is expanding and the editor is interested in proposals for new books. Inquiries and proposals from potential authors should be sent to:

Dr. Ronald Roesch, Series Editor, 936 Peace Portal Drive, P. O. Box 014-153, Blaine, WA 98231-8014 (Phone: 604-291-3370; Fax: 604-291-3427; E-mail: rroesch@arts.sfu.ca). ■

Wanted: Feedback on Testing Standards

APA Divisions have been asked to provide input on the draft report of the APA Joint Committee on Standards for Psychological Testing. Only one set of comments, due by the end of July, will be accepted per organization. AP-LS members interested in reviewing the draft and providing comments should contact Steve Hart, who will coordinate commentary for the division. He can be reached at Psychology Department, Simon Fraser University, Burnaby, British Columbia; e-mail: shart@arts.sfu.ca ■

Call for Papers...
continued on page 34

Call for Papers, cont...

Advances in Assessment and Treatment of Forensic Populations

Law and Human Behavior invites manuscript submissions for a special issue focusing on recent advances in assessment and treatment of forensic populations. We are particularly interested in empirical studies and rigorous scholarly reviews addressing either: (1) clinical assessment of forensic issues such as criminal competencies, criminal responsibility, violence risk, mental/emotional damages, child custody, guardianship, etc.; (2) treatment or intervention for forensic-specific issues, such as restoration of competency, reducing violence risk, reducing risk of criminal recidivism, treatment of victims of crime, treating offender populations, etc.; or (3) systems issues related to the assessment and management of forensic mental health populations. Topics relevant to adult and juvenile populations are welcome. A central theme of the issue will be explication of how knowledge, practice, or technology in these fields have been advancing and improving, so all manuscripts should elucidate the implications and importance of the findings for practice and/or policy.

Guest editors for this issue are Randy Borum of Duke University Medical Center and Randy Otto of the Florida Mental Health Institute at the University of South Florida. Four copies of manuscripts, prepared for anonymous review, should be sent to:

Randy Borum
Duke University Medical Center
Box 3071, Durham, NC 27710

E-mail:
rborum@psych.mc.duke.edu

To be considered for this special issue, manuscripts must be post-marked no later than **November 1, 1998**. ■

Fellowships and Positions

Chair Forensic Psychology

**Department of Psychology
University of Saskatchewan**

The University of Saskatchewan invites applications for the newly created Chair in Forensic Psychology within the Department of Psychology. The successful applicant must have a Ph.D. and a well-established record as a researcher and teacher in forensic psychology. In addition to the duties and responsibilities of a senior full-time faculty member, which include teaching, research, and the supervision of graduate and undergraduate students, the Chair is expected to provide leadership towards the establishment of a specialization in forensic/correctional psychology within the clinical psychology graduate program. An interest in developing a program of research on aboriginal correctional issues is also a requirement. The successful applicant must be eligible for registration as a psychologist in Saskatchewan. The clinical psychology program is accredited by the Canadian and the American Psychological Associations and has an excellent reputation for research and practice. The initial appointment is for a term of five years with a strong possibility for renewal. Salary is commensurate with qualifications and experience. The stipend for the Chair includes support for research and graduate students. Highly promising but more junior candidates, with the appropriate interest and experience, are also encouraged to apply.

Affiliated with the University of Saskatchewan is the Regional Psychiatric Centre (RPC), an accredited 200-bed forensic mental health facility. RPC psychologists and other senior staff hold adjunct appointments at the University of Saskatchewan. In addition to having a strong forensic research program, RPC also works closely with the university's Department of Psychology to provide teaching, internship supervision and research training of graduate and undergraduate psychology students.

Information on the University of Saskatchewan and the city of Saskatoon can be found at <http://www.usask.ca> and <http://www.lights.com/sreda>, respectively.

Applicants should arrange for three letters of reference, as well as a detailed curriculum vitae, to be sent to Dr. Linda McMullen, Head, Department of Psychology, 9 Campus Drive, University of Saskatchewan, Saskatoon, Saskatchewan, Canada S7N 5A5. The closing date is **June 30, 1998** or until the Chair is filled. We wish to fill the Chair as soon as possible, but must fill it no later than July, 1999.

The University of Saskatchewan is committed to employment equity. Members of designated groups, (women, aboriginal people, people with disabilities, and visible minorities) are encouraged to self-identify on their applications. ■

Program Director **National Science Foundation**

The Law and Social Science Program is searching for a new Program Director. The position is for a visiting scientist from an academic or research setting who is challenged by the opportunity to advance the field of sociolegal studies and to help shape future research policy and the organization of the Directorate for Social, Behavioral, and Economic Sciences.

The responsibilities include evaluating and recommending funding for research proposals, representing the multi-disciplinary field within the National Science Foundation, and representing NSF in the law and social science research community and other settings. Broad knowledge of the field, a Ph.D. or the equivalent, at least six years of research experience, administrative skills, and the ability to communicate effectively are required. Appointments are for one year and are renewable for not more than two years. The term would start in the summer of 1998.

For more information, please contact the current Program Director, Harmon M. Hosch, Law and Social Science Program Director, by telephone at 703/306-1762, by surface mail at the National Science Foundation, 4201 Wilson Boulevard, Suite 995, Arlington, VA 22230.

Or, via email at:
HHOSCH@NSF.GOV ■

Assistant Professor **Simon Fraser University**

The Department of Psychology at Simon Fraser University is seeking a Limited Term Assistant Professor in one of the following areas: Child Clinical Psychology, Cognitive and Biological Psychology, or Law and Psychology. The anticipated duration of the appointment is one year with the possibility of renewal. The appointment will commence on September 1, 1998. Candidates should have a Ph.D. and a record of research productivity and teaching. Qualified candidates are invited to send a curriculum vitae, cover letter, supporting documentation, and three letters of reference by **May 31, 1998** to Dr. William R. Krane, Chair, Department of Psychology, Simon Fraser University, Burnaby, B.C. V5A 1S6. This position is subject to budgetary approval. In accordance with Canadian Immigration requirements, priority will be given to Canadian citizens and permanent residents. Simon Fraser University is committed to the principle of equity in employment and offers equal employment opportunities to all qualified applicants. ■

Trial Consulting **The Wilmington Institute**

The Wilmington Institute, a nationwide trial consulting firm, has 2 new senior trial scientist positions to meet its growing business demands. Both positions offer ex-

cellent possibilities for career development and advancement.

Contact Richard Waites, The Wilmington Institute, 1221 McKinney Avenue, Suite 3110, Houston, Texas 77010, Telephone: 713/659-6600, Fax: 713/659-6603. ■

Psychologist **Minnesota Sex Offender Program**

The Minnesota Sex Offender Program, a treatment program for civilly committed sex offenders located in Moose Lake and St. Peter, is seeking a Psychologist-III. Services would include completing initial psychological assessments, providing court testimony, conducting group and individual therapy sessions with residents in the Evaluation and Transition stages of the program, and some training of other disciplines. Position would be located at the St. Peter site of the program. Minimum qualifications include a Ph.D. in Psychology with licensure, and experience conducting psychological testing. Prior experience with the provision of court testimony and the evaluation of sex offenders is preferred. Competitive salary and benefits.

Call for application: Human Resources Department MSPPTC. Moose Lake, MN. 218/485-5300. MSOP is an Equal Opportunity/Affirmative Action Employer. ■

Debate and Member Survey

Forensic Psychology as a Specialization: What Role for AP-LS?

Kirk Heilbrun

The question of whether forensic psychology should be considered a specialization has been carefully considered and vigorously debated within the American Psychology-Law Society for several years. In particular, the immediate question involves whether AP-LS, as a leading national organization for those involved in the science and practice of psychology and law, should collaborate with the American Academy of Forensic Psychology in petitioning APA for the recognition of forensic psychology as a specialization. An important related question involves how "forensic psychology" should be defined *if* such a petition is pursued. Possibilities for this definition include (1) broadly, to include all forms of professional psychological conduct when acting, with definable foreknowledge, as a psychological expert on explicitly psycholegal issues, or (2) narrowly, to encompass primarily the practice of clinical forensic psychology.

The American Psychological Association has historically recognized four specialties in the area of professional psychology: clinical, counseling, school, and industrial-organizational. Within the last ten years, however, there has been an attempt to expand the number of specializations within APA. In addition, APA has sought to designate areas in which individuals may demonstrate a level of com-

petence that does not rise to the level of specialization, but exceeds that expected from generalist training. This intermediate level is described as a *proficiency*, while the advanced level retains the historic designation of *specialty*.

To evaluate proposals from various areas within psychology, APA developed the Committee on Specialties and Proficiencies in Professional Psychology (CRSPPP). This committee reviews petitions submitted by various organizations regarding new specialties and proficiencies; if approved by CRSPPP, the petition is then submitted to APA Council for a vote. As a formal mechanism for recognizing specialties and proficiencies, CRSPPP has been "in the works" for nearly 20 years, so the recent actions taken by this committee may be viewed in the context of longer-range APA plans. There is some relation between the "proficiency" designation and the development of the APA National College. In particular, proficiencies (which tend to be in narrower areas, such as substance abuse counseling, as contrasted with the broader areas of specialization, such as clinical psychology) may be areas in which an individual could achieve this status through training at the National College.

It is important to note that there is no current APA plan to designate individuals as specialists, however.

Rather, the expectation is that implications for a specialty area would be at the program accreditation level. APA currently accredits its programs in clinical, counseling, and school psychology. It may be that APA will begin to accredit programs in neuropsychology (a relatively recently-approved specialization). If there were a number of existing programs in forensic psychology, APA might be inclined toward developing accreditation for such programs. Currently, of course, there are few programs which are primarily focused on training in forensic psychology. It is more likely, however, that there would be immediate implications for the accreditation of postdoctoral training programs.

Several potential advantages may accrue to AP-LS and the AAFP from collaborating in a specialization petition, if this petition is approved by APA. Such advantages include (1) the opportunity to proactively shape the contours and criteria for forensic expertise within the broader field of psychology, (2) stimulation of program development in graduate, internship, and fellowship training, (3) increased visibility for the field at undergraduate and pre-undergraduate levels, (4) the development of a better-trained generation of forensic psychologists, yielding more competent forensic practice and consultation within 10-15 years, and (5) enhanced recognition by legal decision-makers that APA considers the applications of forensic psychology to be a specialization (even though APA does not designate individuals in this spe-

Continued on page 37

cialization), which could sharpen courts' inquiries into the potential experts' areas of competence that are relevant to the legal questions at hand.

Potential disadvantages also exist. Such disadvantages include (1) possible divisiveness within AP-LS, (2) additional responsibilities and work for directors of graduate programs and particularly postdoctoral fellowships in meeting accreditation criteria, (3) the possibility that specialty designation might make it more difficult for non-clinical testimony to be admitted, particularly if "forensic" is defined mainly as "clinical forensic," and (4) the absence of any compelling interest or need for specialty designation felt by experimental, social, cognitive, and developmental psychologists working in legal areas might decrease their involvement in AP-LS, if AP-LS pursued the petition for specialization.

The Executive Committee of AP-LS is interested in the views of the members on these questions. Accordingly, there are four views expressed in this section on these questions by AP-LS members who have been actively associated with these discussions. Following this, there is a ballot which we are asking members to complete, expressing their views. The results of this survey will be collated and presented to the Executive Committee for their consideration (this vote will not be binding on the EC, but can help to inform them about the views of the membership).

Should AP-LS collaborate with AAFP in petitioning APA for the designation of forensic psychology as a specialty? If yes, how should "forensic" be defined?

NO

(Summarized from a presentation by Ron Roesch and Jane Goodman-Delahunty at the 1998 AP-LS Biennial Conference)

POSITION: AP-LS should not collaborate with AAFP in petitioning APA to designate forensic psychology as a specialty.

There are two main reasons why AP-LS should not be involved in the attempt to have APA designate forensic psychology as a specialty. First, the nature of AP-LS as an organization, particularly its broad-based membership, is such that any agreement on a question of practice policy such as specialization is unlikely; moreover, the process may be divisive within the organization. Second, if specialty designation occurs, then programs offering forensic training of any kind may be asked to go through an accreditation process similar to that now applied to programs in clinical, counseling, and school psychology. Accreditation is a time-consuming, labor intensive process for programs that can stifle creativity; moreover, the field of forensic psychology is not yet sufficiently developed to benefit from the accreditation of predoctoral and postdoctoral programs. Each will be discussed in more detail.

Discussions within the Executive Committee of AP-LS about the CRSPPP specialization question have been going on for at least three years, and there remain very significant disagreements between members and factions within our organization. Proceeding with the CRSPPP petition would mean that these disagreements would continue and perhaps intensify as the application process progressed, in an organization that has been noteworthy for the harmonious and productive coexistence of members interested in different combinations of science, policy, and practice in legal contexts. It is not necessary to have a broad-based organization like AP-LS drawn into this divisive issue, with the significant potential for more conflict and for distracting us from other more productive projects.

The second reason why we should not proceed with a specialization application involves the consequences if APA does grant specialization designation to forensic psychology. If this happens, it is likely that APA will begin to develop standards for accreditation of programs in forensic psychology, beginning with postdoctoral fellowships but soon progressing to predoctoral training programs. We are not ready for this as a field. There are relatively few graduate training programs in the U.S. or Canada which provide coherent, integrated training in forensic psychology (leaving aside the question of how "forensic" is defined, which is another problem). If accreditation standards are developed for such programs, it might actually inhibit their growth. Even when



Forensic Psychology as a Specialization, *cont...*

Continued from page 37

there is some forensic training available in a graduate program, the modal number of faculty in the area is one. What will occur in such programs if accreditation standards should require at least several core faculty? Even for the relatively few programs which are fortunate enough to have several faculty interested in the area, the demands of meeting APA accreditation standards (including documentation, communication, receiving site visitors, and other administrative requirements) would be heavy, and again take the time of faculty who could be involved in other activities.

For these reasons, we should not proceed with attempting to have APA designate forensic psychology as a specialization. It is more sensible for AP-LS to decide against participating in such a process at present.

YES, WITH A NARROW DEFINITION

Solomon Fulero

POSITION: AP-LS should collaborate with AAFP in petitioning APA to designate "clinical forensic psychology" as a specialty. The specialty should be defined narrowly, to encompass the clinical applications of psychology in legal contexts.

It is to AP-LS's advantage to collaborate with AAFP in the submission of a petition to CRSPPP for the delineation of a specialty to be called "clinical forensic psychology." There are several reasons for this. The immediate implications of such a designation would be for accreditation of postdoctoral fellowships. It is possible that there will be other implications, however, including accreditation of predoctoral programs, use by licensing boards, and restriction of the use of the term "forensic psychologist." Although APA will not seek to recognize individual specialists, there could eventually be the broader recognition that one is a "forensic psychologist" because one was trained in a forensic psychology program, in the same way that one is currently recognized as a neuropsychologist by virtue of having been trained in a neuropsychology program.

The petition for specialization should restrict the delineation of the specialty to "clinical forensic psychology" and should define it in that narrower way. There are two important reasons for this. First, it has become customary in our field to refer to the overall discipline as "law and psychology" or "legal psychology." The term "forensic psychology" is seen by most in our field, as well as those in the legal system, as referring to the clinical applications of the broader field of legal psychology. Those in AP-LS who are trained in experimental, cognitive, social, and developmental psychology generally do not use the term "forensic" to define themselves, either within or outside the field. To define the entire field as "forensic" confuses the sub-area training distinctions

and, to some (fairly or unfairly) appears as though those with clinical training are attempting to equate "clinical forensic" with the entire field.

Second, the implications for education, training, and licensure are most strongly relevant to those with clinical training. The importance of attending an "APA-accredited" training program is lost on anyone not needing to be licensed; APA site visits and other APA-related accreditation activities are limited to those in clinical and related areas (school, counseling, and the like). Similarly, licensure and designation as specialists are relevant to those whose practice is regulated by licensure. In most states, there are specific exceptions to licensure requirements for those involved in teaching, research, and even in the specific practice of "social psychology." In both the neuropsychology and health psychology areas, specific acknowledgment of the distinctions between clinical and non-clinical sub-areas was made by using the prefix "clinical" in the petition and defining the term in that way.

Thus, the membership of AP-LS should consider supporting the submission of a petition for the designation of a specialty known as "clinical forensic psychology," defined as a branch of the broader field of "law and psychology" or "legal psychology." This achieves the advantages of the designation as a specialty area while avoiding the problems inherent in the other options.

Continued on page 39

YES, WITH A BROAD DEFINITION

William E. Foote

POSITION: AP-LS should collaborate with AAFP in petitioning APA to designate “forensic psychology” as a specialty. The specialty should be defined broadly, to encompass all applications of psychology in legal contexts.

The Specialty recognition process presents an opportunity for a new vision of forensic psychology. The book of Proverbs reminds us that “where there is no vision, the people perish.” In forensic psychology we are at a critical moment, a time of abundant opportunity for developing a unified vision of forensic psychology by using the CRSPPP process.

Specialty designation is designed to serve the public by defining specific areas of practice. In this process, the practice of a specialty is the top of a pyramid supported by layers of education and science. Each practice domain must have a basis in research, with an established body of books and journals that support the area. In order to qualify as a specialty, practitioners must have training through some combination of graduate, post-graduate, or continuing education methods. In short, the specialty designation depends upon a vertically integrated system of which practice is only a part.

However, in forensic psychology, some would argue that we are actually two distinct fields active in legal settings: one that studies psy-

chology and one that practices psychology. Much of the science has focused on applications of social psychology, cognition, and memory in legal settings like the police lineup, the interrogation room, the witness stand and the jury box. Much of the practice of legal psychology has derived its methods from other fields, including personality assessment, psychometrics and abnormal psychology.

Notwithstanding this historical dichotomy, I would argue that we are becoming one field, albeit one with many different facets. The current practice of forensic psychology is increasingly dependent upon modern research in psychology and the law. For example, the assessment of legal competencies has evolved through the work of McGarry’s group through Grisso’s compilation, to the MacArthur Research Network’s methods for assessing not only the client’s knowledge, but also the processes used to apply that knowledge. This is a product borne of a process that is theoretically based, empirically tested and very useful for practitioners “in the trenches.”

At the same time, researchers are becoming more sensitive to issues generated by forensic practitioners. The blossoming research in recovered recollections of child sexual abuse, the suggestibility of child witnesses and sexual harassment in the workplace all respond to issues raised by practitioners in the courtroom.

My esteemed colleagues who say that we should designate the practice of forensic psychology as “clinical forensic psychology” err in several respects. First, such a

distinction ignores those who practice forensic psychology but would be loathe to call themselves clinicians. These include those who do jury selection, and those who consult with law enforcement and correctional agencies concerning structuring systems. Second, such a distinction has the potential of further dividing psychologists working at the psychology-law interface. Third, the working definition of “forensic psychology” in the *Specialty Guidelines for Forensic Psychologists* is a broad one: “all forms of professional psychological conduct when acting, with definable foreknowledge, as a psychological expert on explicitly psycholegal issues, in direct assistance to courts, parties to legal proceedings, correctional and forensic mental health facilities, and administrative, judicial, and legislative agencies acting in an adjudicative capacity.”

While AP-LS has been a home for all of us, we are yet not a family, but more like residents of a boarding house. The absence of a clear conceptualization of forensic psychology has been both a product and a cause of these divisions. The CRSPPP process is an opportunity for all psychologists working in the psychology-law interface to work together to bring some coherence to the field. This is a solution with vision.

Continued on page 40

Forensic Psychology as a Specialization, *cont...*

Continued from page 39

NO

Richard L. Wiener

Question: Should the American Psychology/Law Society collaborate with the American Academy of Forensic Psychology to petition the American Psychological Association for a Forensic Specialization?

This question possesses two alternative affirmative answers that I will address in turn. The first answer might appear something like, "AP-LS should collaborate with AAFP in petitioning for a broad definition specialty called forensic psychology." While the purported benefit of this specialty is to establish some standards that will assist the courts to weed out poor quality expert testimony, there is some serious question that the specialty will result in that outcome. First, the field of psychology and law is broad based and includes technical work in clinical, social, cognitive, developmental, and organizational psychology. Therefore, it is difficult to envision a content area about which all forensic psychologists could claim adequate proficiency. Unless the law can expect a forensic psychologist to be a knowledgeable expert in these or some other set of specified topic areas, a designated specialty will not have the force to improve the quality of admissible evidence. The label forensic psychologist will bring qualifications that are in-

dependent of the actual expertise that psychologists bring to the courtroom and may actually act to decrease the quality of science upon which the courts rely. In short, it is better to have well trained clinical psychologists testify about issues of competency, experimental psychologists about issues of line-up accuracy and issues of juror behavior, and quantitative psychologists about issues of test construction and validity in employment assessment. It is difficult to imagine a graduate curriculum in forensic psychology that would instill expertise in each of these areas, instruct students about the essentials of law and legal process, and which students could master in a reasonable period of time.

In the end, the forensic specialty may limit the admissibility of high quality scientific testimony. Individual scientists performing cutting edge work in areas such as memory, judgment and decision making, attitudes, social cognition, child suggestibility, and employment discrimination who did not come from a program that trains "forensic psychologists" will be at a distinct disadvantage in the courtroom. Even if the testimony of such an "unqualified expert" makes it into the record, the evidence will certainly be somewhat discredited by the fact that the scientist is not a "forensic psychologist." This outcome is particularly disturbing in light of the fact that post Daubert courts are moving toward a test of admissibility based more on the reliability and validity of scientific research and less on general acceptance within the field. Establishing a broad based forensic psychology specialty will

slow this positive development. If nothing else, the forensic specialty will eventually become a standard that will add a new qualification barrier to the admissibility of high caliber psychological research.

The establishment of a forensic psychology specialty will weaken psychology and law as an area of specialization for experimental psychology graduate students. Very few cognitive, social, developmental, or organizational graduate students will be able to train so narrowly and yet remain competitive on the job market. Few psychology departments are able to support forensic psychology programs independent of the traditional academic areas. Consequently, there will be few academic jobs for new Ph.D.'s in forensic psychology. The specialty in forensic psychology will discourage graduate students who have no formal training in law from actively pursuing a research career in psychology and law. Finally, there are a number of prominent scientific psychologists who are not members of the American Psychological Association and who choose not to be governed by that organization's credentialing procedures. Many of these scientific psychologists are members of the American Psychology/Law Society (although not members of Division 41). Any collaboration between AP-LS and AAFP to petition APA to establish a broad based specialty in forensic psychology will place these "members at large" in the awkward position of supporting AP-LS in its efforts to assist APA in defining the field. In short, APA does not speak with a unified

Continued on page 41

voice for all psychologists who work in the area of psychology and law. In summary, a broadly defined specialty creates no apparent advantage for scientific psychologists. There is no apparent advantage to establishing a status in forensic psychology separate from cognitive, social, developmental, organizational, or clinical psychology.

The second affirmative answer to the question might appear something like: "AP-LS should collaborate with AAFP in petitioning for a narrowly defined specialty that includes only clinical practice areas." While this approach avoids many of the pitfalls that I have outlined above and is certainly preferable to a broad definition of forensic psychology, it too, has some significant drawbacks. First, unless the term includes a qualifier such as "forensic clinical psychology" or "clinical forensic psychology" it will foster competition among psychology and law scholars and mental health professionals regarding the use of the word forensic. The absence of the qualifier raises the difficult question, "Who should use the term "forensic" and who should not? The reasons for delineating one form of psychology as forensic and another form as "not forensic" are not easily determined. On the other hand, adding the qualifier, "clinical" is likely to be unacceptable to the governance structure of APA, which represents all members of that organization regardless of their status as members of Division 41 or AAFP. Finally, and most importantly for AP-LS, a narrowly defined specialty area such

as "clinical forensic psychology" will almost certainly broaden the gap between researchers and mental health professionals within our organization. Up until now, Division 41 and AP-LS have managed to avoid the most divisive impact of psychology's division into scientists and clinicians. The creation of a clinical forensic psychology specialty would make the scientist/practitioner dimension a manifest division in our organization. I do not see how amplifying this division could possibly be beneficial to the furthering of psychology and law as a discipline or profession.

Please complete the
Questionnaire on the
following page.

Continued on page 42.

Questionnaire/Non-Binding Survey

Please rank the following, in order of your preference
(1=highest to 4=lowest preference):

- ___ AP-LS should NOT collaborate with AAFP on pursuing forensic psychology specialty designation
- ___ AP-LS should collaborate with AAFP in petitioning APA to have forensic psychology designated a specialization using a NARROW DEFINITION (“clinical forensic”)
- ___ AP-LS should collaborate with AAFP in petitioning APA to have forensic psychology designated a specialization using a BROAD DEFINITION (all disciplines in psychology providing practice in legal contexts)
- ___ Not sure

Please indicate your:

Area of training in psychology

- clinical
- community
- cognitive
- developmental
- human experimental
- organizational
- social
- not formally trained in psychology

Level of training in law

- J.D. or LL.B.
- M.L.S./M.S.L.
- non-degree (e.g., law classes, CE courses, fellowship)
- no formal training in law

Degree in psychology

- Ph.D.
- Psy.D.
- Ed.D.
- M.A. or M.S.

Please check your primary employment setting:

- university department of psychology
- university interdisciplinary institute or department
- school of law
- school of medicine or other professional school
- correctional institution
- public hospital
- community mental health center
- private practice
- other

Mail this to...

Randy Otto, Department of Mental Health Law and Policy, Louis de la Parte Florida Mental Health Institute, University of South Florida, 13301 Bruce B. Downs Boulevard, Tampa, FL, 33612 by **July 31, 1998.**

Thank you... for your participation. ■

Continued from page 14

Faust, D., Hart, K., Guilmette, T., & Arkes, H. (1988). Neuropsychologists capacity to detect adolescent malingerers. *Professional Psychology: Research and Practice*, 19, 508-515.

Frederick, R., Sarfaty, S., Johnston, J., & Powel, J. (1994). Validation of a detector of response bias on a forced-choice test of nonverbal ability. *Neuropsychology*, 8, 118-125.

Frederick, R., & Foster, H. (1991). Multiple measures of malingering on a forced-choice test of cognitive ability. *Psychological Assessment*, 3, 596-602.

Green, W., Astner, K., Allen, L. (1995). *The Word Memory Test: A manual for the oral and computer-administered forms*. Durham, NC: Cognisyst, Inc.

Greiffenstein, M., Baker, W., & Gola, T. (1994). Validation of malingered amnesia measures with a large clinical sample. *Psychological Assessment*, 6, 218-224.

Griffin, G., Normington, J., May, R., & Glassmire, D. (1996). Assessing dissimulation among Social Security disability income claimants. *Journal of Consulting and Clinical Psychology*, 64, 1425-1430.

Hall, H., & Pritchard, D. (1996). *Detecting malingering and deception: Forensic distortion analysis*. Florida: St. Lucie Press.

Lezak, M. (1995). *Neuropsychological Assessment (Third Edition)*. New York: Oxford University Press.

Pankratz, L., Fausti, S., & Peed, S. (1975). A forced-choice technique to evaluate deafness in the hysterical or malingering patient. *Journal of Consulting and Clinical Psychology*, 43, 421-422.

Rey, A. (1941). L examen psychologie dans les cas d'encephalopathie traumatique. *Archives de Psychologie*, 28, 286-340.

Rey, A. (1958). *L Examen clinique en psychologie*. Paris: Presses Universitaires de France.

Rogers, R., Harrell, Ernest H., & Liff, Christine, D. (1993). Feigning neuropsychological impairment: A critical review of methodological and



FELLOW STATUS IN THE AMERICAN PSYCHOLOGICAL ASSOCIATION

Becoming a Fellow recognizes outstanding contributions to psychology and is an honor valued by many members. Fellow nominations are made by a Division to which the Member belongs. The minimum standards for Fellow Status are:

- *Doctoral degree* based in part upon a psychological dissertation, or from a program primarily psychological in nature and conferred by a regionally accredited graduate or professional school.
- *Prior status* as a Member of the Association for at least one year.
- *Active engagement* at the time of nomination in the advancement of psychology in any of its aspects.
- *Five years* of acceptable professional experience subsequent to the granting of the doctoral degree.
- Evidence of *unusual and outstanding contribution or performance* in the field of psychology.

To find out more information, contact Lisa Orejudos in the APA office at 202/336-5590, or by E-mail at: ljo.apa@email.apa.org.

clinical considerations. *Clinical Psychology Review*, 13, 255-274.

Rogers, R. (1988). Clinical assessment of malingering and deception. New York: The Guilford Press.

Tombaugh, T. (1996). *Test of Memory Malingering*. Toronto, Canada: Multi-Health Systems.

Michael Gamache was awarded a doctoral degree in clinical psychology from the University of Missouri

at Columbia. He has a private practice in Tampa focussed on forensic psychology and neuropsychology. He can be reached at mgamache@prodigy.com. or 500 N. Westshore Blvd., Suite 520, Tampa, FL 33609. ■

AMERICAN
PSYCHOLOGY
LAW
SOCIETY



American Psychology-Law Society
MEMBERSHIP APPLICATION

Division 41 of the American Psychological Association

The American Psychology-Law Society is a division of the American Psychological Association and is comprised of individuals interested in psychology and law issues. AP-LS encourages APA members, graduate and undergraduate students, and persons in related fields to consider membership in the Division. APA membership is not required for membership in the American Psychology-Law Society. Student memberships are encouraged. To join, complete the form below and send with dues to: Cathleen Oslzly, Dept. of Psychology, 209 Burnett Hall, Univ. of Nebraska-Lincoln, Lincoln, NE 68588-0308, (E-mail: coslzly@unlinfo.unl.edu).

Name _____ Degree _____

Address _____

City _____

State/Province _____ Country _____ Zip Code _____ - _____

Daytime Phone (____) _____ Internet _____

APA Member Yes No Field of Study (e.g., Psych., Soc., Law) _____

Annual Membership Dues: (payable to American Psychology-Law Society)

- Regular Member: \$40.00 (includes Law and Human Behavior Journal)
- Student Member: \$ 6.00 (\$24 with Law and Human Behavior Journal)
- For back issues of LHB contact: Cathleen Oslzly

Address Changes:

- APA members: send changes to APA Membership Dept., 750 First St. NE, Washington, DC 20002-4242
- AP-LS members, members at large or students: send changes to Ms. Oslzly at the address above or via E-mail

American Psychology-Law Society
Division 41 of the American Psychological Association
13301 Bruce B Downs Blvd. MHH-115
Tampa FL 33612-3899

Non-Profit Org.
U.S. Postage PAID
Permit No. 257
Tampa, FL