



A M E R I C A N
PSYCHOLOGY
LAW
SOCIETY

NEWS

American Psychology-Law Society, Division 41, American Psychological Association

Summer 2006 Vol. 26, No. 2

Expert Opinion

Psychiatric Advance Directives: Applying the Law to Promote Mental Health

Eric Elbogen, Ph.D., Jeff Swanson, Ph.D., & Marvin Swartz, M.D.

Services Effectiveness Research Program, Department of Psychiatry and Behavioral Sciences, Duke University Medical Center

At the heart of an evolving debate in mental health policy, law, and bioethics lies a tension between the principle of respect for individual autonomy in healthcare decisions and the responsibility to provide appropriate services to persons with severe mental illness, many of whom experience intermittent impairment of decisional capacity and fluctuating attitudes towards accepting treatment. The acute controversy over involuntary outpatient commitment and other mandated treatment in the U.S. is a part of this larger debate, and perhaps no other issue has so polarized stakeholders in recent years (Monahan et al., 2001). Involuntary treatment may well be “effective,” but it comes at the price of overriding the personal liberty of persons with severe mental illness (Swartz et al., 1999).

A growing number of stakeholders assert that psychiatric advance directives (PADs) may help resolve this dilemma by promoting both autonomy and beneficial treatment for persons with disabling psychiatric illnesses (Allen, 2004; Keefe & Pinals, 2004; Srebnik & La Fond, 1999). In the past decade, twenty-one states have passed psychiatric advance directives (PAD) laws allowing competent persons to authorize proxy decision makers and document advance instructions or preferences regarding future mental health treatment in the event of an incapacitating psychiatric crisis. The legislative intent of PAD laws is to enhance patient autonomy at the very time that patients are most vulnerable and in need of high-quality care (Srebnik, 2004). PADs also provide a transportable document to convey information about a patient’s treatment history, including medical disorders, emergency contact information, and medication side effects (Swartz, Swanson, & Elbogen, 2004). Finally, PADs may improve consumers’ access to beneficial mental health treatment during crises and be used as a clinical tool to increase therapeutic alliance and patient engagement (Swanson et al., 2003).

Clinicians in psychiatric emergency settings often know little about the background of individual patients who present in crisis centers or hospital emergency rooms. Yet, this is exactly when clinicians are required to make decisions regarding treatment and the management of suicide and violence risk. As a result, civil commitment decisions may be made under these circumstances with incomplete patient data. With PADs, however, clinicians would gain access to critical medical information during the very moments when psychiatric patients are least able to communicate it. As such, PADs theoretically enhance not only patient autonomy but also clinical decision making.

In addition to recognizing the potential benefits of PADs, many states are beginning to recognize legal obligations under the federal Patient Self-Determination Act of 1991, which includes informing all hospital patients that they have a right to prepare advance directives and—with certain caveats—that clinicians are obliged to follow these directives (Hoge, 1994). Though intended mainly to give persons control over their own healthcare at the end of life, the PSDA also inspired mental health advocates to promote advance planning as a means for persons with psychiatric disorders to retain autonomy (e.g., by proxy) even during periods of incapacity (Backlar & McFarland, 1996). As a result, people with mental illness residing in states without specific PAD statutes can use medical advance directives to specify mental health treatment preferences or assign proxy decision makers for mental health decisions.

Continued on p. 2

Contents...

Law and Human Behavior Update	3
APA Division 41 Program	4
AP-LS Teaching Techniques	8
Legal Update	12
Diversity in Psychology and Law	14
Feature Article: Internet Consultation	15
Executive Committee Meeting Minutes	16
Research Briefs	22
Nominations, Awards, & Announcements	28
Division News and Information	32
Executive Committee and Committee Chairs ...	34
Student Section	36
Conference/Workshop/Grant Planners	38

AP-LS News Editorial Staff

Editor-In-Chief

Jennifer Groscup, J.D., Ph.D.
jgroscup@jjay.cuny.edu

Production/Advertising Editor

Michele Galietta, Ph.D.
galietta13@aol.com

Past Editor-In-Chief

Barry Rosenfeld, Ph.D.
rosenfeld@fordham.edu

Associate Editor, Research Briefs

Marc Boccancini, Ph.D.
PSY_MTB@shsu.edu

Associate Editor, Legal Update

David DeMatteo, J.D., Ph.D.
ddematteo@tresearch.org

Associate Editors, Expert Opinion

Matthew Huss, Ph.D., M.L.S.
mhuss@creighton.edu
Eric Elbogen, Ph.D.
eric.elbogen@duke.edu

Website Manager

Adam Fried, M.A.
afried@fordham.edu

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 three times per year; February 1, June 1, and October 1. Original contributions are welcome, and will be published subject to editorial approval and space availability. A limited amount of space is also available for advertising and unsolicited manuscripts.

For information regarding editorial policies contact the Editor, Jennifer Groscup, Department of Psychology, John Jay College of Criminal Justice, City University of New York, New York, NY 10019 or jgroscup@jjay.cuny.edu. Advertising inquiries should be directed to Michele Galietta, Production Editor, via e-mail: galietta13@aol.com.

Address changes for APA members should be directed to APA Membership Dept., 750 First St. NE, Washington, DC 20002-4242; for non-APA members, student members, or members-at-large to Lynn Peterson, AP-LS Administrative Assistant at div41apa@comcast.net.

Continued from page 1....

Despite the promise of PADs reflected in new statutes passed in over 20 states since the early 1990s, relatively few patients have completed PADs. Research indicates that although approximately 70% of patients with mental illness would want a PAD if offered assistance in completing one, less than 10% have actually completed a PAD (Swanson, Swartz, Ferron, Elbogen, & Van Dorn, 2006). Why? Most patients report significant barriers to completing PADs, such as not understanding how they work or having trouble notarizing the document while obtaining appropriate witnesses (Swanson et al., 2003). Further, studies show that mental health professionals are concerned about following PADs with medically inappropriate instructions and are not convinced that they will realistically be able to access a patient's PAD during a crisis (Srebnik, 2004; Swartz et al., 2005; Van Dorn et al., in press).

PADs also pose ethical and legal dilemmas (Swanson, McCrary, Swartz, & Elbogen, & Van Dorn, in press). For example, how should a clinician react if a patient's preference is to refuse treatment? Although doctors can override medical advance directives only under limited circumstances, PAD statutes allow doctors to trump any mental health treatment preference they believe is inconsistent with appropriate psychiatric care. However, in *Hargrave v. Vermont*, the U.S. Court of Appeals recently struck down a state law that allowed mental health professionals to override a person's advance refusal of psychotropic medications through a general healthcare proxy (Allen, 2004; Appelbaum, 2004). The court ruled that the Vermont override law – which applied only to persons with psychiatric disorders – was discriminatory on the basis of disability and thus violated the Americans with Disabilities Act, Title 3.

Commentators worry the *Hargrave* decision could lead to social and humanitarian harm. Even if patients prefer to remain unmedicated, what are the implications of a state policy confining such persons with mental illness, possibly adding to their suffering? (Appelbaum, 2004) Further, it is argued priority should be given to the larger interests of society—namely, the in-

terests of taxpayers who ultimately would pay for substantially longer hospital stays for psychiatric patients with PADs refusing medications (Swanson et al., in press). Finally, a major practical consequence of *Hargrave* is that psychiatrists might become overly concerned about being sued and therefore be reluctant to encourage patients to complete PADs (Allen, 2004). All told, PADs following the *Hargrave* decision could constitute the worst of both worlds, where lawmakers believed they had given patients a legal way to implement their choices, but instead actually disempowered patients without offering treatment to ameliorate their suffering.

For these reasons, PADs have yet to gain widespread use in treatment provision for people with severe mental illness. The research indicates, however, that as more people learn about these laws, PADs will be used more frequently. For instance, studies find clinicians with more legal knowledge about PADs are more likely to endorse PADs as a beneficial part of patients' treatment planning (Elbogen, Swartz, Swanson, Van Dom, & Kim, 2006). Additionally, recent research suggests PADs typically contain clinically useful information and almost never include medically inappropriate information (Srebnik et al., 2005). Such data should further acceptance of PADs as a viable tool for improving psychiatric decision-making. Also, new evidence is emerging from a randomized clinical trial suggesting that a manualized PAD facilitation helps overcome patient barriers to completing PADs and may improve working alliance and treatment engagement among people with severe mental illness (Swanson, 2005). Finally, a new national resource center for PADs (www.nrc-pad.org) will disseminate state-by-state information on PADs and educational material to patients, family members, policymakers, and clinicians. As a result, it seems likely PADs will play a greater role in mental health care provision in the near future.

In sum, PADs could facilitate engagement in the treatment process, help to mobilize clinical resources, improve treatment adherence, and facilitate communication between providers, caregivers, and patients (Srebnik, 2004). Jointly, these influences could work together to help avert psychiatric crises or to improve management of

Continued on p. 7

Division 41 - American Psychological Association
Law and Human Behavior Updates
Brian L. Cutler, Editor-in-Chief

Online First

I am delighted to report that LHB is now on Springer's Online First program. Manuscripts are published online and made available to readers before being published in the journal. AP-LS members have full-text access to Online First articles through two routes. Those who have university library access to LHB can enter Online First using the same procedures used to obtain LHB articles online (look for the Online First section above the list of journal issues). Alternatively, AP-LS members may log onto the AP-LS website with their usernames and passwords, navigate to the Springlink page, and then enter Online First. I encourage you to visit Online First right away. You will find fascinating and important articles that have not yet appeared in print.

Tips for Authors

When preparing your manuscript for review at LHB (or elsewhere), it is useful to try to anticipate reviewer criticism. Toward this end, I thought I would share some of the more common criticisms and complaints that reviewers have of LHB submissions. I encourage authors to refer to this list and address these points when preparing their manuscripts for review by their peers.

"The manuscript is too long. It reads more like a master's thesis or a dissertation than a journal article."

A reasonable length for a single-study manuscript is 15-20 pages of text. Theses and dissertations are welcome, but they should be carefully edited to conform to reader expectations concerning manuscript length and content.

"The author did not explain why this research is important. Just because the study has not been done does not mean that it is important."

Be sure to articulate the importance of your research.

"This work has in full or in part already been published."

If you are submitting analyses based on published data, be explicit about what has been published from the dataset and clearly articulate what the current manuscript adds to the existing knowledge.

"The literature review is unbalanced."

Some research areas are hotly contested. Do not limit your review to research that supports your perspective. Be fair in reviewing the literature.

"The hypotheses are not well-developed. They do not follow from the literature review."

If you have hypotheses, make sure they are clearly stated and well-justified.

"The method section lacks important details."

Have you adequately described the participants, materials, and procedures? In this section reviewers prefer that authors err on the side of too much information.

"The author presents an endless stream of analyses. It was hard to follow and impossible to get the big picture."

Make sure your results are well-organized and efficiently reported.

"There are too many mistakes in the presentation of the results – the numbers in the tables do not match the text, the degrees of freedom suggest that cases have been dropped without explanation, etc."

Reviewers lose confidence when they find mistakes in the results. Be extra careful in copy-editing this section.

"The main hypotheses are not tested."

Make sure your results match up with your hypotheses.

"Effect-sizes should be included."

We have a new editorial policy of requiring standardized effect-sizes for all primary statistical tests.

"Discussion of the limitations was superficial."

Give careful consideration to the study limitations. Go beyond the obvious.

"Parts of the Discussion go well beyond the scope of the study."

Limit your discussion to summary of the results, limitations, alternative explanations, and implications of the specific study reported.

"The Introduction and Discussion are not sufficiently tied into the law or legal issues."

If there are strong connections to legal issues, make them. If not, LHB might not be the right home for your manuscript.

"The manuscript was poorly written – there were missing words, confusing sentences, typos, and many violations of APA style."

Send us your best work.

For my next column, I would like to include tips for reviewers. Authors, what information you would like conveyed to reviewers? What aspects of reviews of your work do you find particularly helpful? What aspects do you find particularly unhelpful? I'm very interested in your thoughts. Please send them to me at lhb@email.uncc.edu.



2006 APA Annual Convention: New Orleans, Louisiana, August 10-13, 2006 Division 41 Schedule

APA Division 41 Co-Chairs: Eric Elbogen and Amy Bradfield Douglass

Thursday, August 10th

9:00 A.M.

Symposium: Treatment Seeking, Treatment Access, and Treatment Efficacy among Jail Inmates

Chair: *June Tangney, George Mason University*

- Race Differences in Inmates' Psychological Treatment History and Treatment Seeking. *Kerstin Youman, George Mason University*
- Jail Inmates' Access to Mental Health Treatment During Incarceration. *Amy Drapalski, George Mason University*
- Moderators of Treatment Efficacy Among Jail Inmates. *June P. Tangney, George Mason University*

10:00 A.M.

Paper Session: Psychopathy and Patterns of Criminal Thinking

Chair: *Matthew Huss, Creighton University*

- Psychopathy and Identification of Facial Expressions of Emotion. *Mark E. Hastings, George Mason University; June P. Tangney, George Mason University; Jeffrey Stuewig, George Mason University*
- Sexual Fantasies and Sensation Seeking in Psychopathic Offenders. *Matthew T. Huss, Creighton University; Leah C. Skovran, Creighton University; Mario J. Scalora, University of Nebraska—Lincoln*
- Cognitive Distortions and Substance Abuse Among Adult Male Offenders. *Erin A. Williams, John Jay College of Criminal Justice; Roslyn M. Caldwell, City University of New York John Jay College of Criminal Justice*

11:00 A.M.

Paper Session: Social Psychology and Law

Chair: *Amy Bradfield Douglass, Bates College*

- Factors Affecting Juror Perceptions of Hate Crimes. *Robert J. Cramer, University of Alabama; Emily E. Wakeman, University of Alabama; Jennifer Stevens, University of Alabama; Michael P. Griffin, University of Alabama; Jonathan J. Mohr, George Mason University; Stanley L. Brodsky, University of Alabama; Joseph F. Chandler, University of Alabama; Bridget A. Larson, University of Alabama*
- Do Mock Jurors Appreciate the Limitations of Earwitness Testimony?. *Cindy E. Laub, University of Nebraska—Lincoln; Brian H. Bornstein, University of Nebraska—Lincoln*
- Sexist Attitudes and Perceptions of Alcohol Use to Commit Rape. *Rachael M. Swopes, Pittsburg State University; Julie A. Allison, Pittsburg State University; Chris M. Spera, Pittsburg State University*

11:00 A.M.

Symposium: Meeting Treatment Needs of Individuals in the Criminal Justice System

Chair: *Kevin Knight, Texas Christian University*

- Addressing Public Health Treatment Need in Public Safety Settings. *Redonna K. Chandler, National Institute on Drug Abuse, Bethesda, MD.*
- Findings From the CJ-DATS Targeted Interventions for Corrections (TIC) Study. *Kevin Knight, Texas Christian University; Dwayne Simpson, Texas Christian University*

- Assessment of the Predictive Validity of the Inmate Prerelease Assessment (IPASS). *David Farabee, University of California—Los Angeles; Kevin Knight, Texas Christian University; Bryan Garner, Texas Christian University*

- Screening and Assessment of Co-Occurring Disorders. *Stanley Sacks, National Development and Research Institutes, Inc., New York, NY; Jerry Melnick, National Development and Research Institutes, Inc., New York, NY*

- Women in the Criminal Justice: Treating Addiction and Mental Illness. *JoAnn Sacks, National Development and Research Institutes, Inc.; Karen McKendrick, National Development and Research Institutes, Inc.*

- HIV Intervention for Criminal-Justice-Involved Adults with Mental Illness. *Nahama Broner, RTI International, New York, NY; Christopher Krebs, RTI International, New York, NY; Kathleen M. Gates, RTI International, New York, NY; Tania Chandler, RTI International, New York, NY*

- Discussant. *Redonna K. Chandler, RTI International, New York, NY*

1:00 P.M.

Symposium: Gender and Criminogenic Assessment among Youth—Case Management and Treatment

Chair: *James B. Shepherd, Kent State University Stark Campus.*

- Gender and Juvenile Detainees: Findings from the Northwestern Juvenile Project. *Jason J. Washburn, Northwestern University Feinberg School of Medicine; Linda A. Teplin, Northwestern University Feinberg School of Medicine; Karen M. Abram, Northwestern University Feinberg School of Medicine; Gary M. McClelland, Northwestern University Feinberg School of Medicine*

- Gender Differences in the Prediction and Treatment of Youthful Criminal Activity. *Robert D. Hoge, Carleton University*

- Gender Differences in Functional Impairment for Juvenile-Justice System Referrals. *Kay Hodges, Eastern Michigan University; Cynthia Smith, Juvenile Assessment Center, Detroit, MI; Scott Shackelford, Brown County Human Services Department, Green Bay, WI; Jim Hermans, Brown County Human Services Department, Green Bay, WI*

- Treating Criminogenic Factors with Multisystemic Therapy. *Jane Timmons, Case Western Reserve University School of Medicine*

3:00 P.M.

Invited Address:

Chair: *Eric B. Elbogen, Duke University Medical Center.*

- Beyond Psychopathy: Stretching the Boundaries of Forensic Psychology. *Barry Rosenfeld, Fordham University*

Friday August 11th

8:00 AM

Symposium: Posttraumatic States as Clinical Pathways to Violent Behavior

Chair: *Edward J. Dougherty, Associates in Forensic Psychology, Flemington, NJ.*

- Affective, Cognitive, and Perceptual Difficulties Secondary to Early Chronic Traumatization. *Maureen R. Santina, Independent Practice, Erwinna, PA*

- Psychobiological Aspects of PTSD and the Relationship to Violent Behavior. *Daniel P. Greenfield, Albert Einstein College of Medicine of Yeshiva University*

- Neuropsychological Correlates of Posttraumatic States and Their Relationship to Violent Behavior. *Marc Zimmermann, Zimmermann Psychology Clinic, Baton Rouge, LA*

2:00 P.M.

Poster Session:

- Region IV Jail Team: A Great Return on Reinvestment. *Lynda J. Hyatt, Region IV Jail Team, Petersburg, VA*

- Perception of Stress with Law Enforcement Personnel. *Elise Spina, Carlos Albizu University Miami Campus; Nicholas K. Lim, Carlos Albizu University Miami Campus; Christina Miller, Carlos Albizu University Miami Campus*

- Assessing Psychological Hardship With Native-Born Children of Undocumented Immigrants. *Joseph M. Cervantes, California State University—Fullerton*

- Regarding Self-Defense: Do Jury Instructions Help Reduce Juror Biases? *Jenna M. Perkins, Castleton State College*

- Legally Relevant Functional Capacities of Juveniles Relevant to Psychosocial Judgment. *Sarita T. Lyons, Drexel University; Kirk Heilbrun, Drexel University*

- Factors Related to Disposition Recommendations Among Incompetent Mentally Retarded Defendants. *Mason G Haber, Wayne State University; Judith Shazer, Center for Forensic Psychiatry, Ypsilanti, MI*

- Consumer-Focused Psychological Evaluations for the Juvenile Justice System. *Jennifer L. Gorham, Sam Houston State University; Daniel C. Murrie, Sam Houston State University*

- Variations in Personality Assessment Inventory (PAI) Profiles of Sexual Offenders Who Victimize Adults, Children, or Both. *Amber H. Simpler, Sam Houston State University; Jeremy Johnson, Sam Houston State University; Daniel C. Murrie, Sam Houston State University*

- Big Five Personality Traits, Jury Selection, and Case Outcomes. *Marcus T. Boccaccini, Sam Houston State University; John Clark, University of North Alabama; Beth A. Caillouet, Sam Houston State University; William Chaplin, St. John's University*

- Witness Preparation: Witness and Attorney Ratings of Witness Performance. *Lisa Y. Kan, Sam Houston State University; Marcus T. Boccaccini, Sam Houston State University; Mark D. Stonger,*

Sam Houston State University; Amanda McGorty, Sam Houston State University; Kristy Lawson, Sam Houston State University

- Grouped and One-at-a-Time Procedures: Different Effects in Lineups and Mug Books. *Erin V. Tarcza, Southeastern Louisiana University; Kim Hoang T. Nguyen, Southeastern Louisiana University; Michael J. Fitzmorris, Southeastern Louisiana University; Lacie M. Michel, Southeastern Louisiana University; Hunter A. McAllister, Southeastern Louisiana University*

- Standardized Defense Attorney Questionnaires in Juvenile Competency Evaluations. *Dana J. Jackson, Child Study and Treatment Center, Lakewood, WA; Ivan P. Kruh, Child Study and Treatment Center, Lakewood, WA*

- Applying Positive Psychology to Understand Police Officers' Stress and Coping. *Jennifer G. Carusone, Pepperdine University; Susan R. Hall, Pepperdine University*

- Examining Anger in a Juvenile Detention Population. *Melinda F. Wolbransky, Drexel University; Jennifer M. Weil, Drexel University; Michele Pich, Drexel University; Christina Riggs Romaine, Drexel University; Erica England, Drexel University; Naomi Goldstein, Drexel University*

- Hate-Crime Perpetrators' Criminal History and Risk Assessment: Violence, Sex, and Drugs. *Lindsay Mathews, University of California—Los Angeles; Blair Tasker, University of California—Los Angeles; Chloe Valentine, University of California—Los Angeles*

- Hare Psychopathy Checklist-Revised (PCL-R): Capital Sentencing and Jury Deliberation. *Amy T. Wooten, Argosy University/Dallas; Cynthia R. Lindsey, Northwestern State University; Danielle L. Paul, Argosy University/Dallas*

- Comparison of Sex Offenders on the Multiphasic Sex Inventory. *Patrick K. Cook, Auburn University; Katherine Yonge, Auburn University; Barry Burkhart, Auburn University*

- Concurrent Validity of the M-FAST and SIMS in Malingering Detection. *Timothy J. Schmutte, Connecticut Valley Hospital, Middletown, ZZ; Erin Haugen, Connecticut Valley Hospital, Middletown, ZZ;*



Friday August 11th

Continued...

Elizabeth Barbo, Connecticut Valley Hospital, Middletown, ZZ; Sean Hart, Connecticut Valley Hospital, Middletown, ZZ; Marc Hillbrand, Connecticut Valley Hospital, Middletown, ZZ

- Hate-Crime Offenders and Racial—Ethnic Change. *Lindsay E. Cameron, University of California—Los Angeles; Edward Dunbar, University of California—Los Angeles*
- Predicting Psychopathy in Incarcerated Sex Offenders. *Eric Dickinger, Penn State University Park; Naomi E. Shoss, Penn State University Park; Kim S. Menard, Penn State University Park; Aaron L. Pincus, Penn State University Park*
- Role of Self-Conscious Affect in Successful Psychopathy. *Sarah L. Miller, University of Alabama; Carl B. Clements, University of Alabama*
- Assessment of Violent Recidivism: Alternative Measures of Psychopathy and Race. *Joseph C. Bolton, Eastern Louisiana Mental Health System, Jackson, ZZ; Michael J. Murphy, Indiana State University*
- Who Relitigates? Personality Correlates of Parents in Child-Custody Litigation. *Cornelia Brentano, Chapman University; Michael J. Murphy, Indiana State University*
- Validity of Measuring Psychopathy with the Millon Adolescent Clinical Inventory. *James B. Shepherd, Kent State University Stark Campus; Matt Stone, Kent State University Stark Campus; Renee Pagnucco, Kent State University Stark Campus*

3:00 PM

Presidential Address

4:00 PM

Business Meeting

5:00 PM

Social Hour

Saturday, August 12th

8:00 A.M.

Paper Session: Emerging Issues in Forensic Psychology

Chair: *Steve Herman, University of Hawaii at Hilo*

- Accuracy in Professional Evaluations of Allegations of Child Sexual Abuse. *Steve Herman, University of Hawaii at Hilo*
- Catch a Liar by the Tale: Computational Linguistics and Classifying Deception. *Wendy E. Chan, Azusa Pacific University; David M. Arney, Azusa Pacific University; Josh Morgan, Azusa Pacific University; Lauren Stevenson, Azusa Pacific University; Kevin Reimer, Azusa Pacific University; Robert Welsh, Azusa Pacific University*
- Possible or Preposterous? Simulated Malingered Adaptive Functioning Deficits. *Bridget M. Doane, University of Alabama; Karen L. Salekin, University of Alabama*
- Acceptance of Interpersonal Violence among Men Soliciting Sexual Services. *Nicole A. Pucci, University of Nevada—Las Vegas; Alexis M. Kennedy, University of Nevada—Las Vegas; Carolin Klein, University of British Columbia; Boris B. Gorzalka, University of British Columbia; John C. Yuille, University of British Columbia*
- Juvenile Mental Health Court: Rationale and Protocol. *Timothy A. Kelly, Fuller Theological Seminary; Charmaine Lowe, Fuller Theological Seminary; Tyson Chung, Fuller Theological Seminary*

10:00 A.M.

Symposium: AAFP Symposium—Conducting Risk Assessments with Sex Offenders

Chair: *Philip H. Witt, Associates in Psychological Services, P.A., Somerville, NJ.*

- Evaluating the Whole Person in Sex-Offender Risk Assessments. *Bruce I. Frumkin, Forensic and Clinical Psychology Associates, P.A., South Miami, FL*
- Challenges in Sex-Offender Reoffense Risk Prediction. *Gregory DeClue, Independent Practice, Sarasota, FL*

11:00 A.M.

Symposium: Investigations of Juvenile Justice Facilities under the Civil Rights of Institutionalized Persons Act

Chair: *Joel A. Dvoskin, University of Arizona College of Medicine.*

- *Debra De Prato, Louisiana State University Health Sciences Center*
- *Eric Trupin, University of Washington*
- *Judy Preston, U.S. Department of Justice, Washington, DC.*

1:00 P.M.

Symposium: Duty to Protect—Unexpected Clinical, Research, and Teaching Situations

Chairs: *James L. Werth, University of Akron; Elizabeth R. Welfel, Cleveland State University*

- Clinical Cases Involving the Operation of Potentially Dangerous Equipment. *Leon VandeCreek, Wright State University*
- Duty to Protect: Considerations for Educators. *Shannon M. Schmidt, University of Akron*
- When Researchers Encounter Potential Duty to Protect Situations. *James L. Werth, University of Akron*
- Discussant. *G. Andrew H. Benjamin, University of Washington*

Sunday, August 13th

9:00 A.M.

Paper Session: Assessing and Treating Incarcerated Offenders

Chair: *Alexis M. Kennedy, University of Nevada—Las Vegas*

- Culture and Spirituality: Their Role in Programming for Aboriginal Offenders. *Teresa M. Howell, University of British Columbia, Vancouver, BC, Canada; John C. Yuille, University of British Columbia, Vancouver, BC, Canada*
- Impulsive Acting-Out Behaviors in Incarcerated Women. *Emily E. Wakeman,*

- Sexual Characteristics of Men Arrested for Soliciting Sexual Services. *Alexis M. Kennedy, University of Nevada—Las Vegas; Joan F. Ewasiw, University of British Columbia; Caroline Klein, University of British Columbia, Canada; Boris B. Gorzalka, University of British Columbia, Canada; John C. Yuille, University of British Columbia*

10:00 A.M.

Workshop: Preventing Licensing Board Complaints for Custody Evaluators

Chairs: *Debra E. Taylor McGee, Transitions Psychological Services, Indianapolis, IN; Christy D. Wise, San Diego Family Services, Solana Beach, CA.*

- Covering Our Assets: Preventing Licensing Board Complaints for Custody Evaluators. *Debra E. Taylor McGee, Transitions Psychological Services, Indianapolis, IN*
- Covering Our Assets: Preventing Licensing Board Complaints for Custody Evaluators. *Christy D. Wise, San Diego Family Services, Solana Beach, CA*

Expert Opinion: Psychiatric Advance Directives

Continued from page 2...

such crises without resorting to involuntary commitment. However, it may be necessary to provide resources to assist persons with mental disorders in completing PADs, configure information systems to make PADs accessible, and educate clinicians about the potential benefits and drawbacks of PADs and their legal obligations regarding PAD compliance. Such steps ultimately may be critical to ensuring that these legal instruments are implemented effectively in clinical practice and that patients with mental disorders are afforded the opportunity to participate with, and plan, their own mental health treatment.

References

- Allen, M. (2004). Hargrave v. Vermont and the quality of care. *Psychiatric Services, 55*, 1067.
- Appelbaum, P. S. (2004). In reply: Hargrave v. Vermont and the quality of care. *Psychiatric Services, 55*, 1067-1068.
- Backlar, P., & McFarland, B. H. (1996). A survey on use of advance directives for mental health treatment in Oregon. *Psychiatric Services, 47*, 1387-1389.
- Elbogen, E. B., Swartz, M. S., Swanson, J. W., Van Dom, R., & Kim, M. (2006). Clinical decision-making and views about psychiatric advance directives. *Psychiatric Services, 57*, 350-355.
- Hoge, S. K. (1994). The Patient Self-Determination Act and psychiatric care. *Bulletin of the American Academy of Psychiatry & the Law, 22*, 577-586.
- Keefe, B., & Pinals, D. A. (2004). Durable power of attorney for psychiatric care. *Journal of the American Academy of Psychiatry & the Law, 32*, 202-204.
- Monahan, J., Bonnie, R. J., Appelbaum, P. S., Hyde, P. S., Steadman, H. J., & Swartz, M. S. (2001). Mandated community treatment: Beyond outpatient commitment. *Psychiatric Services, 52*, 1198-1205.
- Srebnik, D. (2004). Benefits of psychiatric advance directives: Can we realize their potential? *Journal of Forensic Psychology Practice, 4*, 71-82.
- Srebnik, D., & La Fond, J. Q. (1999). Advance directives for mental health treatment. *Psychiatric Services, 50*, 919-925.
- Srebnik, D., Rutherford, L. T., Peto, T., Russo, J., Zick, E., Jaffe, C., et al. (2005). The content and clinical utility of psychiatric advance directives. *Psychiatric Services, 56*, 592-598.
- Swanson, J. W. (2005, July). Facilitated psychiatric advance directives: Completion outcomes, structure and content. *Paper presented at the NIMH Mental Health Services Research Conference, Bethesda, Maryland.*
- Swanson, J. W., McCrary, S. V., Swartz, M. S., Elbogen, E. B., & Van Dorn (in press). Trumping psychiatric advance directives: Ethical and legal considerations. *Journal of the American Academy of Psychiatry and the Law.*
- Swanson, J. W., Swartz, M. S., Ferron, J., Elbogen, E. B., & Van Dom, R. (2006). Psychiatric advance directives among public mental health consumers in five U.S. cities: Prevalence, demand, and correlates. *Journal of the American Academy of Psychiatry & Law, 34*, 43-57.
- Swanson, J. W., Swartz, M. S., Hannon, M. J., Elbogen, E. B., Wagner, H., McCauley, B. J., et al. (2003). Psychiatric advance directives: A survey of persons with schizophrenia, family members, and treatments providers. *International Journal of Forensic Mental Health, 2*, 73-86.
- Swartz, M. S., Swanson, J. W., & Elbogen, E. B. (2004). Psychiatric advance directives: Practical, legal, and ethical issues. *Journal of Forensic Psychology Practice, 4*, 97-107.
- Swartz, M. S., Swanson, J. W., Ferron, J., Elbogen, E. B., Van Dom, R., Kim, M., et al. (2005). Psychiatrists' views and attitudes about psychiatric advance directives. *International Journal of Forensic Mental Health, 4*, 107-117.
- Swartz, M. S., Swanson, J. W., Wagner, H., Burns, B. J., Hiday, V. A., & Borum, R. (1999). Can involuntary outpatient commitment reduce hospital recidivism?: Findings from a randomized trial with severely mentally ill individuals. *American Journal of Psychiatry, 156*, 1968-1975.
- Van Dorn, R., Swartz, M. S., Elbogen, E. B., Swanson, J. W., Kim, M., Ferron, J., et al. (in press). Clinicians' attitudes regarding barriers to the implementation of psychiatric advance directives. *Administration and Policy in Mental Health and Mental Health Services Research.*

AP-LS Teaching Techniques

Illustrating Minority and Majority Influences Through a Jury Simulation Exercise

Bette L. Bottoms,
University of Illinois at Chicago

Editors Introduction: We are pleased to present the second article in the new Teaching Techniques section. The Teaching Techniques section, sponsored by the APLS Teaching, Training, and Careers Committee, offers useful ideas and activities for those of us who teach (or plan to teach) courses in Psychology and Law, Forensic Psychology, or more specialized areas of legal psychology. We hope that the Teaching Techniques section of the Newsletter will become the best place to find activities, simulations, and demonstrations that engage students in the learning process and help professors to teach important content in psychology and law.

The Editors welcome your comments, ideas, suggestions, or submissions. We are especially interested in articles describing techniques that promote active learning in psychology and law. Please send submissions, questions, or ideas for articles to any of the four editors listed below.

Chief Editor: Mark Costanzo, Claremont McKenna College
mark.costanzo@claremontmckenna.edu; phone: 909-607-2339

Co-Editor: Allison Redlich, Policy Research Associates, Inc.
aredlich@prainc.com; phone: 518-439-7415

Co-Editor: Beth Schwartz, Randolph-Macon Woman's College
bschwartz@rmwc.edu; phone: 434-947-8438

Co-Editor: Jennifer Groscup, John Jay College of Criminal Justice
jgroscup@jjay.cuny.edu; phone: 212-237-8774

The article below describes a brief jury simulation that can be conducted in a single class period. The simulation was developed by Professor Bette L. Bottoms at the University of Illinois at Chicago as a means of illustrating basic principles of group dynamics (e.g., minority influence, group polarization, normative influence).

Illustrating Minority and Majority Influences Through a Jury Simulation Exercise

Here's a great way to illustrate various small group processes in a way that actively engages students. It can be done in classes of any size. I use it in an advanced class in "Social Psychology," as well as lower level "Introduction to Psychology." It's also appropriate for "Psychology and Law."

In the exercise, a 6- to 12-person "jury" hears about a child sexual abuse case, then deliberates to reach a verdict. The rest of the class watches and takes note of what happens. After a verdict is reached, or they hang hopelessly, the teacher engages the jurors and the class in a discussion of the group phenomena that occurred. It is a vehicle for teaching about group polarization, minority influences, majority influences, the leniency bias, gender differences in group interaction (e.g., men usually assert themselves as a foreman even if you don't ask the group to pick a foreman), differences in the nature of discussions if the jury starts with a vote versus with discussion (the literature shows that starting with a vote usually heads off discussion), etc.

The case is designed so that every juror will react with a "guilty" verdict. You, the teacher, will set it up so that there are two confederates on the jury: one who starts out voting "not guilty," and thus, is a minority of one; and another one who initially favors "guilty," but later joins the one lone confederate by changing to "not guilty." The case may seem ridiculously pro-prosecution to you, but believe me, every time I do this, no matter how strong the case is, I find that there is often one naïve juror who starts out with a "not guilty" stance, which requires that the confederates act a bit differently, as discussed in the instructions below that you will surreptitiously hand to your chosen confederates before the class starts. If it doesn't work for your population of students, change it.

GENERAL INSTRUCTIONS:

Need a jury of 6 or more people and an audience. The audience has to take notes on any interesting group processes they see—tell them in advance that they will have to share their notes afterwards with the class.

Need two confederates. Pick them right before class and surreptitiously hand them the instructions below. Don't let other students see the handout or even see you talking with the confederate. Pick confederates who are not shy if possible.

Pick your jury – the size depends on the size of your group. You can have as few as 6 or many as 12, but I think 8 to 10 works better. Try to get an even number of males and females—err on the side of females if you have to, because they are more likely to vote guilty as revealed by so many of my and others' studies of jurors' reactions to child sexual abuse. Remember that two of the prospective jurors will be the aforementioned confederates.

Read the case facts (see below) to the jury and audience.

Have each juror make a private, pre-deliberation judgment of “guilty” or “not guilty” on a piece of paper before they are allowed to speak.

Let the mock jury deliberate, ask them to reach a unanimous verdict.

If deadlocked after maybe 10 minutes, interrupt and tell them to try harder to reach a unanimous verdict. Then if they are still deadlocked, announce a quorum rule (4 out of 6 or 8 out of 10 majority, or 2/3 majority, or something like that). It will result in a verdict, and then you can talk about how the majority treated the minority when that rule was established (i.e., they usually immediately ignore the minority).

Have each juror make a private, post-deliberation judgment of “guilty” or “not guilty” on a piece of paper.

Compare the pre- and post-deliberation judgments of guilt—assess whether there was a leniency bias (a bias toward the defense even if the group started out balanced or all for the prosecution), and whether group polarization occurred.

See “Handout” below for points to make during accompanying lecture.

INSTRUCTIONS TO BE GIVEN TO CONFEDERATE #1:

Don't let anyone else read this. Read silently to yourself:

I am going to stage a mock trial in class today: I'll select a “jury” and I want you to be on it. The jury will deliberate and reach a verdict about a child sexual assault case. The case details that I will give the jury will point almost without doubt to the defendant's guilt. Therefore, I expect all of the jurors to vote guilty almost immediately.

This is a set-up: I want you to be a “confederate” member of the jury. (If you don't want to do this, tell me immediately so I can get someone else—it's o.k. if you don't want to). Specifically, I want you to be the minority person voicing a different opinion. I want you to VOTE NOT GUILTY and argue that the defendant is not-guilty in a convincing manner. It really doesn't matter what arguments you use, just so you hold your ground, believably. You can argue that “guilty beyond a reasonable doubt” is a hard thing to prove. Expect the rest of the jury to treat you like you are crazy, but try not to look suspicious, but like you genuinely believe the verdict should be not-guilty.

THANKS!

INSTRUCTIONS TO BE GIVEN TO CONFEDERATE #2:

Don't let anyone else read this. Read silently to yourself:

I am going to stage a mock trial in class today: I'll select a “jury” and I want you to be on it. The jury will deliberate and reach a verdict about a child sexual assault case. The case details that I will give the jury will point almost without doubt to the defendant's guilt. Therefore, I expect all of the jurors to vote guilty almost immediately.

But I have already asked one person to be a “confederate” member of the jury. That person is going to argue for a NOT GUILTY verdict from the start of the deliberations, even though his or her position might seem a little stupid.

I also want you also to be a confederate member of the jury (if you agree—if not, tell me immediately so I can get someone else—it's ok if you don't want to). Specifically, I want you to begin the deliberations by strongly going along with the majority opinion, for a guilty verdict.

Then, after few minutes, I want you to “change your mind” and start agreeing with the lone confederate minority person and help that person argue for “not guilty.” The other confederate does not know that you will do this! No one else knows.

It really doesn't matter what arguments you use, just so you hold your ground, believably. You can argue that “guilty beyond a reasonable doubt” is a hard thing to prove. Expect the rest of the jury to treat you like you are crazy, but try not to look suspicious, but like you genuinely believe the verdict should be “not guilty.”

IMPORTANT: If there is already someone else – someone other than the one confederate—helping to argue for NOT GUILTY, don't help the other confederate. Just go ahead with the majority and argue for GUILTY. (So I don't want 3 of you arguing “not guilty”). All I want you to do is help show what happens when a lone person who is arguing something gets help from one other person. You don't need to help if the confederate is already getting help.

THANKS!



THE CASE:

The defendant, Bubba Stanly, has been charged with child sexual assault and making pornography. It is your duty to find him guilty or innocent of these charges against him. You must base your decision on the evidence as it is presented here. To find him guilty, you must think that he is guilty beyond a reasonable doubt.

Facts of the case:

Linda Little, a 5-year-old, and Belinda Little, her 8-year-old sister, claim that the defendant (Bubba) stopped them on their way home from school. They claim that he approached the little girls and told them that he was a friend of their mother, and that he would give them a ride home in his car. The girls said that they went with him and he proceeded to take them to his apartment. The girls said he made them play the “Naked Movie Star” game, in which they posed naked for movies. The girls also described with great accuracy details of sexual acts that they were forced to perform with each other and on the defendant.

The girls said that Bubba, the defendant, let them go home, but Bubba threatened them that if they ever told about the games he would kill their mother. Even though they were frightened, the girls ran home and told their mother who notified the police immediately. The police immediately investigated the case and found a witness who testified that she saw the defendant pick the girls up in his car. That witness gave an accurate description of the defendant’s car and the defendant.

The police searched the defendant’s apartment within 6 hours of the incident and found video equipment: cameras, lights, and a VCR. They also found that the defendant also had a stash of home-made child pornography tapes of girls about the same age of Linda and Belinda. (Other charges are pending concerning these tapes.) Of concern to this case, the police found a tape showing Linda and Belinda in the defendant’s apartment with the defendant, but this footage ended abruptly. There was no footage of the girls without their clothes on, or of the girls engaged in sexual acts with the defendant. However, the footage did show the children dancing and posing in a provocative manner before the film clip ended.

The girls were examined by a medical doctor who said that there was clear evidence of sexual abuse to the girls during the time they claimed to have been with Bubba. The doctor could not say who the perpetrator was, because there was no DNA evidence.

Bubba just got out of jail 6 months ago where he spent a five-year sentence for sexual assault and pornography involving his own twin daughters, aged 6.

Now, you must discuss this case with your fellow jurors and you must decide whether Bubba is GUILTY or NOT GUILTY. You must decide this unanimously, and then tell the judge (me) your verdict.

DISCUSSION QUESTIONS FOR THE CLASS:

What did you see happening in the group?
(e.g., group polarization, groupthink, minority and majority influences, conformity & compliance).

Was there a minority and a majority opinion? Did people with these opinions act differently? How were the people holding the minority opinion treated? How were the majority people treated?

What do you think the person(s) holding the minority opinion felt?
(Ask the minority people what they felt.)

How did the majority feel about it?
(Ask the most annoyed majority jury members what they felt about the minority members.)

If the jury deadlocked, what happened after a quorum or majority decision rule was announced?
(Schachter says that at first a minority is given inordinate attention, then ignored if they aren’t needed for a majority to reach its goal – I usually see that behavior in these simulations.)

What did you see happening in the group?
(e.g., group polarization, groupthink, minority and majority influences, conformity & compliance). Note that you might see one of the most robust effects in the literature on juror decision making in child sexual abuse cases: a gender difference, with women taking a more pro-prosecution stance than men do.

**HANDOUT &/OR LECTURE GUIDE:
JURY DEMONSTRATION: GROUP PROCESSES**

1. Trial demonstration:

What pressure does a minority (in terms of numbers, not race!) feel? How did the majority feel about it? Did you see evidence of group polarization, minority and majority influences, conformity & compliance? If the jury deadlocked, what happened after a quorum or majority decision rule was announced? (Schachter says that at first a minority is given inordinate attention, then ignored if they aren’t needed for a majority to reach its goal.)

2. Why do minorities usually conform to majority influence, in juries and other small groups?

Kalven and Zeisel (1966) found that 9 out of 10 juries rendered final verdicts in the direction of the verdict favored by the initial majority. They concluded that “the deliberation process might well be likened to what the developer does for an exposed film: it brings out the picture, but the outcome is predetermined . . . [The deliberation] is an interesting combination of rational persuasion, sheer social pressure, and the psychological mechanism by which

individual perceptions undergo change when exposed to group discussion” (p. 489). What has more recent research found (a lot of support, some dissention; for review, see recent Devine et al., P,P,P & L article).

The overwhelming tendency for a jury to reach consensus in the direction of the initial majority, drowning out minority influences, is a classic example of **GROUP POLARIZATION**: the tendency for group opinions to be in the same direction and more extreme after group discussion than the average pre-discussion individual opinions. In other words, group interaction only magnifies pre-existing majority attitudes and opinions so that the group product is a more extreme version of the opinions held by the individuals of the initial majority. The implication is that minorities conform to the majority beliefs.

3. Why does group polarization occur? 2 reasons:

A. PERSUASIVE ARGUMENTS THEORY:

Opinions of group members will shift toward an extreme of the majority opinion (conform) because there are simply more arguments (more information) and better quality arguments put forth in favor of the initial majority opinion because, by definition, there are initially more persons that hold that opinion, and therefore more people to generate and elaborate on information in support of it (Stasser, Kerr & Davis, 1980).

For example, let’s say most members of a jury are initially in favor of a guilty verdict. Simply because there are more people in favor of guilt, there will be more chances that pieces of damning evidence will be discussed during deliberation. Because there are fewer people favoring acquittal, fewer pieces of information and lesser quality information can be offered to support the not-guilty stance. So when weighing the evidence, minority members (those favoring acquittal) may be swayed to change their verdict preference due to the perceived relative lack of information supporting their view.

B. SOCIAL CONTEXT OR NORMATIVE INFLUENCES:

Normative influences, including a **NEED FOR SOCIAL APPROVAL** (Schachter, 1951): Minority members may comply with the group norm to fulfill selfish needs to gain social approval from the other jurors. We fear the consequences of being considered different, so we go along with what others are saying.

Some early evidence: deadlocking (failure to reach consensus) is most common among juries who use a secret written ballot rather than outward show of hands (Hawkins, 1960). If social approval was not at work, there should be no difference in public or private ballots.

4. Under what conditions are minority voices heard?

When do minorities maintain their positions without conforming? One important factor is whether or not the minority person has the support of other people. Even the support of one additional person can make a big difference. Evidence comes from a classic study by Asch (1952): Subjects were put into a group of 7 other people and were shown three lines. They had the task of saying which of three lines was the same length as a target line. The catch is that the 7 people were trained confederates, not real subjects. They had all been trained to say the wrong answer before the real subject gave an answer. The wrong answer was to point to the line that was obviously not the right line. Even though it was obviously wrong, 1/3 (32%) of the real subjects also gave the wrong answer. However, when one of the 7 confederates also gave the correct answer before the subject answered, the error rate dropped to 5.5%. Such results led Asch to conclude that “it is clear that the presence in the field of one other individual who responded correctly was sufficient to deplete the power of the majority, and in some cases, to destroy it, . . . the results clearly demonstrate that a disturbance of the unanimity of the majority markedly increased the independence of the critical subjects” (p. 8).

Given this information, can you tell why the US Supreme Court was so very wrong in its decision in the case *Williams v Florida* (1970)? Here is the story: In some states such as Florida, there are 6-person juries for some cases. In this case, the defendant appealed his conviction made by a 6-member jury. He used psychological research like Asch’s to argue that minority influence is less likely to be expressed in a smaller jury than in a larger jury because:

- a) a partner is necessary for someone to have the courage to express a minority opinion, and
- b) it would be less likely for a minority voice to have a partner in a 6-member than in a 12-member jury, because there are simply fewer chances of finding a partner among 5 other jurors than among 11 other jurors.

The Supreme Court rejected this rationale. The Court used simple mathematical logic to reason that 10-2 and 5-1 ratios of majority to minority influence are the same. This is naive and incorrect reasoning that does not take into account the psychological difference in those ratios. The fact that they ignored scientific data to the contrary rightfully incurred the wrath of many social psychologists.



Legal Update

Supreme Court Preview:

The Insanity Defense and Capital Sentencing Procedures

David DeMatteo, JD, PhD

In its current term, the U.S. Supreme Court will address key questions relating to the insanity defense and capital sentencing procedures. For the first time in more than two decades, the Supreme Court has granted certiorari in a case that raises important questions regarding the constitutionality of the insanity defense. In *Clark v. Arizona*, 126 S. Ct. 797 (2005) (granting certiorari), the Supreme Court will decide (1) whether the U.S. Constitution sets limits on how states define insanity, and (2) whether a state may constitutionally confine consideration of mental health evidence to the resolution of the insanity defense and preclude consideration of such evidence in determining whether a defendant could form the requisite criminal intent. In *Kansas v. Marsh*, 102 P.3d 445 (Kan. 2004), the Supreme Court will address the constitutionality of a state statute providing for the mandatory imposition of a death sentence when the sentencing jury determines that aggravating factors and mitigating factors carry equal weight. Part I of this column will preview the *Clark* decision, and Part II will preview the *Marsh* decision. A future Legal Updates column will discuss the Court's opinions in these potentially watershed cases.

Part I: The Insanity Defense – *Clark v. Arizona*

On June 21, 2000, 17-year-old Eric Clark killed Flagstaff Police Officer Jeffrey Moritz during a routine traffic stop. Clark, who had been previously diagnosed with schizophrenia, reportedly believed that his town had been taken over by hostile aliens. After a lengthy delay (due Clark's incompetence to stand trial), Clark stood trial for first-degree murder in May 2003. Clark offered two affirmative defenses based on his mental health – guilty except insane and diminished capacity. Under Arizona statutory law, "A person may be found guilty except insane if at the time of the commission of the criminal act the person was afflicted with a mental disease or defect of such severity that the person did not know the criminal act was wrong" (Ariz. Rev. Stat. § 13-502A (2006)). Clark also sought to present a diminished capacity defense, arguing that the court could find him guilty of a less serious charge if it rejected his insanity defense, but nevertheless concluded that his mental illness prevented him from forming the specific intent required for first-degree murder. On this point, the trial court concluded that although evidence of Clark's mental illness is admissible as it relates to his insanity defense, Arizona law precluded the court from considering evidence of Clark's mental illness as it related to his ability to form the intent required for first-degree murder (see *Kansas v. Mott*, 931 P.2d 1046 (Ariz. 1997)).

The trial court found that Clark suffered from a qualifying mental disease, but it held that he had not proved by clear and convinc-

ing evidence that his mental illness distorted his perception of reality so severely that he did not know his actions were wrong. Accordingly, the court rejected Clark's insanity defense, and he was convicted of first-degree murder and given a sentence of 25 years to life. Clark raised two arguments on appeal: (1) Arizona's definition of insanity is unconstitutionally narrow in scope because it does not include the first component of the M'Naghten test (i.e., a defendant is insane if he or she does not know the nature and quality of the act committed); and (2) Arizona's rule prohibiting the consideration of mental health evidence as it relates to whether a defendant had the requisite intent to commit first-degree murder violates the Due Process Clause of the U.S. Constitution.

In January 2005, the Arizona Court of Appeals rejected both of Clark's arguments and unanimously affirmed the conviction and sentence. With respect to Clark's first argument, the court noted that the substantive definition of insanity is not governed by the U.S. Constitution, and that a defendant does not have a constitutional right to an insanity defense, much less to a specific test of insanity. The court also noted that the "nature and quality" component of the M'Naghten test is redundant with Arizona's statutory definition of insanity. With respect to Clark's second argument, the appellate court held that the trial court was bound by the Arizona Supreme Court's decision in *Mott*, which bans defense claims of diminished capacity. According to *Mott*, "Arizona does not allow evidence of a defendant's mental disorder short of insanity either as an affirmative defense or to negate the *mens rea* element of a crime" (*Mott*, 931 P.2d at 1051). The Arizona Supreme Court subsequently denied Clark's petition for review.

On December 5, 2005, the U.S. Supreme Court granted certiorari in *Clark* (*Clark v. Arizona*, 126 S. Ct. 797), and oral arguments were held on April 19, 2006. Although it is unclear whether the Court intends to address the broader issue of the insanity defense itself or instead take a more circumscribed approach by limiting its ruling to the narrow interpretation given to the Arizona statute, the resolution of this case could have a dramatic effect on the majority of states that permit an insanity defense. Currently, 46 states permit an insanity defense; only Idaho, Kansas, Montana, and Utah prohibit such a defense. Importantly, only 20 of those 46 states explicitly mention the "nature and quality" component of the M'Naghten test at issue in *Clark*, and even those states typically subsume the "nature and quality" test under the general test of being unable to distinguish right from wrong. Although there is currently no recognized constitutional basis for the insanity defense, the concept has been ingrained in common law for over 200 years. This case squarely presents the Supreme Court with an

opportunity to establish a constitutional basis for the insanity defense.

This case has generated a spirited debate among constitutional scholars and experts in mental health law, and several mental health organizations and multiple states have filed amicus curiae briefs. Sixteen states jointly filed an amicus brief in support of Arizona arguing that invalidating Arizona's insanity statute for failing to include the "nature and quality" component "will call into serious question the validity of the majority of state insanity statutes, which contain no such language" (Brief of the States as Amici Curiae at 10). The American Psychiatric Association, American Psychological Association, and American Academy of Psychiatry and the Law jointly filed an amicus brief in support of Clark arguing that "history and overwhelming current practice support a constitutional rule that precludes serious criminal punishment of one who, because of a mental disease, lacked rational appreciation of the wrongfulness of his conduct when engaging in it" (Brief Amicus Curiae for the APA et al. at 6). With respect to the exclusion of evidence relating to diminished capacity, the amici argue that there is a fundamental due process right "to present relevant, reliable, non-prejudicial, non-privileged evidence to negate the State's effort to prove the elements of the crime beyond a reasonable doubt" (Brief Amicus Curiae for the APA et al. at 5). A decision in this case is expected in June 2006.

Part II: Capital Sentencing Procedures – *Kansas v. Marsh*

Michael Lee Marsh II was sentenced to death for the 1996 murders of Marry Ane Pusch and her 19-month-old daughter in Wichita, Kansas. Marsh confessed that he entered the home intending to hold Marry and her daughter hostage in exchange for a ransom, and prosecutors believed that he panicked when Pusch and her daughter returned home earlier than expected. After Marsh shot and stabbed Marry, he slit her throat, doused her with lighter fluid, and set her on fire. The resulting fire severely burned the little girl, who died of her injuries 6 days later.

After a jury convicted Marsh of capital murder and other offenses, the sentencing jury began deliberating on a sentencing recommendation. Under Kansas statutory law existing at that time, a sentence of death was required if the jury determined that aggravating and mitigating factors carried equal weight (Kan. Stat. Ann. § 21-4624(e) (repealed 2004)), which is a status referred to as "equipoise" in legal terms. Although it is not clear whether the jury determined that the aggravating and mitigating evidence was in equipoise, the Kansas Supreme Court granted Marsh a new trial after concluding that the trial court committed a reversible evidentiary error on the capital charges during the initial proceedings (*Kansas v. Marsh*, 102 P.3d 445 (Kan. 2004)). Perhaps more importantly, in a 4-3 opinion, the Kansas Supreme Court overturned a previous decision (*Kansas v. Kleypas*, 40 P.3d 123 (Kan. 2001)) and invalidated the state's death penalty statute as being in violation of the 8th and 14th Amendments to the U.S. Constitution because it mandated a death sentence when aggravating and mitigating factors are in equipoise. This decision also invalidated the death sentences of seven condemned murderers who were sen-

tenced to death under the Kansas statutory provision at issue in this case.

On May 21, 2005, the U.S. Supreme Court granted certiorari in this case (*Kansas v. Marsh*, 125 S. Ct. 2517), and oral arguments were held on December 7, 2005. The primary issue before the Court is whether it violates the U.S. Constitution for a state capital sentencing statute to provide for the imposition of the death penalty when the sentencing jury determines that the mitigating and aggravating evidence is in equipoise. Although it is settled law that the 8th Amendment requires individualized sentencing in capital cases, it is less clear whether the 8th Amendment would prevent states from structuring how the jury considers mitigating evidence. The Criminal Justice Legal Foundation (CJLF), an amicus in this case, argues that Kansas's formula for deciding on a sentencing recommendation in a capital case does not violate the 8th Amendment, because the formula for reaching a sentencing determination is exclusively a matter of state law (see Brief Amicus Curiae of the CJLF). According to the CJLF, as long as the defendant is afforded an opportunity to present mitigating evidence that is considered by the jury, *how* that evidence is considered is a matter of state law. An unanswered and important question is whether the U.S. Constitution requires some formal "weighing" of aggravating and mitigating factors (as opposed to simply requiring a consideration of those factors). Given that several states do not require any formal weighing of aggravating and mitigating factors (e.g., Georgia, Louisiana, South Carolina, South Dakota, Texas, Virginia, and Washington), the Court's decision in this case could have far-reaching effects. A decision in *Marsh* is expected to be handed down in late June 2006.

References

- Ariz. Rev. Stat. § 13-502A (2006).
- Brief Amicus Curiae for the American Psychiatric Association, American Psychological Association, and American Academy of Psychiatry and the Law Supporting Petitioner, Clark v. Arizona, 2006 U.S. S. Ct. Briefs Lexis 185 (Jan. 30, 2006) (No. 05-5966).
- Brief Amicus Curiae of the Criminal Justice Legal Foundation in Support of Petitioner, Kansas v. Marsh, 2005 U.S. S. Ct. Briefs LEXIS 544 (August 15, 2005) (No. 04-1170).
- Brief of the States of Massachusetts, Alabama, Arkansas, Colorado, Delaware, Hawaii, Indiana, Michigan, Montana, Ohio, Oklahoma, Oregon, Pennsylvania, South Carolina, South Dakota and Texas as Amici Curiae in Support of Respondent, Clark v. Arizona, 2006 U.S. S. Ct. Briefs LEXIS 323 (March 6, 2006) (No. 05-5966).
- Clark v. Arizona*, 126 S. Ct. 797 (2005).
- Kansas v. Kleypas*, 40 P.3d 123 (Kan. 2001).
- Kansas v. Marsh*, 125 S. Ct. 2517 (2005).
- Kansas v. Marsh*, 102 P.3d 445 (Kan. 2004).
- Kansas v. Mott*, 931 P.2d 1046 (Ariz. 1997).
- Kan. Stat. Ann. § 21-4624(e) (repealed 2004).



NEW COLUMN presented by the Minority Affairs Committee: Diversity in Psychology and Law

Diversity and Juries Samuel R. Sommers, Ph.D. Tufts University

One of the goals of the Minority Affairs Committee is to stimulate thought and initiate discourse within APLS regarding issues of race and diversity. Towards that end, I am pleased to contribute a column to the newsletter describing an article of mine that was published in the April 2006 issue of *Journal of Personality and Social Psychology (JPSP)*. In this study (Sommers, 2006), I examined the influence of a jury's racial composition on its deliberation process, and addressed the more general relationship between diversity and group decision-making.

This study built on previous research conducted with Phoebe Ellsworth in which we examined the influence of a criminal defendant's race on the judgments of individual mock jurors. Though this was important work in that it identified specific circumstances under which race is likely to bias legal judgments, it did not address the major race-related question often raised by legal scholars, researchers, and commentators, namely whether or not a jury's racial composition affects its decision-making. Correlational data and intuition suggests that it does—after all, why else would news reports about jury trials often start with details regarding the jury's composition? But I wanted to examine this issue experimentally and to get at the psychological processes through which jury composition exerts its effects.

For example, are the effects of diversity purely demographic? That is, since previous research indicates between-race differences in mock juror judgments, a jury's racial composition may simply influence its pre-deliberation vote split. But what about the deliberation process itself? Many have speculated about the effects of composition on jury deliberations; consider the following quotation from Thurgood Marshall in *Peters v. Kiff* (1972): "When any large and identifiable segment of the community is excluded from jury

service, the effect is to remove from the jury room qualities of human nature and varieties of human experience, the range of which is unknown and perhaps unknowable" (p. 503). In this study, I sought to begin an empirical examination of this heretofore "unknowable" impact of a jury's composition.

Participants were jury-eligible, and most were recruited in the midst of jury duty at a courthouse in Southeastern Michigan. In total, 31 6-person mock juries watched the video summary of a sexual assault trial involving a Black defendant. Half of these juries were all-White; the other half consisted of 4 White and 2 Black jurors. After the trial videotape, juries were read pattern jury instructions and then deliberated on the case for up to one hour. Because participants were only shown 30 minutes of a 20-hour trial, there was little variability in jury verdicts; the average juror reported that she thought there was a very good chance that the defendant had committed the crime, did not feel she could rule out all reasonable doubt. But the focus of the analyses was on the deliberation process itself, and the data indicated that, indeed, diverse and all-White juries differed in significant ways. Diverse juries considered a broader range of case facts and personal perspectives during deliberations than did all-White juries. Diverse juries made fewer factual errors in their discussion, and when inaccurate statements were made, they were more likely to be corrected on diverse juries.

Somewhat surprisingly, these effects were not wholly attributable to the performance of Black jurors. Traditional assumptions about diversity—such as the one conveyed by Justice Marshall above—are based on the intuition that Blacks and Whites bring to the jury room different experiences, attitudes, and interpretations. Therefore, diversity of jurors leads to diversity of ideas and information. Indeed,

Black jurors in the study were active during deliberations, but the data indicated that many of the observed effects of diversity resulted from the fact that White jurors behaved very differently depending on the racial composition of their jury. Whites in diverse groups raised more case facts, made fewer errors, and were more amenable to the discussion of controversial, race-related issues than were Whites in homogeneous groups. In fact, White jurors on diverse juries were also less likely than those on all-White juries to report leaning towards a guilty verdict before deliberations. That the influence of jury composition was observable before deliberations even began demonstrates that the effects of diversity on decision-making are not solely informational in nature, but rather also include potential motivational and normative processes.

To me, these findings make a compelling case for that which Justice Marshall argued over 30 years ago: jury representativeness is more than a moral or Constitutional ideal, it can also be an ingredient for superior jury performance. Of course, concluding that one group demonstrates "better" decision-making than another is a dicey proposition, especially when there is no gold standard or "correct" decision. Nonetheless, by every objective criterion in my study, I would argue that diverse juries were "better" decision-makers. These juries discussed a wider range of factual information, were more accurate in their review of the case facts, and were also more open-minded to the discussion of controversial issues. These are all characteristics that we would like to see in our juries.

Accordingly, these findings have implications for the effort to ensure racial representativeness on juries. Jury pool selection procedures that prevent undersampling of minority citizens and stricter enforcement of the prohibition

Continued on p. 20
AP-LS NEWS, Summer 2006

FEATURE ARTICLE:

Internet Consultation

by Joel A. Dvoskin, Ph.D., ABPP

On several listserves, from time to time an issue is raised, and psychologists are asked for their consultation on a case. While the Internet is a useful and valuable tool, it also presents some dangers that deserve consideration.

The value of the Internet is pretty straightforward. First, the Internet is fast and easy. Second, the lists are informative; I have learned an amazing amount from the Psylaw and ABPP listserves over the years, some of which has been of great help to me in my work. Third, our colleagues tend to be intellectually generous people, and some of them know an amazing amount about their respective areas of expertise. Fourth, unlike “real” case consultation, Internet consultations are usually free.

However, as those philosophers of science, The Eagles, noted, “Every form of refuge has its price.” Internet consultation is no exception.

What you don’t know can hurt you

When cases are presented on the listserve for consultation, several conditions are almost always true. First, the reader is only getting one side of a story. The person seeking consultation is usually hired by one side or the other, and despite our collective duty to be objective, in my experience objectivity is easier to claim than to maintain, and not everyone works equally hard at the task. In some cases, the bias is plain, in others it is more subtle, and often, we hope, it is not there. The problem is that I don’t know which is which.

Offering an opinion on a public list serve — and all list serves are public, whether we like it or not — allows for the very real possibility that the person offering the opinion will be quoted, in court, in the press, in an ethics hearing, or elsewhere. If the opinion is misguided because it was based on only one, potentially misleading side of the story, the consultant is still at fault.

It is the heart and soul of our business to consider both (or more accurately, all) sides of a matter before we offer an opinion.

Brevity may be the soul of wit, but briefs are never brief for a reason

Law suits and criminal trials that involve expert testimony are usually complicated, and this is especially true of the ones that require consultation. When we are asked to offer an expert my consultation on a list serve, it is usually in the form of one or two paragraphs of information. This may be in contrast to a thousand pages of pre-trial discovery, none of which we have seen, and much of which may be relevant to the question we are being asked.

Offering an opinion based on a narrow slice of the information upon which it ought to be based is never a good idea. Further, it exacerbates the bias problem suggested above, since the person seeking the consultation is the very person who selected the narrow slice of information in the first place. The dangers of telling them what they want or expect to hear are huge.

You can’t always get what you want (but if you ask a clever question, your odds go up)

If you don’t like the answer to a question, it is said, change the question. How a question is phrased of course can change the answer from “yes” to “no.” Because the person asking the question is subject to known or unknown bias, it is very important to be sure that the question is asked in an accurate, evenhanded manner that does not suggest its own answer.

This requires us to question almost every premise contained in these Internet consultation requests. Take the following example, which is a caricature ever so loosely based on real e-mail postings:

“Dear Abby....er... fellow list members:

I testified in a case recently, and did a really, really thorough and most egregiously excellent job. I concluded X, which is the right answer to the referral

question. The fact that it helped the side that paid me had nothing to do with it, for I am known throughout these parts and across the land as Dr. Objectivity. (I am also honest, loyal, trustworthy and very good-looking, but I digress.) The opposing expert, who is locally known to be a slimy, greasy, incompetent moron who sells his body cheaply on the streets of our small town, opined “Not X.” He obviously did this for money, and should be killed. My question is whether or not I have a duty to report this obvious violation of ethical standards to the State Board, so they can begin to build the guillotine that this warthog so richly deserves. Or, should just I write him a letter?

Signed,
Righteously Indignant, Ph.D., ABPP,
FAPA
East Mule Shoe, East Dakota”

The amazing thing is that such letters always get dispositive responses. The writer is advised to report, not to report, to write, not to write, and the sleazy opposing witness is roundly criticized, all based on a pretty obviously slanted and ridiculously inadequate rendition of the facts of the case. In this admittedly comical example, the premises that beg to be questioned are too obvious and numerous to warrant listing them here.

To put it simply, “Garbage in, garbage out.” If the question is asked in a misleading or biased way, it is likely to lead to a consultative opinion that is similarly misleading and biased.

The answer to every question

In psychology, all questions have the same answer: “It depends.” Nowhere is this more true than in forensic or psycholegal expert testimony. It is our job to carefully consider the various actors, the situations in which they acted, and a host of stimuli that may have affected the act. It is for this reason that we are encouraged to seek

Continued on p. 21



**Division 41/American Psychology-Law Society
Executive Committee (EC) Meeting Minutes
St. Petersburg, FL, March 2, 2006**

Attending: Donna Beavers, Brooke Butler, Eve Brank, Annette Christy, Brian Cutler, Kevin Douglas, Joel Dvoskin, Eric Elbogen, Sol Fulero, Michele Galietta, Natalie Gilfoyle, Livia Gilstrap, Edie Greene, Patty Griffin, Jennifer Groscup, Wendy Heath, Margaret Bull Kovera, Chris Kunkle, Brad McAuliff, Lavita Nadkarni, Tonia Nicholls, Ira Packer, Steve Penrod, Lynn Peterson, Allison Redlich, Ron Roesch, Randy Salekin, Mario Scalora, Beth Schwarz, Jennifer Skeem, Amy Smith, Gary Wells, Beth Wiggins, Patty Zapf

I. Meeting was called to order at 8:05a.m. by President Gary Wells.

II. Executive Committee meeting minutes from August 2005 were approved.

III. Treasurer's Report (see 2006 budget below)

Treasurer Margaret Bull Kovera reported that the Division is in good financial shape. A couple of notes about the budget: (1) Dues income continues to decrease by about \$10,000 per year—not clear what is going on as membership numbers appear to be staying about the same—we will need to watch this over the next few years; (2) Interest rates have risen so our interest-related income has increased; (3) Website expenses continue to exceed budget, mainly as a result of problems with the web designer and the PayPal system, thus it is recommended that we reconsider switching to a new web designer and that we get out of PayPal; (4) Administrative costs have gone up significantly as a result of Cathy Oslzly submitting her hours for the last 2 years and the subsequent hiring of Lynn Peterson. Lynn is now on a salaried position so this budget item will remain relatively consistent.

While we are in good financial shape, with the increase in operating costs and the decrease in dues income, we will be unable to increase expenses in other areas without a dues increase. The EC will consider the issue of a dues increase in August.

2006 AP-LS Budget

<i>INCOME</i>	Budget
Dues & Contributions	\$ 146,100.00
LHB Editorial Expenses	\$ 17,500.00
Interest Income	\$ 3,000.00
Royalties	\$ 60,000.00
Advertising	\$ 0.00
TOTAL INCOME	\$ 291,600.00

EXPENSES

Meetings & Conferences:

APA Convention Program	\$ 12,000.00
APA EC Meeting	\$ 3,000.00
APLS EC meeting at APA	\$ 18,000.00
Biennial EC Meeting	\$ 12,500.00
Biennial APLS Conference	\$ 65,000.00
Div. Leadership Conference	\$ 1,500.00
APA Program Chair Conf.	\$ 0.00
SUB-TOTAL	\$ 112,500.00

Publications:

Newsletter Expenses	\$ 2,000.00
Subscriptions to LHB	\$ 75,000.00
Editor Expenses for LHB	\$ 17,500.00
Web Site Expenses	\$ 12,000.00
SUB-TOTAL	\$ 106,500.00

Administrative Costs:

General Operating Exp.	\$ 34,000.00
Presidential Expenses	\$ 600.00
Treasurer Expenses	\$ 1,000.00
SUB-TOTAL	\$ 35,600.00

Awards and Committees:

Awards & Dissertations	\$ 5,000.00
Grants-in-Aid	\$ 15,000.00
Interdisciplinary Grant	\$ 5,000.00
Student Committee	\$ 3,000.00
Education Outreach Comm.	\$ 2,000.00
Cong. Briefing Series	\$ 0.00
Careers & Teaching Comm.	\$ 1,000.00
Rels w/ Other Organizations	\$ 1,000.00
SUB-TOTAL	\$ 40,100.00

TOTAL EXPENSES	\$ 292,700.00
-----------------------	----------------------

IV. Report from Springer (publisher of LHB)

Sharon Panulla from Springer, publisher of LHB, reported that we now have an agreement with Westlaw but that we needed to decide whether or not we want to agree to an embargo. Discussion ensued and the consensus was that there are more reasons to *not* have the embargo, thus Sharon was directed to go ahead with the agreement without the embargo.

The transition of LHB Editors, from Rich Weiner to Brian Cutler, has been very smooth. The Editorial Manager system is working well and LHB is about to have its first article come out in Online First. LHB's impact factor increased slightly for 2004.

The backfile digitization has been completed and the full journal is now available electronically to all APLS members.

APLS has the ability to put some articles online for free distribution each year so Brian Cutler and Sharon will discuss this and choose relevant articles.

Sharon requested that, as we move towards contract renegotiation, the EC assemble a small group of people to travel to NYC at Springer's expense to allow Springer the opportunity to give a presentation to APLS.

V. Committee Reports and Reports from Representatives

1. Report of APA Council Representatives

APA had its best financial year ever. APA has huge concern regarding the aging of the population and the fact that many members are moving into a membership category where they do not pay. In addition, there are fewer new psychologists and minority members are not well represented within APA.

New Orleans convention—APA is committed to going to NO this August. There was a lot of debate about keeping this site but APA is committed to it and we will benefit because of reduced room rates. Divisions are being asked to think about
AP-LS NEWS, Summer2006

whether they want to help out with fundraising for the NO area (the day before the conference).

APA was considering allowing required hours for licensure to be pre-doctoral hours (rather than having one year be post-doctoral). This has been passed by APA but has no direct impact on the licensing boards.

APA approved a new Division of Trauma Psychology but voted against the proposed new division (Society for Human-Animal Studies).

We need to ensure that we are getting our members nominated for the APA Ethics committee as well as the new APA Task Force for Increasing the Number of Quantitative Psychologists.

Finally, with respect to scheduling conflicts that happen every year at APA for the EC meeting, Patty Griffin asked the EC to consider scheduling its meeting so that it not directly conflict with the Council of Representatives meeting.

2. Fellows Committee Report

Kirk Heilbrun reported that the Fellows Committee added one member, Edie Greene, in January 2006, bringing the total membership to five (Fulero, Greene, Roesch, Wiener, and Heilbrun) and thus consistent with the by-laws.

Six completed applications for the 05-06 review cycle were received: two were from individuals who are already APA Fellows from another division; three were from candidates who are not yet APA Fellows; and one (for Distinguished Member) was from an AP-LS member who is not a member of APA. Under APA by-laws, the candidates who are currently APA Fellows only need approval at the division level to become Fellows of AP-LS/Division 41.

One of the two candidates in this category (Barry Ruback) was approved by the Fellows Committee. This is also true for the Distinguished Member candidate; this individual (Brian Cutler) was also approved by the Fellows Committee. The remaining three candidates (Mark Cunningham, Alan Goldstein, and Rich Redding) were all approved by the Fellows Committee, but still need to be approved by APA Council in August before becoming Fellows.
AP-LS NEWS, Summer 2006

3. Educational Outreach Committee

Lavita Nadkarni reported no recent activity with the Educational Outreach Committee.

4. Interdisciplinary Funding

Randy Salekin and Kevin Douglas reported that there were 45 applications this year, thus indicating greater success in drawing applications than in previous years. Applications were, generally, of high quality; however, one application was consistently ranked the highest on all criteria. This application was written by Eve Brank, Thomas Mulligan, and Adam Brank and was entitled "The inter-relationships between law, psychology, and medicine regarding the decision to care for elderly family members." This research brings in components of under-studied and interdisciplinary components such as elders, elder abuse, decision making, medicine, and care taking competencies. The researchers are also interdisciplinary by nature of their training and this should facilitate them in conducting their research. Eve Brank and her colleagues were selected to be the recipients of the 2006 APLS Interdisciplinary Research Funding Award.

5. Liaison to APA Science Directorate

Brian Bornstein indicated via email that there was nothing new to report.

6. Forensic Specialty Council

Ira Packer reported on the annual meeting of the Forensic Specialty Council.

All Specialties have been asked to develop one, consistent definition of their Specialty. The Council would like to adopt the following definition:

Forensic psychology will be defined as the professional practice by psychologists within the areas of clinical psychology, counseling psychology, school psychology, and other specialties recognized by the American Psychological Association, when they are engaged as experts and represent themselves as such, in an activity primarily intended to provide professional psychological expertise to the judicial system.

The Council is working on developing Education and Training Guidelines for Forensic Psychology. The CRSPPP peti-

tion will be used as a starting point but will be updated as necessary and then those elements of training that should be ideally attained at each of the three levels of training – Doctoral, Internship, and Postdoctoral—will be identified.

The Council is unanimous in endorsing a philosophy that Graduate education in Psychology that prepares students for internships and Forensic Postdoctoral programs should be broad-based, with an *emphasis* or *concentration* in Forensic. That is, training should be layered, without too much specialization at the doctoral level. Graduate programs thus must be accredited in one of the current areas of Clinical, Counseling, or School.

The Council will send out a letter to all graduate programs identified as having a forensic emphasis, internships with forensic rotations, and Postdoctoral programs, soliciting feedback on courses that they provide, seminars, other elements of training (such as practicum experiences, rotations), and asking which of those elements they think is essential.

The Committee will use this input in developing the E&T Guidelines. John Edens will spearhead the section on Graduate Training, Rick Demier the section on internships, and Ira Packer and Antoinette Kavanaugh the section on postdoctoral programs (adult and juvenile respectively).

7. APLS Book Award Committee

Richard Redding reported that the winner of the 2003-2004 Award is Barry Rosenfeld for his book on Assisted Suicide. The Award announcement was printed in the last APLS newsletter and Barry will be giving an award address at the APLS meeting in St. Petersburg. The Committee has just placed the Call for Nominations for the 2005-2006 award in the next two issues of the APLS Newsletter and on the APLS website.

8. Specialty Guidelines

Randy Otto reported that the SGFP Revisions Committee (Randy Otto, Stuart Greenberg, Sol Fulero, Stephen Golding, Christina Studebaker) has continued with the revision process. The first draft revision, which was released in February 2005, was discussed via the SGFP Revision Discussion List and in a public meeting held at the AP-LS meeting in LaJolla. Revisions



were made based, in part, on the commentary offered by various interested parties, and a second draft was released. This draft (Jan '06) will be discussed via the same list referenced above, and will be the subject of another public session held at AP-LS in St. Petersburg.

Randy indicated that it would be reasonable to plan on the Revisions Committee developing one more draft based on the comments received over the next few months, with that draft then being distributed to AP-LS membership for voting sometime at the end of the year (with a similar time line in place for ABFP approval). Once accepted by the memberships of AP-LS and ABFP, the draft would then be submitted to APA for its own review process. The Revisions Committee encourages specific input from all.

9. Careers and Training Committee

Alison Redlich reported that the committee has been active and has started the following new initiatives: (1) Mark Costanzo is the Chief Editor of a new "Teaching Techniques" column for the APLS newsletter; (2) several applications were received for the APLS Award for Outstanding Teaching and Mentoring in the Field of Psychology and Law and this year's award recipient was Beth M. Schwartz from Randolph-Macon Woman's College; (3) the Committee sponsored an invited symposium entitled "Pedagogical Approaches in the Psychology and Law Classroom" for the 2006 APLS Conference; (4) Alvin Malesky is working with his graduate student to update the Predoctoral Internships in Psychology and Law guide; they have developed a web-based version of the survey and will send the link to survey directors and administrators soon; and (5) the APLS EC has requested that our Committee take the lead in obtaining a more permanent status for Continuing Education credits; however, discussions amongst this committee reveal that this is not the appropriate body for completing this application. The EC will ask Lynn Peterson to fill out the permanent application for offering continuing education credits and to tap whichever individuals she needs to in order to gather the relevant information.

10. Law and Human Behavior

Brian Cutler assumed the role of Editor-in-Chief on August 1, 2005. Kirk Heilbrun,
Page 18

Patricia Zapf, and Margaret Bull Kovera were appointed as Associate Editors and will also serve as Action Editors. As of August 1, Brian received all new submissions while Outgoing Editor Rich Wiener continued to manage manuscripts submitted prior to August 1.

During the period of January 1 through December 31, 2005, LHB received 152 original submissions, an increase of 5% (7 manuscripts) over the same period in 2004. Response time (i.e., time between submission and editorial decision) was reduced to 62 days or less since August 1.

As of January 1, 2006, LHB began its participation in Springer's Online First program, meaning that manuscripts accepted for publication are processed and published online within about two months of acceptance and then later appear in print. The 2004 ISI Journal Impact Factor for LHB is 1.77, which is slightly above the 2003 value (1.56) and slightly below the average value for the last six years (2.08).

11. Psychology, Public Policy, and Law

Steve Penrod, Editor of PPPL, reported that there is a 400-page allocation for this year; that submissions have been going down each year; that APA is not making money on the journal; that more empirically-oriented work will be entertained in the future; and that very few special issues, if any, will be published in the future. Gary Wells proposed that one way to help save PPPL is to include it as part of our membership subscription for APLS. Discussion regarding this will occur at a later date.

12. Book Series

Ron Roesch reported that there will be a symposium at APLS with presentations by all six authors of the first books in the series.

Oxford University Press will be at the conference and will have copies of the books available (except for Chris Slobogin's book, which is in production).

The following is a list of the books in the series. Ron indicated that he is always open to new submissions; however, at the moment there are no new books in the pipeline.

Haney, C. (2005). *Death by design: Capital punishment as a social psychological*

system. NY: Oxford University Press.

Koch, W. J., Douglas, K. S., Nicholls, T. L., & O'Neill, M. (2005). *Psychological injuries: Forensic assessment, treatment and law*. NY: Oxford University Press.

Posey, A. J., & Wrightsman, L. S. (2005). *Trial consulting*. NY: Oxford University Press.

Stefan, S. (2006). *Emergency department treatment of the psychiatric patient: Policy issues and legal requirements*. NY: Oxford University Press.

Wrightsmann, L. S. (2006). *The psychology of the Supreme Court*. NY: Oxford University Press.

Slobogin, C. (in press). *Proving the unprovable: The role of law, science, and speculation in adjudicating culpability and dangerousness*. NY: Oxford University Press.

13. Undergraduate Research Award Committee

Livia Gilstrap reported that there were 4 submissions for the first undergraduate research paper award. The committee decided to award the first prize (only) to Hannah Dietrich. The award winner will present a poster in the ÖWinner's CircleÓ at the APLS conference and will have her name announced at the opening ceremony of the conference.

14. Mentorship Committee

Wendy Heath reported that the Mentorship website is up and running and can be accessed through the APLS homepage. This committee is still recruiting "year-round" mentors from both clinical and non-clinical (academic and practice) areas. Any interested parties should contact Ryann Haw at ryannah@bigbend.edu.

Wendy Heath requested a budget increase from \$600 to \$1000 so as to accommodate A/V fees for the programming that they set up at APLS as well as any publicity or food costs. This will be considered at the August 2006 meeting.

A mentorship breakfast is on the program for the APLS conference in St. Petersburg.

15. Newsletter

Jennifer Groscup reported that two issues of the newsletter have been published online and noted the addition of a teaching tips column. A mass email will be sent to the membership to notify of a new newsletter. *AP-LS NEWS, Summer 2006*



letter. There have been some problems with the website server and some members are still not receiving emails. Jennifer is working with the website developer to remedy these problems.

16. Webpage

Margaret Kovera indicated that there were a number of problems with the current web designer and reported that we have a proposal from a new contractor who will redesign the website (the day to day maintenance will continue to be done by Adam Fried). Motion to terminate the current web server and to hire a new one was passed unanimously.

17. Liaison to APA Public Interest Directorate

No report available.

18. Liaison to APA Practice Directorate

No report available.

19. Dissertation Awards Committee

Eve Brank reported that 13 dissertations were received for consideration for the 2005 awards. The award winners are: Tara Mitchell (first place); Lisa Chrzanowski (second place); and Lora Levett and Greg Kramer (third place tie).

20. Grants-in-Aid Committee

No report available.

21. Committee on Relations with Other Organizations

No report available.

22. Scientific Review Paper Committee

No report available.

23. Women in Law Committee

Brooke Butler and Amy Smith have replaced Beth Schwartz and Regina Schuller as the co-chairs of this committee. Brooke and Amy reported that they have been working to organize a gathering for all women at the AP-LS annual conference in 2006, similar to the event hosted by the committee at previous conferences. They are working to advertise the event to conference participants, and are developing a program for that meeting to encourage and promote mentoring and communication within AP-LS and in the field.

24. Minority Affairs Committee

Roslyn Caldwell reported via email that this committee posted announcements for a *AP-LS NEWS, Summer 2006*

number of new awards: Conference Travel Awards, Program of the Year Awards, Diversity in Psychology and Law Research Awards, and Conference Presentation Awards. Nine proposals were received for the Conference Travel Awards and three of these will be awarded at APLS. One submission (currently under review) was received for the Program of the Year Award; three proposals are currently under review for the Diversity in Psychology and Law Research Awards. A total of 30 submissions were received for the Conference Presentation awards (currently under review).

25. Conference Advisory Committee

Brad McAuliff reported that a number of the recommendations of this committee for conference planning have been implemented for the St. Pete conference (eliminate Sunday programming; limit number of submissions to two first-authored presentations; increase size and decrease number of student travel awards to \$250/student for 30 students). Information regarding the perceived impact of these changes will be presented at the August EC meeting at APA.

In addition, a permanent conference website housed by APLS has been created (thanks to Kevin O'Neil) and is housed at www.ap-ls.org, serving to eliminate the need for conference co-chairs to reinvent this every year. Finally, with respect to the creation and implementation of expert review panels, data regarding the number of submissions under each of nine specialty areas has been gathered from the submissions for the 2006 conference and this can be used to modify the numbers of reviewers needed for the 298 conference.

26. 2006 APA Program Chairs

Eric Elbogen and Amy Bradfield Douglass reported that submissions across all APA divisions were down 12.5% for 2006 (from 3200 total last year to 2800 total this year). Division 41 submissions were down about 25%, having received about 58 complete proposals as compared to 77 proposals last year. This year, clinical/forensic submissions were down 2% (47 this year, 48 last year) whereas experimental law/psych proposals

were down 62% from last year (11 this year, 29 last year).

After receiving at least two reviews for each submission, 14 papers (59% acceptance rate), 19 posters (73% acceptance rate), and 7 workshops/symposia (77% acceptance rate) were accepted. The final APA 2006 Division 41 Program will therefore include 4 paper sessions, 4 symposia, 1 poster session, and 3 workshops. Efforts were also made to collaborate with other divisions: APLS is co-sponsoring a session with Division 50 (Addictions) and a cross-cutting program with Division 12 (Society of Clinical Psychology) and Division 20 (Adult Development & Aging). Finally, Barry Rosenfeld has agreed to give the APA Division 41 Invited Address.

27. 2006 APLS Conference Chairs

Submissions are up this year over last year so the APLS conference continues to grow. Changes were made to the review process this year—panel chairs in each area identified experts in their area to assist in reviewing the submissions. The new procedures still allowed for the inclusion of students in this process. Sunday programming has been dropped and this did not seem to have an impact upon Saturday check-outs this year but this should be monitored in future years. With respect to the travel awards, 30 awards for \$250 were given out—all of these were for paper or symposium presentations but none were for poster presentations. This was raised as an issue for the EC to consider. Brad McAuliff's committee will take this issue and bring forth a proposal at the August meeting.

Having an on-site co-chair was very helpful as was the addition of Lynn Peterson to the staff.

The issue of whether the conference co-chairs should have to also organize pre- and post-conference workshops should receive further discussion at the August 2006 EC meeting.

28. 2008 APLS Conference Chairs

Michele Galiotta and Kevin O'Neil will co-chair the conference in 2008, to be held in Jacksonville, FL. The EC will look for conference sites in the west for 2009. Possible sites for 2009 include: Lake Tahoe. San Antonio, Irvine, Seattle, Portland, San Francisco, Las Vegas, and Denver.



29. Administrative Assistant

Lynn Peterson updated the EC on a number of issues related to the general oversight of the Division: (1) Membership: an updated membership database has been established and all members who were not paid up in their dues were contacted; (2) Publications: back issues have been ordered for those members who were not receiving the journal in 2005; a new system has been set up with Springer that should remedy this problem; (3) Awards: plaques for the various APLS awards have been ordered for the conference; (4) Conference: Lynn has been working with the conference co-chairs on the many conference-related details; (5) Continuing Education Credits: Lynn will take the lead for filling out the application for APLS to become eligible to sponsor CE credits for various workshops; and (6) APA Interface: Lynn is the point-person for interfacing with APA regarding the general oversight of the Division.

30. Committee for International Relations in Psychology

Roy Malpass reported that he is the liaison for APLS with APA's Committee for International Relations in Psychology. Roy is open to suggestions and guidance about his liaison function.

31. Report from APA/ABA Task Force

Natalie Gilfoyle and Donna Beavers presented a report on the various APA/ABA Task Forces, committees, and advisory boards. In April 2008 in Chicago the APA/ABA will convene a national conference. ABA's President Elect has identified her presidential initiative as "Youth at Risk", thus there is an opportunity for psychology to figure prominently in this initiative. Donna will continue to maintain relations with the ABA and will find out the topics for the whitepapers that will be proposed over the next year.

Natalie Gilfoyle will write a brief piece on the process involved in writing and submitting *amicus* briefs.

VI. New Business

1. APLS 2007

To be held in Adelaide, Australia from July 3rd-8th, 2007 in conjunction with EAPL and AANZAPL. Conference organizers have proposed two calls for papers: the first in

July of this year and the second in December. Various keynote speakers have been secured. The cost of a keynote speaker is about \$5000 Australian Dollars (APLS can decide whether they would like to make a contribution for this).

Given that this is a joint conference, the president of APLS is tasked with finding a location for the APLS EC winter meeting in March of 2007. Discussion regarding a location took place at the EC meeting and New York City was decided on as the location for this meeting.

2. Whitepaper on Confessions

Steve Penrod raised the issue of a whitepaper on confessions. Gary Wells would like recommendations for a new chair of the scientific review paper committee who would then be tasked with examining the issue of writing a whitepaper on confessions and who would consider other topics as well.

3. Outgoing LHB Editor

Brian Cutler, the new editor-in-chief for LHB, would like to recognize the service of Rich Weiner who was LHB Editor for 9 years. Thank you Rich!

4. Committee Term Limits

Gary Wells raised the issue of possibly implementing guidelines regarding terms for committee chairs. Various alternatives for attempting to increase the ease of breaking into committees for interested individuals were discussed. Joel Dvoskin moved that each committee be tasked with coming up with a simple set of procedures for accomplishing committee membership turnover, chair turnover, and the recruitment of new members by August (the default position would be that terms would be three years and members would rotate off on a regular basis). Margaret Kovera seconded the motion. Vote: 7 in favor, 4 against. Proposal withdrawn.

Edie Greene will Chair an ad hoc committee to examine this issue and report to the EC at the August meeting.

5. Presidential Initiative

Joel Dvoskin would like to propose a presidential initiative having to do with putting together very disparate parts of psychological science and the criminal justice system. He would like to select people who have broad leadership in a particular

area within the criminal justice system and the product would be a series of chapters that would make up a book that Ron Roesch would publish through our book series. It would not necessarily be only Division 41 people who would be involved but Joel would like to tap other individuals as well; the best in their respective areas of the field. Joel would like to request some monies (approximately \$20,000) to pay for a meeting to bring these people together to discuss these issues and outline the chapters of this book. The book would be aimed at policy makers, not other psychologists, and additional products might include a series of DVDs. Joel Dvoskin made a motion to request funds in the amount of up to \$20,000 for this purpose; Edie Greene seconded the motion. (Friendly amendment: Joel agreed that he would return the royalties from book sales to the division up to \$20,000). Motion passed unanimously.

The next meeting will be held in August 2006 in New Orleans, Louisiana in conjunction with the APA Annual Convention.

The meeting was adjourned at 11:50 a.m.

Respectfully submitted,
Patricia A. Zapf

Diversity and Juries
Continued from p. 14

against race-based peremptories not only uphold the Constitution and bolster the perceived legitimacy of the system, but they also have the potential to lead to more thorough, systematic, and open-minded juries. Furthermore, that the benefits of diversity in the present study were not wholly attributable to the performance of Black jurors—that membership in diverse groups actually led Whites to perform as more accurate and systematic jurors—is a provocative and noteworthy result. This research is exciting to me because it also has implications for a wide range of non-legal domains, including the educational system, the corporate boardroom, and a variety of other contexts in which groups make decisions. Though the notion of

“diversity” has become a catchphrase or buzzword in contemporary America, we still have a lot to learn about its actual influence on the performance of groups and their individual members, and I would like to think that the present study is a useful step in that direction.

For more information regarding this article please contact Dr. Sommers at sam.sommers@tufts.edu. Log on to <http://www.latimes.com/features/health/la-he-juries17apr17,0,4531343.story?coll=la-home-health> for a featured article in the Los Angeles Times. To obtain a copy of the journal article, log on to <http://www.apa.org/journals/releases/psp904597.pdf>.

Internet Consultation ***Continued from p. 15***

multiple collateral sources of information, and why we never rely on one instrument for much of anything.

Similarly, we should never rely on one source of information in forming an opinion, even if that source is a respected colleague.

Good consultation is a process

Like good psychotherapy therapy, supervision, direct or cross examination, or informed consent, effective and successful consultation is the result of a process, not a static event. Information and opinions emerge from the process, part of which entails probing for biases that the requesting individual may not even know are present. Because of the limited and non-confidential information upon which Internet consultations are based, the “consultant” must contend with considerable limitations on what information can be provided, and may not even be aware of what information is missing.

So what’s a person to do?

Psychologists are by inclination and definition helpful. When a colleague asks for consultation, we form a long line to offer almost compulsive assistance. It’s like a tic. It’s not always a good thing, but it’s our thing. It is not reasonable to ask psychologists, especially academic psychologists, to simply refuse help to what may be a very sincere request to do a better job.

We also routinely and strongly suggest to colleagues that seeking consultation is quite simply the best kind of malpractice insurance. So we do not want to chill the willingness of our colleagues to admit the limitations of their own knowledge and seek to buttress it with consultative assistance from a respected and trusted colleague. So here are some recommendations for asking and responding to requests for consultation on list serves:

1. Never request or give ultimate issue opinions. It is fine to offer opinions about the building blocks upon which opinions are based, but we can’t possibly know enough to know the answer to the forensic question in the instant case.
2. Opinions should be robust and simple, and not necessarily aimed at the facts of this case. For example, it may be very helpful to list the various kinds of inquiry that are required in conducting this kind of evaluation, or the “must-read” learned treatises about a particular subject.
3. Often, the people who know that they don’t know the answer to a question remain silent, leaving the list to those who do not realize their own limitations. As a result, the person seeking consultation is erroneously led to believe that “we don’t know” may be the best answer to their question.
4. It is almost never a bad idea to honestly say, “I don’t know.”
5. Consultative opinion should be offered in conditional terms. For example, “If Mr. X really was beat with a rubber hose, then it would have been likely to taint his confession” is very different from opining that

this confession is invalid. Even better is to list the kinds of experiences that have been demonstrated to correlate with inaccurate confessions, including the use of physical force.

6. We should discipline ourselves to question every premise that is buried within a question. We are supposed to do this anyway, and it is especially important in providing Internet consultation. (As an added bonus, learning to do this will keep you from making being embarrassed on cross-examination.)

7. Publicly state the limitations of your advice, no matter how obvious you think they are.

8. Remind yourself over and over again that you haven’t heard the opposing expert’s view of the facts of the case, or read his or her opinion. Remind yourself that there are two sides to every story, and more than two sides to most.

9. Try to only answer questions that you actually know something about. (This seems to be a hard one.)

Most importantly, “real” consultation is often what the person really needs, even though it may cost them a few bucks. Because the Internet is public and e-mails are brief, it is often not possible to provide adequate information in the form of the referral question. By paying someone — some elder statespeople will even do this for free — for a few hours of their time, it is possible to provide them with enough information to render a consultative opinion that is much better informed and valuable. Although the attorneys should be consulted, it may also be possible to do this in a manner that is privileged and/or confidential.

The Internet is a wonderful educational and consultative tool. But like any tool, it must be used properly, with careful consideration of its dangers and limitations. And despite the Internet’s ease of use, in my opinion there will always be a place for the old fashioned kind of case-specific supervision and case consultation.



Cartier, J., Farabee, D., & Prendergast, M.L. (2006). **Methamphetamine use, self-reported violent crime, and recidivism among offenders in California who abuse substances.** *Journal of Interpersonal Violence, 21*, 435-445. Data from matched samples of prisoners in treatment ($n=321$) and no treatment ($n=320$) indicated that methamphetamine use (within 30 days prior to interview) was positively correlated with self-reported violence and general recidivism.

Ferguson, C.J. & Negy, C. (2006). **Development and preliminary validation of a defendant and offender screening tool for psychopathology in inmate populations.** *Criminal Justice and Behavior, 33*, 325-346. The Defendant and Offender Screening Tool was developed and validated on 674 Florida inmates and 30 university students. The five subscales (social desirability, malingering, psychosis, cognitive impairment, and aggressiveness) demonstrated adequate internal consistency and test-retest reliability. All subscales were able to discriminate between target and comparison groups.

Hogue, T., Steptoe, L., Taylor, J. L., Lindsay, W. R., Mooney, P., Pinkney, L., et al. (2006). **A comparison of offenders with intellectual disability across three levels of security.** *Criminal Behavior and Mental Health, 16*, 13-28. Offenders with an intellectual disability ($N=212$) were compared on psychiatric and criminal justice variables. Predictors of higher residential security placement included lifetime conviction of murder, diagnosis of personality disorder, causing criminal damage, incarceration as a juvenile, and mandated treatment.

Poortinga, E., Lemmen, C., & Jibson, M.D. (2006). **A case control study: White-collar defendants compared with defendants charged with other nonviolent theft.** *The Journal of the American Academy of Psychiatry and the Law, 34*, 82-89. Compared to males convicted of other forms of nonviolent theft ($n = 73$), males convicted of white-collar crimes ($n=70$) were more likely to be white, employed, have higher levels of education, and a diagnosis of unipolar depression. Those who committed white-collar crimes were less likely to have a substance use problem or previous contact with the adult or juvenile justice systems.

Skogstad, P., Deane, F.P., & Spicer, J. (2006). **Social-cognitive determinants of help-seeking for mental health problems among prison inmates.** *Criminal Behaviour and Mental Health, 16*, 43-59. Inmates ($N=527$) completed a questionnaire derived from the Theory of Planned Behaviour (TPB), which theorizes that a person's attitudes, social pressures, and perceived control impact planned behavior. Results suggest that TPB variables predicted help-seeking intentions for personal problems, emotional difficulties, and suicidal ideation.

Stuart, G. L., Moore, T. M., Gordon, K. C., Ramsey, S. E., & Kahler, C. W. (2006). **Psychopathology in women arrested for domestic violence.** *Journal of Interpersonal Violence, 21*, 376-389. Women arrested for domestic violence ($N=103$) reported high rates of being victimized by intimate partners. Significant correlations between victimization and PTSD, depression, GAD and panic symptoms were found. Higher levels of Bor-

derline Personality Disorder and Antisocial Personality Disorder were found in the sample compared to the general population.

Weizmann, Henelius, G., Ilonen, T., Viemero, V., & Eronen, M. (2006). **A comparison of selected Rorschach variables of violent female offenders and female non-offenders.** *Behavioral Sciences and the Law, 24*, 199-213. Comparisons of Rorschach CS variables from 45 violent female offenders and 30 female non-offenders found that offenders were characterized by higher levels of social immaturity, limited capacities to cope with stress, and an avoidant and inconsistent coping style.

White, P., & Chant, D. (2006). **The psychometric properties of a psychosis screen in a correctional setting.** *International Journal of Law and Psychiatry, 29*, 137-144. Male inmates ($N=567$) were interviewed using the Screening Instrument for Psychosis, a 7 item measure of symptom presentation. Sixty-one inmates answered positively to at least one item. All 61 of these inmates had prior diagnoses involving psychotic symptoms.

DELIQUENCY/ANTISOCIAL BEHAVIOR

Blonigen, D.M., Hicks, B.M., Krueger, R.F., Patrick, C.J., & Iacono, W.G. (2006). **Continuity and change in psychopathic traits as measured via normal-range personality: A longitudinal-biometric study.** *Journal of Abnormal Psychology, 115*, 85-95. Results from male and female twins ($N=626$) who completed the Multidimensional Personality Questionnaire indicated that psychopathic traits of Fearless Dominance remained stable

from adolescence to adulthood while Impulsive Antisociality behaviors declined, suggesting a developmental trend in these traits from adolescence to early adulthood.

Caldwell, R.M., Sturges, S.M., Silver, N.C., Brinson, J., Denby-Brinson, R., & Burgess, K. (2006). **An examination of the influence of perceived parenting practices on depression and substance use among African American juvenile offenders.** *Journal of Forensic Psychology Practice, 6*, 3, 31-50. In a sample of 119 African American juvenile offenders, maternal parenting practices were predictive of depression and paternal practices were predictive of substance use. Maternal roles accounted for most of the variance in the prediction of depression, whereas paternal roles and affective involvement accounted for most of the variance in predicted substance use.

DeMatteo, D., Heilbrun, K., & Marczyk, G. (2006). **An empirical investigation of psychopathy in a noninstitutionalized and noncriminal sample.** *Behavioral Sciences and the Law, 24*, 133-146. PCL-R scores from 54 nonincarcerated adult males supported the hypothesis that Factor 1 scores would be significantly higher than Factor 2 scores. Comparisons between participants with and without a criminal history indicated that contact with criminal justice system did not fully explain the differences between the two groups.

Edens, J.F., Marcus, D.K., Lilienfeld, S.O., & Poythress, N.G. (2006). **Psychopathic, not psychopath: Taxometric evidence for the dimensional structure of psychopathy.** *Journal of Abnormal Psychology, 115*, 131-144. Two sets of taxometric analyses were conducted on PCL-R data from

prison inmates and court-ordered substance abuse patients ($N = 876$). The researchers found no support for a latent taxon of psychopathy.

Jones, S., Cauffman, E., Miller, J.D., & Mulvey, E. (2006). **Investigating different factor structures of the Psychopathy Checklist: Youth Version: Confirmatory factor analytic findings.** *Psychological Assessment, 18*, 33-48. Confirmatory factor analyses of PCL-YV scores from 1162 juvenile offenders found that the original two-factor model and the Forth et al. (2003) three-factor model of psychopathy did not fit the data well. Results supported the use of a modified three-factor model and a new four-factor model of psychopathy. There was measurement invariance across three cultural groups (Caucasian, African American, Latino).

Kimonis, E.R., Frick, P. J., Fazekas, H., & Loney, B.R. (2006). **Psychopathy, aggression, and the processing of emotional stimuli in non-referred girls and boys.** *Behavioral Sciences and the Law, 24*, 21-37. Children aged 6 to 13 ($N=50$) were measured on psychopathy (APSD), reactive and proactive aggression, and emotional processing deficits. Boys displayed more psychopathic traits and higher levels of aggression than girls, but the relationship between psychopathy, aggression, and distress-stimuli processing were similar across gender. Proactive aggression was negatively correlated with distress-stimuli processing. Psychopathy significantly predicted deficits in distress-stimuli processing only when aggression was high.

Parrott, D., & Zeichner, A. (2006). **Effect of psychopathy on physical aggression toward gay and heterosexual men.** *AP-LS NEWS, Summer 2006*

Journal of Interpersonal Violence, 21, 390-410. Heterosexual men ($N=84$) administered electric shocks to a fictitious opponent (either a heterosexual or gay male), completed the Levenson Self-Report Psychopathy Scale (LSRP), and measures of sexual prejudice. Participants who obtained high scores on the LSRP were more aggressive toward the gay confederate, even after controlling for sexual prejudice.

Pollock, J.M., Mullings, J.L., & Crouch, B. M. (2006). **Violent women: Findings from the Texas Women Inmates Study.** *Journal of Interpersonal Violence, 21*, 485-502. A sample of 657 female inmates was separated into violent and nonviolent samples based on their self-reported primary offense. Women in the violent group were more likely to be younger, African American, unemployed, have experienced childhood maltreatment, and engaged in criminal behavior at an earlier age than the those in the nonviolent group.

Poythress, N.G., Dembo, R., Wareham, J., & Greenbaum, P.E. (2006). **Construct validity of the Youth Psychopathic Traits Inventory (YPI) and the Antisocial Process Screening Device (APSD) with justice-involved adolescents.** *Criminal Justice and Behavior, 33*, 26-55. Among 165 adolescents involved in a juvenile arbitration program, the YPI demonstrated higher levels of internal consistency than the self-report APSD. Internal consistency for scales measuring callous-unemotional aspects of psychopathy was poor for both instruments. Both instruments demonstrated adequate construct validity, although confirmatory factor analysis did not support the published three-factor models of psychopathy for either instrument.

Poythress, N.G., Douglas, K.S., Falkenbach, D., Cruise, K., Lee, Z., Murrie, D.C., & Vitacco, M. (2006). **Internal consistency reliability of the self-report Antisocial Process Screening Device.** *Assessment, 13*, 107-113. Analyses of 11 studies in which justice-involved youths were administered the self-report APSD revealed satisfactory reliability for the Narcissism scale and moderate reliability for the Impulsivity scale. Across studies, the internal consistency reliability of the Callous-Unemotional scale was poor.

Salekin, R.T., Brannen, D.N., Zalot, A.A., Leistico, A.M., & Neumann, C.S. (2006). **Factor structure of psychopathy in youth: Testing the applicability of the new four-factor model.** *Criminal Justice and Behavior, 33*, 135-137. Confirmatory factor analyses of PCL-YV scores from 130 juvenile offenders supported the use of a modified three-factor model and a four-factor model of psychopathy.

Schrum, C.L., & Salekin, R.T. (2006). **Psychopathy in adolescent female offenders: An item analysis of the Psychopathy Checklist: Youth Version.** *Behavioral Sciences and the Law, 24*, 39-63. Adolescent female detainees ($N=123$) were assessed with the PCL-YV. Consistent with previous research, IRT analyses indicated that Factor 1 was more discriminating in general and at higher levels of psychopathy than Factor 2. Callousness, conning and grandiosity were the most discriminating items. Unlike previous findings, interpersonal traits of psychopathy (e.g., conning, grandiosity) were more discriminating than affective traits.

Shaw, D.S., Dishion, T.J., Supplee, L., Gardner, F., & Arnds, K. (2006). **Randomized trial of a family-centered ap-**

proach to the prevention of early conduct problems: 2-year effects of the Family Check-Up in early childhood. *Journal of Consulting and Clinical Psychology, 74*, 1-9. 120 mother and son (age: 17 to 27 months) dyads were randomly assigned to a treatment as usual (TAU) or Family Check-Up (FCU) treatment group. Mother/son dyads in the FCU treatment group received the same treatment as the TAU group, with three additional sessions based on motivational interviewing. FCU treatment was associated with reductions in the child's disruptive behavior and an increase in maternal involvement at 12- and 24-month follow-up sessions.

Warren, J.I., & South, S.C. (2006). **Comparing the constructs of antisocial personality disorder and psychopathy in a sample of incarcerated women.** *Behavioral Sciences and the Law, 24*, 1-20. Female inmates ($N=137$) were classified into four diagnostic groups based on diagnoses of APD and PCL-R scores. Women who were only diagnosed with APD demonstrated higher rates of impulsivity, aggression, recklessness and irresponsible behavior than those who met criteria for psychopathy. Those in the psychopathy only group demonstrated the highest level of remorselessness.

FORENSIC EVALUATION

Boccaccini, M.T., Boothby, J.L., & Overduin, L.Y. (2006). **Evaluating the validity of pain complaints in personal injury cases: Assessment approaches of forensic and pain specialists.** *Journal of Forensic Psychology Practice, 6*, 3, 51-62. A majority of pain specialists, forensic specialists, and forensic-pain specialists (Total $N = 113$) identified the MMPI-2 as the instrument



they would use to assess for malingering when presented with a hypothetical personal injury case involving a client describing pain symptoms. The most common method for assessing the validity of physical pain symptoms was to review collateral information (i.e. medical records).

Bow, J.N., Gould, J.W., Flens, J.R., & Greenhut, D. (2005). **Testing in child custody evaluations—selection, usage, and Daubert admissibility: A survey of psychologists.** *Journal of Forensic Psychology Practice, 6*(2), 17-38. Psychologists who conducted testing during child custody evaluations (N=89) identified: adequate validity research, sufficient research on test, and adequate reliability research as the most important test selection criteria. The MMPI-2 received the highest rating with respect to meeting Daubert standards, followed by the WAIS-III and other MMPI, Weschler, and Millon instruments. The Rorschach Method-Comprehensive System was the only projective measure perceived to meet Daubert criteria. None of the custody specific tests were rated as meeting Daubert standards.

Crawford, E.F., Greene, R.L., Dupart, T.M., Bongar, B., & Childs, H. (2006). **MMPI-2 assessment of malingered emotional distress related to a workplace injury: A mixed group validation.** *Journal of Personality Assessment, 86*, 217-221. A comparison of MMPI-2 profiles from malingered graduate students (n=27) and depressed clinical inpatients (n=35) revealed that the graduate students produced higher scores on scales 2, 3, and 0. The FBS scale was the only validity measure correlated with malingering. Viljoen, J.L., & Roesh, R. (2005). **Competence to waive interrogation rights and adjudicative competence in adolescent defendants:**

Cognitive development, attorney contact, and psychology symptoms. *Law and Human Behavior, 29*, 723-742. 152 pretrial adolescent defendants (79 males) completed assessments of competency, cognitive skills, and symptoms of psychopathology. Legal capacity increased with age, and this increase was partially explained by cognitive abilities, particularly verbal and attention abilities. Previous arrests and contact with attorneys were associated with higher levels of legal capacity.

Warren, J.I., Murrie, D.C., Stejskal, W., Colwell, L.H., Morris, J., Chauhan, P., et al. (2006). **Opinion formation in evaluating the adjudicative competence and restorability of criminal defendants: A review of 8,000 evaluations.** *Behavioral Sciences and the Law, 24*, 113-132. Information from competence to stand trial evaluations revealed that psychiatric diagnosis was the most important predictor of evaluators' competency decisions. Incompetent defendants were more likely to be diagnosed with psychotic, organic, or mental retardation/learning disorders, and less likely to be diagnosed with personality, dissociative or substance abuse disorders.

Zapf, P.A., Skeem, J.L., & Golding, S.L. (2006). **Factor structure and validity of the Macarthur Competence Assessment Tool- Criminal Adjudication.** *Psychological Assessment, 17*, 433-445. Confirmatory factor analyses of the MCAT-CA normative data (N=729 felony defendants) yielded a good fit with a modified three-factor model and suggested that the MCAT-CA may have a hierarchical structure. Tests of convergent validity revealed modest relations between the MCAT-CA and measures of intelligence and psychopathology.

LAW ENFORCEMENT, CONFESSIONS, & DECEPTION

Agnew, S.E., Powell, M.B., & Snow, P.C. (2006). **An examination of the questioning styles of police officers and caregivers when interviewing children with intellectual disabilities.** *Legal and Criminological Psychology, 11*, 35-53. Children with a mild/moderate intellectual disability (N=28) witnessed a staged event and were interviewed by a police officer and a primary caregiver. Police officers elicited more event-related information (using best-practice recommendations) than primary caregivers.

Caso, L., Vrij, A., Mann, S., & De Leo, G. (2006). **Deceptive responses: The impact of verbal and non-verbal countermeasures.** *Legal and Criminological Psychology, 11*, 99-111. Undergraduates (N=128) either reported the truth or a lie about a staged event after being instructed about verbal and nonverbal cues to deception. Both liars and truth-tellers modified their verbal content to include truth-telling cues in their story, indicating they were able to adapt their verbal behavior to be consistent with the cues with which they were instructed. Participants did not change their nonverbal behavior to incorporate the non-verbal cues to deception.

Davis, M., Markus, K.A., Walters, S.B., Vorus, N., & Connors, B. (2005). **Behavioral cues to deception vs. topic incriminating potential in criminal confessions.** *Law and Human Behavior, 29*, 683-704. 337 brief utterances from 28-videotaped statements made to Assistant District Attorneys were coded for incriminating potential (measure of psychological stress) and consistency with police evidence. Behaviors that indicated psychological stress were different from those that

indicated deception as corroborated by police evidence.

Delisi, M., & Scherer, A.M. (2006). **Multiple homicide offenders: Offense characteristics, social correlates, and criminal careers.** *Criminal Justice and Behavior, 33*, 367-391. Regression analyses of demographically similar single and multiple homicide offenders (SHO N = 494, MHO N = 160) revealed that offenders who committed rape and burglary/theft were more likely to be MHOs. Prior imprisonments, convictions for misdemeanors, and attempts to murder additional victims were more common among MHOs. Demographic variables predictive of MHO include being male, fitting into the "other race" category, and not being involved with a gang.

Granhag, P.A., Stromwall, L.A., & Landstrom, S. (2006). **Children recalling an event repeatedly: Effects on RM and CBCA scores.** *Legal and Criminological Psychology, 11*, 81-98. Children aged 12-13 (n=80) were asked to recall either a fabricated event or a real interaction several times over a period of 14 days. Details from the children's recollections were then analyzed with content-based criterion analysis (CBCA) and reality monitoring (RM). RM was found to be a better predictor of fabrication than the CBCA.

Keibell, M.R., Hurren, E.J., & Roberts, S. (2006). **Mock-suspects decisions to confess; The accuracy of eyewitness evidence is critical.** *Applied Cognitive Psychology, 20*, 477-486. Undergraduates (N=40) committed a mock-theft and were interviewed by a mock police investigator. During the interview, one of four witness statements was presented that was either detailed

or not-detailed and accurate or inaccurate. Participants were more likely to confess if the evidence against them was accurate; the level of detail did not have an effect. Those with accurate evidence against them felt more guilty than those with inaccurate evidence.

Perkins, J.E. & Bourgeois, M.J. (2006). **Perceptions of police use of deadly force.** *Journal of Applied Social Psychology, 36*, 161-177. After reading vignettes about fatal officer shootings, undergraduates (Study 1 $N=351$, Study 2 $N=175$) rated the amount of misuse of deadly force (MDF) present. Ratings of MDF were higher when more shots were fired, decreasing perceptions of victim responsibility; MDF ratings were lower when more officers were involved (only in Study 1). Higher levels of social dominance among participants also predicted estimates of MDF and victim responsibility.

Salfati, C. G., & Taylor, P. (2006). **Differentiating sexual violence: A comparison of sexual homicide and rape.** *Psychology, Crime & Law, 12*, 107-125. Police files were examined for crime scene information regarding exploiting, control-related, and violence-related actions from 37 solved rape cases and 37 solved sexual homicide cases. Rape cases were more likely to have involved vaginal penetration, a weapon brought to the scene, and restriction of the victim's actions. Sexual homicide cases were more likely to involve the use of a weapon found at the scene, and were four times more likely to include non-controlled violence and infliction multiple wounds.

Vrij, A. (2006). **Challenging interviewees during interviews: The potential effects on lie detection.** *Psychology, Crime & Law, 12*(2), 193-206. *AP-LS NEWS, Summer 2006*

Undergraduates were interviewed in either a truth condition ($n=15$) or a lie condition ($n=21$). Compared to those in the truth condition, those in the lie condition smiled less and had less hand and finger movements during a friendly style of questioning, and only less smiling during interrogation-style questioning.

Torres, A. N., Boccaccini, M. T., & Miller, H. A. (2006). **Perceptions of the validity and utility of criminal profiling among forensic psychologists and psychiatrists.** *Professional Psychology: Research and Practice, 37*, 51-58. Forensic mental health professionals ($N=161$) completed an internet survey regarding experience with and attitude towards criminal profiling. Two versions of the survey were distributed; one used the term "profiling" and the other used "criminal investigative analysis" (CIA). Overall, most participants viewed profiling and CIA as lacking scientific support, although many reported that these were useful activities for law enforcement. Higher levels of knowledge about the admissibility of expert testimony was associated with more negative beliefs about the scientific merit of profiling and CIA.

LEGAL DECISION-MAKING & JURY RESEARCH

Antonio, M.E. (2006). **Arbitrariness and the death penalty: How the defendant's appearance during trial influences capital jurors' punishment decision.** *Behavioral Sciences and the Law, 24*, 215-234. Interviews with capital jurors indicated that jurors were more likely to vote for life or remain undecided when defendants appeared apologetic or sincere and more likely to vote for death or remained undecided when defendants ap-

peared bored. This finding remained even after controlling for aggravating factors such as heinousness of the crime.

Butler, B. & Wasserman, A.W. (2006). **The role of death qualification in venirepersons' attitudes toward the insanity defense.** *Journal of Applied Social Psychology, 36*(7), 1743-1756. Death qualified venirepersons were more likely than excludables (Total $N=300$) to endorse certain insanity myths, find a hypothetical capital case defendant guilty (based on written case scenario), and sentence the defendant to death.

Gray, J. M. (2006). **Rape myth beliefs and prejudiced instructions: Effects on decisions of guilt in a case of date rape.** *Legal and Criminological Psychology, 11*, 75-80. Undergraduates (90 male, 90 female) completed the Rape Myth Acceptance (RMA) scale. Participants then read a statement (supporting rape myths, against rape myths, neutral) and a vignette describing a rape case. Participants who read statements supporting rape myths were more likely to see the defendant as innocent, regardless of their scores on the RMA scale.

Guy, L. S., & Edens, J. F. (2006). **Gender differences in attitudes toward psychopathic sexual offenders.** *Behavioral Sciences and the Law, 24*, 65-85. Undergraduates ($N=599$) read scenarios of sexual assault which varied the age of the victim and type of risk assessment testimony (PCL-R, SORAG, or clinical opinion). Commitment recommendations did not differ by testimony type, which was attributed to participants' reported perceptions of high psychopathy. High ratings of Factor 1 traits by participants were associated with commitment recommendation across testimony types.

ForsterLee, R., ForsterLee, L., Horowitz, I. A., & King, E. (2006). **The effects of defendant race, victim race, and juror gender on evidence processing in a murder trial.** *Behavioral Sciences and the Law, 24*, 179-198. Mock jurors ($N = 96$) read a criminal trial transcript in which the race of the defendant and victim varied. Sentence length was similar when the defendant was black, but white defendants received shorter sentences when the victim was white. Female jurors recommended longer sentences to black defendants. The information mock jurors recalled (evidentiary versus emotive) varied with regard to their gender and the victim's race.

Kalbeitzer, R., & Goldstein, N.E.S. (2006). **Assessing the "evolving standards of decency": Perceptions of capital punishment of juveniles.** *Behavioral Sciences and the Law, 24*, 157-178. Undergraduates ($N = 235$) read a capital case vignette that varied the defendant's age (16, 17, 18, or 25 years). Perceptions of criminal responsibility were related to harsher sentencing decisions, but the defendant's age did not predict sentencing decisions, suggesting public opinion may be inconsistent with the rationale for legislation prohibiting the execution of juveniles.

Mitchell, T.L., Haw, R.M., Pfeifer, J.E., & Meissner, C.A. (2005). **Racial bias in mock juror decision-making: A meta-analytic review of defendant treatment.** *Law and Human Behavior, 29*, 621-637. A meta-analysis of 46 independent effect sizes from 34 studies indicated that mock jurors were somewhat more lenient toward defendants from their own racial group ($d = .092$). A second meta-analysis of 20 independent effect sizes from



16 studies indicated that mock jurors gave longer sentences to defendants from another racial group ($d = .185$).

Proeve, M. J., & Howells, K. (2006). **Effects of remorse and shame and criminal justice experience on judgments about a sex offender.** *Psychology, Crime, & Law, 12*, 145-161. Australian justice students ($N=123$) read one of three rape vignettes; offender had no strong feelings about the offense, offender expressed remorse, or offender expressed shame. The offender was judged more harshly in the no feeling vignette compared to the remorse and shame vignettes.

Ruback, R. B., & Shaffer, J. N. (2005). **The role of victim-related factors in victim restitution: A multi-method analysis of restitution in Pennsylvania.** *Law and Human Behavior, 29*, 657-681. In Study 1, 147 judges (33% response rate) rated compensation as the most important goal for restitution. Restitution was seen as important for property or victim crimes but not for reimbursement for counseling. In Study 2, an examination of 55,119 court decisions indicated that judges ordered higher rates of restitution when the victim advocacy office was independent and outside the courthouse.

Russell, B.L. & Melillo, L.S. (2006). **Attitudes toward battered women who kill: Defendant typicality and judgments of culpability.** *Criminal Justice and Behavior, 33*, 219-241. Undergraduates ($N=618$) rated vignettes about homicide cases involving battered women. Overall, female mock jurors were less likely to assign guilt ratings than men, atypical defendant characteristics (non-prototypical battered woman characteristics) yielded more guilty verdicts and less sympathy

and passive response history yielded more sympathy for the defendant because she was more likely to meet the requirements of self-defense.

MENTAL HEALTH SERVICES

Blitz, C.L., Wolff, N., & Paap, K. (2006). **Availability of behavioral health treatment for women in prison.** *Psychiatric Services, 57*, 356-360. Female prisoners' ($N=1,165$) perceived need for behavioral health treatment prior to and during incarceration was compared to their actual receipt of behavioral treatment. The percentage of inmates who received needed treatment was higher during than prior to incarceration, suggesting that incarceration was associated with better access to behavioral health treatment for those surveyed.

Calsyn, R.J., Yonker, R.D., Lemming, M.R., Morse, G.A., & Klinkenberg, W.D. (2006). **Impact of assertive community treatment and client characteristics on criminal justice outcomes in dual disorder homeless individuals.** *Criminal Behavior and Mental Health, 15*, 236-248. Homeless, dual-diagnosed participants ($N=144$) were randomized to receive no treatment, Integrated Treatment, or Assertive Community Treatment. Treatment type and dosage were not significant predictors of criminal justice involvement at post-treatment (6-24 months).

McBrien, J., & Murphy, G. (2006). **Police and carers' views on reporting alleged offences by people with intellectual disabilities.** *Psychology, Crime, & Law, 12*, 127-144. 80 residential care staff members and 65 police officers read vignettes about three different crimes (assault, rape, minor theft) committed by someone with or without an intellectual

deficit. Staff members were less likely to report serious crimes when the offender had an intellectual deficit. Police were as likely to report all three crimes, regardless of the presence of an intellectual disability.

Skeem, J.L., Emke-Francis, P., & Loudon, J.E. (2006). **Probation, mental health, and mandated treatment: A national survey.** *Criminal Justice and Behavior, 33*, 158-184. A survey of probation supervisors from specialty mental health ($n=66$) and traditional probation agencies ($n=25$) in the U.S. found that supervisors perceived specialty agencies to be more effective than traditional ones for serving probationers with mental illness. One of the key features that distinguished the agencies was meaningfully reduced caseloads in the specialty agencies.

Swartz, M.S., Swanson, J. W., Kim, M., & Petril, J. (2006). **Use of outpatient commitment or related civil court treatment orders in five U.S. communities.** *Psychiatric Services, 57*, 343-349. Interviews with adult outpatients ($N=1,011$) indicated that outpatient commitment and court treatment orders were associated with lower social support, poor psychiatric functioning, recent violence, more frequent hospitalizations, previous police intervention during mental health crises, and previous involuntary hospitalization, compared to individuals who were never involuntarily hospitalized. Leveraged treatment was associated with higher perceptions of coercion and lower treatment satisfaction.

RISK ASSESSMENT

Fergusson, D. M., Boden, J. M., & Horwood, L. J. (2006). **Examining the intergenerational transmission of violence in a New Zealand birth cohort.** *Child Abuse & Neglect,*

30, 89-108. Children in New Zealand ($N=1025$) were assessed at ages 18, 21, and 25. They answered questions regarding interparental violence before age 16, offending, violent behavior, and interpartner violence (at age 25 only). After controlling for confounding factors, including socioeconomic background, family functioning, child abuse, and individual characteristics, no significant associations between exposure to interparental violence and increased risk of interpartner violence were observed.

French, S.A. & Gendreau, P. (2006). **Reducing prison misconducts: What works!** *Criminal Justice and Behavior, 33*, 185-218. Meta-analysis of findings from studies examining the relation between prison treatment programs and inmate misconduct ($K=64$) revealed that behavioral treatment interventions were most effective in reducing prison misconduct ($r=.26$). The programs that were most effective in reducing prison misconduct were also associated with lower recidivism rates.

Henning, K. & Holdford, R. (2006). **Minimization, denial, and victim blaming by batterers: How much does the truth matter?** *Criminal Justice and Behavior, 33*, 110-130. In a sample of 2,824 men convicted of domestic assault (83.8% African American), small positive associations were found between severe minimization of abuse history, denial of the effect of the abuse on the family, and domestic violence recidivism (defined as being named a suspect in a police report with follow-up times of 12-50 months). Age, education, and employment status were also related to recidivism.

Hollin, C.R. & Palmer, E.J. (2006). **The Level of Service Inventory-Revised profile of English prisoners: Risk and reconviction analysis.** *Criminal Justice and Behavior, 33*, 110-130.

nal Justice and Behavior, 33, 347-366. An amplified version of the LSI-R was administered to 216 English inmates shortly before they were released. Using reconviction data, the authors found that the total score and risk bands were significantly associated with reconviction at a predetermined census point, yielding support for this instrument's use in predicting reconviction among English inmates.

Kenny, D. T., & Press, A. L. (2006). **Violence classifications and their impact on observed relationships with key factors in young offenders.** *Psychology, Public Policy, and Law*, 12, 80-105. Six violence classification coding schemas were compared using offense data from 242 young offenders. Results indicated that the coding schema influenced how offenses were classified regarding level of violence and the relationship between violence and violence predictor variables, suggesting a need to adopt a uniform classification system.

Odeh, M.S., Zeiss, R.A., & Huss, M.T. (2006). **Cues they use: Clinicians' endorsement of risk cues in predictions of dangerousness.** *Behavioral Sciences and the Law*, 24, 147-156. Clinicians ($N=67$) read protocols describing actual VA patients and identified information they used for predicting dangerousness. Clinicians rated history of assaults, medication non-compliance, paranoid delusions and family problems as influential in making their predictions. The cues identified as important predictors by clinicians did not predict actual future violence.

Schwalbe, C.S., Fraser, M.W., Day, S.H., & Cooley, V. (2006). **Classifying juvenile offenders according to risk of recidivism: Predictive validity.** *AP-LS NEWS, Summer 2006*

race/ethnicity, and gender. *Criminal Justice and Behavior*, 33, 305-324. The predictive validity of the North Carolina Assessment of Risk (NCAR) among 9,534 adjudicated juveniles differed based on age and ethnicity, where recidivism was defined as subsequent adjudication. The NCAR was least successful at predicting recidivism rates for Caucasian females and it underpredicted recidivism for African American adolescents.

Walters, G.D. (2006). **Risk-appraisal versus self-report in the prediction of criminal justice outcomes: A meta-analysis.** *Criminal Justice and Behavior*, 33, 279-304. In this meta-analysis of 22 studies that contained at least one risk appraisal procedure (HCR-20, LSI, PCL, VRAG, LCSF) and a self-report measure (e.g., MMPI, BHS), the risk appraisal procedures were superior in predicting recidivism. The two procedures produced comparable results in predicting institutional adjustment. When the analyses were limited to studies using content-relevant self-report measures (those that highlight antisocial behavior), there were no significant differences between the prognostic utility of self-report and risk appraisal procedures for recidivism and institutional adjustment.

SEX OFFENDERS

Craig, L.A., Beech, A., & Browne, K.D. (2006). **Cross-validation of the Risk Matrix 2000 Sexual and Violent Scale.** *Journal of Interpersonal Violence*, 21, 612-633. Comparisons of the predictive validity of the Risk Matrix 2000 Sexual (RMS) and Violent (RMV) scales to the SVR-20 and Static-99 suggest that the RMV significantly predicted violent recidivism at 10-years follow-up. Survival analyses indicated that none of the

scales were significant predictors of sexual recidivism.

Gannon, T.A. (2006). **Increasing honest responding in cognitive distortions in child molesters: The Bogus Pipeline Procedure.** *Journal of Interpersonal Violence*, 21, 358-375. Child molesters (CM; $N=35$) completed a cognitive distortion scale designed to assess their views of children as sexual beings. CM who were attached to a pseudo lie detector during the a second administration of the scale endorsed fewer cognitive distortions than they had during the first administration.

Langevin, R. (2006). **An actuarial study of recidivism risk among sex killers of adults and children: Could we have identified them before it was too late?** *Journal of Forensic Psychology Practice*, 6(1), 29-49. Males convicted of sex offenses and murder/attempted murder ($N=38$) were given VRAG and SORAG scores based on file information available prior to their offenses. Prediction of recidivism risk was poor (VRAG identified 21.0%; SORAG, 26.4%), but improved for VRAG categories over time.

Lindsay, W.R., Steele, L., Smith, A.H.W., Quinn, K., & Allan, R. (2006). **A community forensic intellectual disability service: Twelve year follow up of referrals, analysis of referral patterns and assessment of harm reduction.** *Legal and Criminological Psychology*, 11, 113-130. This study examined reoffenses and referrals for groups of male sex offenders ($n=121$), other male offenders ($n=105$), and female offenders ($n=21$). Reoffenses for sex crimes were more common in the sex offender group (23.9%), and non-sex reoffenses were more common in the other two groups (male=59%, female=19%).

Vandiver, D. M. (2006). **A prospective analysis of juvenile male sex offenders: Characteristics and recidivism rates as adults.** *Journal of Interpersonal Violence*, 21, 673-688. Cox Regression analyses were conducted on rearrest data from a random sample of 300 males arrested for a sex offense as a juvenile and who were now adults. Older victims, male victims, and younger age at arrest were positively associated with rearrest; type of original offense was not related to rearrest.

Wollert, R. (2006). **Low base rates limit expert certainty when current actuarials are used to identify sexually violent predators: An application of Bayes's Theorem.** *Psychology, Public Policy, and Law*, 12, 56-85. Bayes's Theorem was applied to the accuracy of high actuarial scores used to predict sexual recidivism and sexual recidivism rates for 4,673 male offenders. Results suggest none of the actuarial instruments used (SORAG, VRAG, MnSOST-R, Static-99, RRASOR) efficiently predict recidivism for individuals over 24.

WITNESS ISSUES

Brace, N., Pike, G., Kemp, R., Turner, J., & Bennett, P. (2006). **Does the presentation of multiple facial composites improve suspect identification?** *Applied Cognitive Psychology*, 20, 213-226. Sixteen participant/witnesses described one of two mock-perpetrators to police operators who sketched composites. 62 other participants who were familiar with the mock perpetrators viewed one, four, or eight composites of the same perpetrators and were asked to identify them. Being shown more than one composite increased the participants' identification rate. A second study is also reported.



Nominations, Awards

Minority Affairs Committee Awards for 2006

The Minority Affairs Committee would like to announce and congratulate the 2006 awardees:

Conference Presentation Awards:

Tia Dole, M.A., Fordham University

Award Amount: \$250.00

Presentation Title: *Sources of Coercion in the Expedited Removal Process: Differential Factors to Perceived Coercion*

Samuel Sommers, Ph.D., Tufts University

Award Amount: \$100.00

Presentation Title: *Race, the Peremptory Challenge, and Jury Selection: Biased Judgments, Neutral Justifications*

Elizabeth Sullivan, Rosalind Franklin University of Medicine and Science

Award Amount: \$100.00

Presentation Title: *Reliability and Validity of the Psychopathy Checklist-Revised in Latino Male Inmates*

Conference Travel Awards:

Monic Behnken, J.D., M.S., Pacific Graduate School of Psychology

Award Amount: \$500.00

Crystal Contreras, Eastern Washington University

Award Amount: \$250.00

Krissie Fernandez, M.A., Sam Houston State University

Award Amount: \$250.00

Diversity in Psychology and Law Research Award & Stipend

Jared Chamberlain, University of Nevada, Reno

Award Amount: \$500.00

Research Project: *The Rights and Responsibilities of Gay Parents: How Do Same-Sex Partners Perceive Parental Roles?*

Robert Cramer, University of Alabama

Award Amount: \$1000.00

Research Project: *Factors Affecting Juror Perceptions of Hate Crimes*

Krissie Fernandez, M.A., Sam Houston State University

Award Amount: \$1000.00

Research Project: *Validity Scales of the Spanish-Language Version of the Personality Assessment Inventory*

Elisa Scott, Nova Southeastern University

Award Amount: \$500.00

Research Project: *Battered Women Syndrome Validation Study*

Program of the Year Award

Widener University, Institute for Graduate Clinical Psychology

Award Amount: \$250.00

Dekle, D.J. (2006). **Viewing composite sketches: Lineups and showups compared.** *Applied Cognitive Psychology, 20*, 383-395. Undergraduates ($N=337$) watched a mock crime slide show then viewed a biased (similar foil in photospread), unbiased (similar to all in photospread) composite of the perpetrator and rated its similarity to the perpetrator; a control group did not view a composite. Viewing biased composites prior to identification was not associated with misidentification. Showups and lineups produced similar identification rates, but in perpetrator absent situations, showups produced more accurate responses compared to lineups.

Peterson, C., & Parsons, B. (2005). **Interviewing former 1- and 2-year olds about medical emergencies 5 years later.** *Law and Human Behavior, 29*, 743-754. Children who had been treated at a hospital ER 5 years earlier ($n = 25$ one-year-olds at time of incident; $n = 13$ two-year-olds at time of incident) were interviewed about their injuries. The majority of one-year-olds recalled nothing about the event whereas most of the two year olds recalled details of the event. One-year-olds who did recall something about the event often combined memories from several events in their lives into one recollection.

Pozzulo, J.D., & Balfour, J. (2006). **Children's and adults' eyewitness identification accuracy when a culprit changes his appearance: Comparing simultaneous and elimination lineup procedures.** *Legal and Criminological Psychology, 11*, 25-34. Adults ($n=239$) and children ($n=177$) watched a filmed robbery and were asked to identify the culprit from a

photo line-up in which the culprit's appearance had either changed or remained the same. Change in appearance led to a decrease in correct rejection rates by participants of all ages. When the culprit's appearance did not change, rejection rates were highest when an elimination lineup procedure was used.

Wagland, P. & Bussey, K. (2005). **Factors that facilitate and undermine children's beliefs about truth telling.** *Law and Human Behavior, 29*, 639-655. Researchers read a vignette detailing an adult transgression witnessed by a child to 72 children from 3 age groups (5, 7, 10). Variations of the vignette emphasized punishment or not, external reward (pleased adult because child told truth), internal reward (telling truth is right thing to do) or no reward. Overall, children were more likely to believe the child would tell the truth when there was no fear of punishment. When punishment was a likely consequence, children were more likely to say the child would tell the truth if there was an internal or external reward described.

Zajac, R., & Hayne, H. (2006). **The negative effect of cross-examination style questioning on children's accuracy: Older children are not immune.** *Applied Cognitive Psychology, 20*, 3-16. Children (ages 9-10, $N=23$) were found to be likely to make changes to their testimony about prior staged events during cross-examination questioning. Children who were exposed to misleading information about the type and number of prior staged events were less accurate during later questioning than children in a control condition.

.... and Announcements

2005 AP-LS Dissertation Awards

The AP-LS Dissertation Award Committee would like to congratulate the winners for the 2005 competition:

The first place winner was Tara Mitchell. Tara's dissertation, entitled, "The Influence of the Cross-Race Effect on Lineup Construction and Fairness" evaluated the influence of the lineup constructor or the lineup construction technique on the quality of the lineup. More specifically, the study examined whether the cross-race effect has an influence on the quality of lineups constructed using a match-to-suspect or match-to-description technique in a series of three phases. The reviewers commented that Tara's dissertation was elegantly constructed and clearly presented. In addition, her dissertation "provides new and useful information to the field." Tara Mitchell received her PhD from the Legal Psychology Program at Florida International University under the supervision of Professor Christian Meissner. Tara received \$500 for her award.

The second place winner was Lisa Chrzanowski. Lisa's dissertation was entitled, "Rape? Truth? and the media: Laboratory and field assessments of pretrial publicity in a real case." This dissertation examined the effects of a real gang rape case that received a substantial amount of PTP. This dissertation was said to be a "very thorough examination of the effects of PTP" and considered "PTP from every angle." In addition, Lisa's dissertation was described as "wonderfully comprehensive and informative." Lisa Chrzanowski received her PhD from Brooklyn College, Graduate Center, City University of New York under the supervision of Professors Steve Penrod and Jennifer Groscup. Lisa received \$300 for her award.

We had a tie this year for third place. The third place was shared by Greg Kramer, and Lora Levett. Greg focused on plea bargaining in his dissertation entitled, "Plea bargaining recommendations by criminal defense attorneys: Legal, psychological, and substance abuse rehabilitative influences." Greg examined the plea bargaining process from the perspective of criminal defense attorneys by presenting attorneys with vignettes where he manipulated the likelihood of conviction based on the strength of the evidence, the defendant's wishes on whether to plead guilty or go to trial, the potential sentence if convicted, the defendant's acknowledgment or denial of a substance abuse problem, and defendant's substance abuse rehabilitative history. The reviewers commented that this dissertation was an "interesting look at an important and understudied area." Additionally, this piece was described as "novel and broadly relevant." Greg Kramer attended Drexel University under the supervision of Professor Kirk Heilburn. Greg shared the \$100 third place award with Lora.

Lora Levett examined opposing expert testimony in her dissertation entitled, "Evaluating and improving the opposing expert safeguard against junk science." This dissertation studied whether

opposing expert testimony had the potential to assist jurors in making scientifically sound decisions as suggested by the Supreme Court in Daubert. The dissertation included three studies that were described by the reviewers as "very thorough" and informative. In addition, it was described as deserving praise for its ecological validity. Lora Levett received her PhD from the Legal Psychology Program at Florida International University under the supervision of Margaret Kovera. Lora shared the \$100 third place award with Greg.

Each of the award winners had the opportunity to present his or her dissertation in a poster session at the AP-LS Meeting in 2006. Thank you to the committee and to everyone who submitted dissertations for consideration!

Beth M. Schwartz Receives the 2006 Outstanding Teaching and Mentoring Award

The American Psychology-Law Society Careers and Training Committee is delighted to announce that Professor Beth M. Schwartz has been selected as the recipient of the 2006 Award for Outstanding Teaching and Mentoring in the Field of Psychology and Law. This competitive award is given to a scholar in the field of psychology and law who has made substantial contributions in terms of student teaching and mentoring, teaching-related service and scholarship, development of new curricula, administration of training programs, etc. Professor Schwartz's record is outstanding in all of these ways and more. Among the numerous statements of praise and appreciation from her grateful former students and collaborators was "Dr. Schwartz is a shining exemplar of how to provide the highest quality educational experience to undergraduate students while continuing to maintain a research program in which these same students participate," "Working with Dr. Schwartz is one of the most important opportunities I have had at R-MWC," and "Each class I have taken with Dr. Schwartz has been interesting, rewarding, and unforgettable. She is candid and approachable and is an invaluable source of knowledge and a mentor."

In sum, Professor Schwartz is an asset to the field, and future of, psychology and law.



APLS Book Series

I am delighted to announce that Craig Haney's book in the APLS series, *Death by Design*, was selected by the Law and Society Association to receive the Herbert Jacob Book Prize as the "most outstanding book written on law and society in 2005." Congratulations to Craig for this recognition of his important scholarly contribution to the debate on the death penalty.

The APLS book series is published by Oxford University Press. The series publishes scholarly work that advances the field of psychology and law by contributing to its theoretical and empirical knowledge base. The first five books are now or will soon be available:

Haney, C. (2005). *Death by design: Capital punishment as a social psychological system*. NY: Oxford University Press.

Koch, W. J., Douglas, K. S., Nicholls, T. L., & O'Neill, M. (2005). *Psychological injuries: Forensic assessment, treatment and law*. NY: Oxford University Press.

Posey, A. J., & Wrightsman, L. S. (2005). *Trial consulting*. NY: Oxford University Press.

Stefan, S. (2006). *Emergency department treatment of the psychiatric patient: Policy issues and legal requirements*. NY: Oxford University Press.

Wrightsman, L. S. (2006). *The psychology of the Supreme Court*. NY: Oxford University Press.

Slobogin, C. (2006). *Proving the unprovable: The role of law, science, and speculation in adjudicating culpability and dangerousness*. NY: Oxford University Press.

Levesque, R. J. R. (in preparation). *Adolescents, media and the law: What developmental science reveals and free speech requires*. NY: Oxford University Press.

APLS members get a minimum 20% discount on book orders. To order books, see <http://www.us.oup.com/us/collections/apls/?view=usa>

The editor is interested in proposals for new books. Inquiries and proposals from potential authors should be sent to Dr. Ronald Roesch, Series Editor (E-mail: roesch@sfu.ca or phone: 604-291-3370).

Nominations, Awards

Saleem Shah Award Nominations

Nominations are sought for the Saleem Shah Award, co-sponsored by the American Psychology-Law Society (APA Division 41) and the American Academy of Forensic Psychology. The award will be made in 2006 for early career excellence and contributions to the field of psychology and law. The focus on the nominee's contributions may be in any area of forensic practice, research, or public policy. Eligible individuals must have received the doctoral degree (OR the law degree, whichever comes later, if both have been earned) within the last 6 years. Self-nominations will not be considered. Anyone wishing to nominate a candidate should send a letter detailing the nominee's contributions to psychology and law and a copy of the nominee's vita to:

Mary Connell
Water Gardens Place, Suite 635
100 East Fifteenth Street
Fort Worth, TX 76102

The deadline for nominations is December 1, 2006.

AP-LS Dissertation Award Program

The American-Psychology Law Society confers Dissertation Awards for scientific research and scholarship that is relevant to the promotion of the interdisciplinary study of psychology and law. Members who will have defended dissertations in 2006 that are related to basic or applied research in psychology and law, including its application to public policy, are encouraged to submit their dissertations for consideration for the awards. First, second, and third place awards are conferred. These awards carry a financial reward of \$500, \$300, and \$100 respectively.

To apply for the 2006 Awards, please attach the following items in an email to Eve Brank (ebrank@ufl.edu) by **January 1, 2007**: 1) the dissertation as it was turned in to the student's university, 2) the dissertation with all author (and advisor) identifying information removed, and 3) a letter of support from the dissertation advisor. **You must be a member of AP-LS in order to receive a dissertation award.**

Note: The electronic copy can be sent via email as an attachment in Word to the email address above. Please note that all appendices with identifying information should also be removed from the electronic copy and methods should not refer to any individuals or identifiable locations.

.... and Announcements

APLS Teaching, Training, and Careers Committee

The APLS Committee on Careers and Training has changed their name to the **APLS Teaching, Training, and Careers Committee (TCC)**! The TCC Committee feels this change better reflects our activities and emphasis on teaching, training, and careers as these relate to psychology and law. Our Committee would also like to announce and welcome our newest members: Terese Hall, Garrett Berman, and Andrew Cassens. Andrew serves as the student representative on the committee.

Announcing the winner: AP-LS Award for Best Undergraduate Paper

The AP-LS Award for Best Undergraduate Paper is awarded to an outstanding undergraduate research paper that is focused on the interdisciplinary study of psychology and law.

The AP-LS Undergraduate Paper Award for 2006 was awarded to Hannah Dietrich for her paper “Predatory Sexual Offenders: Post-Treatment Registration Compliance and Recidivism” mentored by Nancy Steblay, Augsburg College.

To be eligible for an award, the student must be the major contributor to a project on a topic relevant to psychology and law (i.e., the student had primary responsibility for initiating and conducting the project even though the project will usually be conducted under the supervision of a mentor). At the time that the student submits a paper for this award, the student must be the first author on a submission to the annual AP-LS conference on the same work. To receive the award, the submission to the AP-LS conference must have been accepted for presentation as either a paper or a poster.

Details can be found at: <http://www.ap-ls.org/links/aplsundergrad.html>

Kevin Douglas Receives Award Saleem Shah Award for Early Career Excellence in Psychology and Law

The American Academy of Forensic Psychology and the American Psychology-Law Society are pleased to announce that Kevin Douglas is the 2005 recipient of the Saleem Shah Award for Early Career Excellence. The field of nominees for the award was particularly impressive and the review committee, comprised of two AP-LS representatives and two AAFP representatives, found all of the nominees to be remarkable in their contributions.

Kevin Douglas, LL.B., Ph.D has published in the areas of violence risk assessment, stalking, intimate violence, personal injury, sexual harassment, juvenile justice, personality assessment, PTSD, ethical issues, and is an author of the enormously influential HCR-20. In addition to his prodigious writing, with over 40 papers or chapters, on roughly 25 of which he is first author, to his credit, he has taken an active and important role in training and overseeing the development of graduate students. Dr. Douglas has received numerous awards, scholarships, and honors in both psychology and the law. His accomplishments in the four years since earning his doctorate are remarkable.

Dr. Douglas will give an Invited Address at AP-LS in March, 2006.

APLS BOOK AWARD

The APLS Book Award Committee is pleased to announce the winner of the award for the Outstanding book in Law and Psychology, 2004-2005:

BARRY ROSENFELD, Ph.D., ABPP
Department of Psychology, Fordham University

For his work *Assisted Suicide and the Right to Die: The Interface of Social Science, Public Policy, and Medical Ethics* published by the American Psychological Association, 2004. By examining how social science can inform policy and practice issues in the ongoing debates on end-of-life issues, the book makes an outstanding contribution to the field of law and psychology. The Award will be presented at the March, 2006 APLS Conference, where Dr. Rosenfeld will present an invited address.

We congratulate Dr. Rosenfeld on this achievement!



Division News and Information

Membership in EAPL

Join the EUROPEAN ASSOCIATION OF PSYCHOLOGY AND LAW and receive a subscription to *Psychology, Crime and Law* for about \$50 (45 Euros). Information about EAPL can be obtained at the Association website: www.law.kuleuven.ac.be/eapl/. Information about *Psychology, Crime and Law* can be found at www.tandf.co.uk/journals/titles/1068316x.html. Membership is available to psychologists and attorneys, as well as criminologists, sociologists, psychiatrists, and educational scientists. Information on how to join EAPL is also available through the Association website. In addition to a scholarly journal (*Psychology, Crime, and Law*), EAPL holds an annual meeting, including a joint conference with APLS every fourth year (most recently in Edinburgh, Scotland in July, 2003). This year's conference will be held June 28-30, 2006, in Liverpool, United Kingdom. Further details are available through the Association website.

Educational Outreach Committee Speaker Program

The AP-LS Educational Outreach Committee is pleased to announce the continuation of its Speaker program. Cooperating AP-LS members are available for the presentation of colloquia/keynote addresses at educational institutions as well as for other groups (e.g., local or state bar associations, local or state psychological associations). AP-LS will pay the speaker's honorarium; the sponsoring institution or group is responsible for the speaker's transportation, lodging, and related expenses. These details, as well as the specifics of the presentation, are arranged by the speaker and the sponsor.

Past speakers have addressed the social/experimental areas of jury selection, eyewitness identification, pretrial publicity, and death penalty issues, as well as the clinical areas of competency to stand trial, the insanity defense, and risk assessment/prediction of violence. Most presentations will be appropriate for the offering of CE credits for psychologists and other mental health professionals as well as for CLE credits for attorneys. In many cases, speakers located close to an interested sponsor can be utilized, in order to minimize travel costs.

Institutions interested in sponsoring such presentations should contact the committee chair (below) and indicate the specific topic of interest. **AP-LS members willing to participate in this program as speakers** should also contact the committee chair and indicate area(s) of expertise and geographic area within which you would be willing to travel for such a presentation. For further information, contact: Lavita Nadkarni, Ph.D., Chair, Educational Outreach Committee, AP-LS, Director of Forensic Studies, University of Denver-GSPP, 2450 South Vine Street, Denver, CO 80208, (303) 871-3877, lnadkarn@du.edu

Call for Papers

BEHAVIORAL SCIENCES AND THE LAW is planning a special issue of the journal dealing with "Behavioral Sciences and Elders: Legal, Clinical, and Research Issues." Issues involving the elderly have received comparatively little attention in the psychology/law literature. This special issue of *Behavioral Sciences and Law* invites papers on any topic addressing this gap in the literature.

Manuscripts should be approximately 20-30 pages, double spaced, and conform either to American Psychological Association format, or the Harvard Law Review Association's Uniform System of Citation, but not both. Send manuscripts by email in Word to John Petrila at Petrila@fmhi.usf.edu. The deadline for submission is **December 1, 2006**.

John Petrila, J.D., LL.M.

Co-Editor
Behavioral Sciences and the Law
University of South Florida
Department of Mental Health Law & Policy
13301 Bruce Downs Boulevard
Tampa FL 33612
Petrila@fmhi.usf.edu
813-974-9301

American Board of Forensic Psychology Workshop Schedule: 2005-2006

The Continuing Education arm of the American Board of Forensic Psychology (ABFP) presents an ongoing series of workshops and training seminars led by leaders in the field of forensic psychology. Workshops focus on contemporary psycho-legal issues relevant to forensic, child, clinical and neuropsychologists and are designed for those interested in pursuing psycho-legal topics in depth.

The schedule for 2005-2006 can be found at www.abfp.com, along with a listing of the specific topics covered in each workshop. More information also appears in Conference and Workshop planner on page 26.

The American Academy of Forensic Psychology is approved by the American Psychological Association to offer continuing education for psychologists. AAFP maintains responsibility for its programs.

Fellowships and Positions

Post-Doctoral Residency in Forensic Psychology: Wyoming State Hospital

We have an opening for a Postdoctoral Resident in Psychology specializing in Forensic Psychology. This position requires a provisional license as a postdoctoral resident in the State of Wyoming. We anticipate the postdoctoral resident to start by October 2006. Two hours per week supervision towards licensure will be provided. Main duties involve providing court-ordered (or treatment-team referred) evaluations involving competency to proceed to trial, mental status at the time of the alleged offense, and risk/recidivism evaluations. Evaluations involving competency to make medical, financial or other civil issues would also likely occur. A small caseload of inpatient /residential clients would also be expected (assessment, individual and/or group treatment). This position would involve travel throughout the state of Wyoming. The Wyoming State Hospital has an APA-accredited internship program, and training of interns is anticipated (consultation, providing seminars). For further description of the programs offered by the Psychology Department and the APA training program, as well as the Evanston area, we encourage interested individuals to view our internship website at

<http://danholdwick.freewebsitehosting.com/WSH>

Salary = \$4182.45 per month Applicants will be subject to background and reference investigation. Benefits include medical, dental and life insurance, plus an excellent retirement plan. Applicants are also to

send a copy of their state application, cover letter, and resume/vitae directly to Denise DeBarre, Ph.D.; Psychological Services Department, Wyoming State Hospital; 831 Hwy 150 South; Evanston, WY 82930 (Fax: 1-307-789-5277). Official State application are available online at <http://personnel.state.wy.us/stjobs>. OPEN UNTIL FILLED. EEO/ADA

LSU HEALTH SCIENCES CENTER *Juvenile Justice Program* Senior Post-Doctoral Researcher PCN # 0545877102

LSUHSC – JJP is seeking a data analyst who will extract, manage, analyze and report on medical and mental health clinical data generated by JJP clinicians. Incumbent will be responsible for providing clinical data to assist in the evaluation of existing clinical and training programs, the development of programmatic enhancements, and building of the research component for the juvenile secure care facilities of the State of Louisiana. The work site for this position is the JJP Headquarters office located in New Orleans, LA.

WE OFFER A COMPETITIVE SALARY & EXCELLENT BENEFITS PACKAGE.

Minimum Qualifications:

PhD level degree in public health, psychology, or related field. A minimum of 3 years experience. Experience using SAS/SPSS. Excellent oral and written communication skills and ability to interact effectively with diverse staff essential.

Desired Qualifications:

5 years of professional level experience. Experience in evaluation and/or social science research. Experience in managing and integration of multiple databases. Interest and/or experience with under-represented populations.

Please send curriculum vitae and cover letter to:

LSUHSC - JJP

Bridge City Center for Youth

Attn: Assistant Business Manager or Coordinator

3225 River Rd

Bridge City, LA 70094

Or Fax to: 504-342-7682=

Or Email to: jarman@lsuhsc.edu

** Please indicate which position you are applying for and where ad was seen**

LSUHSC is an EEO/AA Employer.

Postdoctoral Position

The Department of Psychology at John Jay College of Criminal Justice of the City University of New York anticipates two (2) openings for postdoctoral candidates with backgrounds or interests in forensic psychology to fill lines designated as substitute assistant professor (non-tenure-track) lines for the 2006-2007 academic year. A two-year position is anticipated, pending final approval of funding. Substantive area within clinical or experimental forensic psychology is open. The candidates will be expected to teach a research methods course each semester, work on research with members of the faculty and students, and write grant proposals. Applicants must hold a Ph.D. in Psychology by starting date, preferably September 1, 2006, or January 15, 2007. Appointments are expected to pay \$45,000 per year and include benefits. Interested applicants should submit a letter describing their research training and interests, a curriculum vitae, the names of two references and an indication of the John Jay faculty with whom they might collaborate.

Application materials should be submitted to: Maureen O'Connor, Forensic Psychology, John Jay College of Criminal Justice, 445 West 59th Street, New York, NY 10019-1199. Review of applications will begin on March 1 and continue until the positions are filled. Inquiries may be directed to: moconnor@jjay.cuny.edu. John Jay College is an Equal Employment Opportunity/Affirmative Action/Immigration Reform and Control Act/Americans with Disabilities Act Employer.



SARMAC

Society for Applied Research in Memory and Cognition

The next meeting of the Society for Applied Research in Memory and Cognition (SARMAC) is scheduled to take place at Bates College in Lewiston, Maine from July 25, 2007 through July 29, 2007. Bates is a small residential liberal arts college with excellent facilities for hosting the biennial meeting, including a new dormitory for conference guests and a beautiful academic building for conference sessions. Bates is conveniently located 35 miles north

of Portland, the largest city in Maine and a tourist hot spot. Bates is also well located for day trips to the stunning rocky Maine coastline (45 minutes) and the foothills of New Hampshire's White Mountains (45 minutes). Please mark your calendars for SARMAC VII and consider combining your conference attendance with an extended stay in the area. For more information about the conference or the area, please contact Amy Bradfield Douglass, adouglas@bates.edu or the Executive Director of SARMAC, Mike Togli, Toglia@cortland.edu.

EXECUTIVE COMMITTEE AND COMMITTEE CHAIRS

• President	Gary Wells	glwells@iastate.edu
• Past-President	Edie Greene	egreene@uccs.edu
• President-Elect	Joel Dvoskin	JoeltheD@aol.com
• Secretary	Patricia Zapf	pzapf@jjay.cuny.edu
• Treasurer	Margaret Bull Kovera	mkovera@jjay.cuny.edu
• Member-at-Large	Kevin Douglas	douglask@sfu.ca
• Member-at-Large	Jennifer Skeem	skeem@uci.edu
• Member-at-Large	Randall Salekin	rsalekin@bama.au.edu
• Council Representative	Patty Griffin	pgriffin@navpoint.com
• Council Representative	Beth Wiggins	bwiggins@fjc.gov
• Newsletter Editor	Jennifer Groscup	jgroscup@jjay.cuny.edu
• Publications Editor	Ron Roesch	rroesch@sfu.ca
• <i>Law & Human Behavior</i> Editor	Brian Cutler	lhb@email.uncc.edu
• <i>Psychology, Public Policy, & Law</i> Editor	Steven Penrod	spenrod@jjay.cuny.edu
• Webpage Editor	Adam Fried	afried@fordham.edu
• Liaison to APA Science Directorate	Brian Bornstein	bbornstein2@unl.edu
• Liaison to APA Public Interest Directorate	Natacha Blain	natacha.blain@atlahg.org
• Liaison to APA Practice Directorate	Kathy Stafford	HUDSONHOBBS@aol.com
• Careers and Training Committee	Allison Redlich	aredlich@prainc.com
• Dissertation Awards	Eve Brank	ebrank@ufl.edu
• Educational Outreach Committee	Lavita Nadkarni	lnadkarn@du.edu
• Fellows Committee	Kirk Heilbrun	kh33@drexel.edu
• Grants-in-Aid	Mario Scalora	mscalora1@unl.edu
• Book Award Committee	Richard Redding	redding@law.villanova.edu
• Undergraduate Research Award Committee	Livia Gilstrap	lgilstrap@uccs.edu
• Committee on Relations with Other Organizations	Michele Galietta	mgalietta@jjay.cuny.edu
• Scientific Review Paper Committee	Rich Wiener	rwiener2@unl.edu
• Women in Law Committee	Brooke Butler	bbutler@banshee.sar.usf.edu
	Amy Smith	smithae@sfsu.edu
• Diversity Affairs Committee	Rosslyn Caldwell	rcaldwell@jjay.cuny.edu
• Mentorship Committee	Wendy Heath	heath@rider.edu
• Division Administrative Secretary	Lynn Peterson	div41apa@comcast.net
• Conference Advisory Committee	Brad McAuliff	bdm8475@csun.edu
• 2006 APA Program Chairs	Eric Elbogen	eric.elbogen@duke.edu
	Amy Bradfield	abradfie@bates.edu
• 2006 APLS Conference Chairs	Tonia Nicholls	tnichola@sfu.ca
	Annette Christy	achristy@fmhi.usf.edu
	Jennifer Groscup	jgroscup@jjay.cuny.edu
	Michele Galietta	mgalietta@jjay.cuny.edu
• 2008 APLS Conference Chairs	Kevin O'Neil	oneilk@fiu.edu

CALL FOR NOMINATIONS: AP-LS Book Award

The American Psychology-Law Society Book Award is given for a scholarly book devoted to psychology and law issues. The award is intended to recognize outstanding scholarship in psychology and law.

Eligibility:

Nominations are open to scholarly books (not textbooks) from all areas of psychology and law published in 2005 or 2006.

Deadline:

The deadline for nominations is **September 1, 2006**.

Nomination letters should include:

Title and publisher of the book, month and year of publication, and the names and addresses of all authors or editors.

Self nominations are strongly encouraged.

Please send electronically to: Richard E. Redding, J.D., Ph.D
Chair, Book Award Committee
redding@law.villanova.edu

The winner of the award will be presented with a plaque, and invited to give an award address, at the 2007 Meeting of the American Psychology-Law Society.

2007 APA SCIENTIFIC AWARDS PROGRAM: CALL FOR NOMINATIONS

The APA Board of Scientific Affairs (BSA) invites nominations for its 2007 scientific awards program. The **Distinguished Scientific Contribution Award** honors psychologists who have made distinguished theoretical or empirical contributions to basic research in psychology. The **Distinguished Scientific Award for the Applications of Psychology** honors psychologists who have made distinguished theoretical or empirical advances in psychology leading to the understanding or amelioration of important practical problems.

To submit a nomination for the Distinguished Scientific Contribution Award and the Distinguished Scientific Award for the Applications of Psychology, you should provide a letter of nomination; the nominee's current vita with list of publications; the names and addresses of several scientists who are familiar with the nominee's work; and a list of ten most significant and representative publications, and at least five reprints representative of the nominee's contribution (preferably in electronic form).

The **Distinguished Scientific Award for Early Career Contribution to Psychology** recognizes excellent young psychologists. For the 2007 program, nominations of persons who received doctoral degrees during and since 1997 are being sought in the areas of:

- applied research (e.g., treatment and prevention research, industrial/organizational research, educational research)
- behavioral and cognitive neuroscience
- individual differences (e.g., personality, psychometrics, mental ability, behavioral genetics)
- perception, motor performance
- social

To submit a nomination for the Distinguished Scientific Award for Early Career Contribution to Psychology, you should provide a letter of nomination, the nominee's current vita with list of publications, and up to five representative reprints (preferably in electronic form).

To obtain nomination forms and more information, you can go to the Science Directorate web page (www.apa.org/science/sciaward.html) or you can contact Jennifer Webb, Science Directorate, American Psychological Association, 750 First Street, NE, Washington, DC 20002-4242; by phone, (202) 336-6000; by fax, (202) 336-5953; or by E-mail, jwebb@apa.org.

The deadline for all award nominations is June 1, 2006.

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 an APA Member 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.



Notes From The Student Chair



AP-LS Student Officers E-mail Addresses

Chair, Chris Kunkle
cdkunkle@optonline.net

Past Chair, Tara Mitchell
tmitchel@lhup.edu

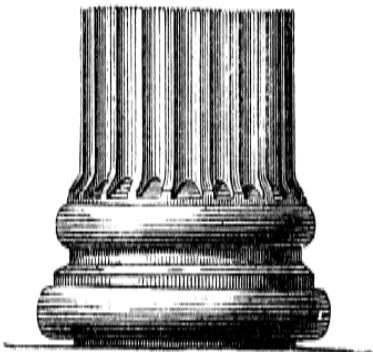
Chair Elect, Peter Shore
pshore@csopp.edu

Secretary/Treasurer,
Andrew Cassens
acassens@csopp.edu

Student Newsletter/Web Editor,
Julie Singer
singerj2@unr.nevada.edu

AP-LS Student Homepage
[http://www.unl.edu/ap-ls/student/
index.html](http://www.unl.edu/ap-ls/student/index.html)

AP-LS Student E-mail
aplsstudents@yahoo.com



By Christopher Kunkle

Dear APLS Student Member:

It's almost time for student elections again, which means we will soon be taking nominations for student section offices for the 2006-2007 year. As students we get many opportunities to learn, but few to lead. We spend most of our time following a curriculum or a syllabus, and have little influence over the content and format of our education, or the direction of our field. However, holding an office in the APLS-Student Section can give you such an opportunity. Being a student section officer can also place you in a position to meet prominent professionals that may refine or further influence your interests in psychology and law.

The APLS-Student Section will soon be accepting nominations for student officers. These positions include: Chair/Chair-Elect, Secretary/Treasurer, Web Editor, and three Member-At-Large/Liaison positions (Clinical, Experimental and Law). See APLS-Student Section website (<http://www.unl.edu/ap-ls/student/>) for descriptions of these officer positions and for details on how to submit nominations (self-nominations are permitted). Best of luck to each of the nominees!

I would also like to bring the students' attention to the APLS-Student Section discussion board which is accessible via the discussion board link on the APLS-Student Section website (<http://www.unl.edu/ap-ls/student/>) or by going directly to (<http://aplsstudent.proboards61.com/>). There are several topics relevant to academic training, grants and scholarships, and finding a job during and after completing your training. Additional topics of discussion are also encouraged. Please take the opportunity to join the discussion board and share your opinions and comments with fellow psychology and law students.

Funding Opportunities

AP-LS/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 psycholegal 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 (five 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. 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. Note that a prior recipient of an AP-LS Grant-in-Aid is only eligible for future funding if the previously funded research has been completed. Hard copies of the proposals should be sent to: Mario Scalora, Ph.D., Grants-In-Aid Committee Chair, Department of Psy-

Call for Proposals Interdivisional Grants Project

The Committee on Division/APA Relations (CODAPAR) of the American Psychological Association (APA) seeks proposals for collaborative projects sponsored by two or more APA divisions. The purpose of the project is to support joint activities that enhance the work, interests or goals of two or more divisions. The program provides an incentive for that collaboration. Examples include but are not limited to:

furthering APA's goals of working to advance psychology as a science, as a profession, and as a means of promoting human welfare;

projects that promote collaboration between the science and practice of psychology;

fostering the recruitment of ethnic minorities into psychology, APA or division membership, or APA governance;

attending to a currently unaddressed topic or area in psychology.

Grant awards range from \$500 to \$2,500. Applications are submitted to CODAPAR and the final selection will be made by the APA Board of Directors. Funds will be made available immediately after selection and **must be used within 12 months** of the award.

Eligibility Requirements

The project must involve at least two APA divisions (joint proposals involving division sections and chapters must be from two or more different divisions).

The projects may not duplicate an activity currently being undertaken by another APA office or group.

Review Criteria

The project has clearly stated goals and a well-defined outcome.

Completion of the project is feasible within the twelve-month time frame given.

The project enhances the ongoing goals of the divisions involved.

The project utilizes the unique expertise of the divisions involved.

Proposal Contents

The proposal should describe the project in detail, which includes:

- the names and division affiliation of the participants;
- the rationale, methods, goals and timeline of the project;
- brief comments on how the proposed project meets the purposes of the Interdivisional Grants Project;
- other funds, matching funds or in-kind support brought to the project, if any; and
- completed sponsorship form(s).

A budget summary should be provided with justification for each item listed

Review and Award

CODAPAR will review all proposals and make recommendations to the Board of Directors at its December 2006 meeting. The Board of Directors will make the final selection of the projects that will be funded. Grants winners will be announced and notified after the December Board of Directors' meeting and funds will be made available at the beginning of 2007.

Deadline: Grant proposals should be received in the Division Services Office **no later than Friday, September 1, 2006**. Materials may be mailed, faxed or sent by email.

Grant proposals should be sent to:

Troy Booker
Interdivisional Grants Project
Division Services Office
American Psychological Association
750 First Street, NE
Washington, DC 20002-4242

FAX: (+1/202) 218-3599

Email: tbooker@apa.org

If you have any questions, please feel free to contact Troy Booker at (+1/202) 336-6121 or by email.

Book and Test Reviews

Written (or read) a new book you want reviewed? A psychological test that you want readers to know about? Recommendations for books, tests, or other media that you would like to see reviewed in the APLS News should be forwarded to Jennifer Groscup, (jgroscup@jjay.cuny.edu). Offers to review the work of others, or recommendations as to who an appropriate review might be for your own work are always appreciated.



Conference and Workshop Planner

American Psychological Association Annual Meeting
August 10 - 13, 2006
New Orleans, Louisiana

Submission deadline: 12/02/05

For further information see
www.apa.org/conf.html

.....

Law and Society Association Annual Meeting
July 6 - 9, 2006
Marriot Waterfront Hotel
Baltimore, Maryland
Submission deadline: 1/06/06

For further information see
www.lawandsociety.org

.....

Society for the Psychological Study of Social Issues (SPSSI)
Long Beach Hilton
June 23 - 26, 2006
Long Beach, CA

For further information see
www.spssi.org

.....

International Association of Forensic Mental Health Annual Meeting
June 14 - 16, 2006
Amsterdam, The Netherlands
Submission deadline: 12/15/05

For further information see
www.iafmhs.org/iafmhs.asp

European Association of Psychology and Law Annual Meeting
June 28 - 30, 2006
Liverpool, UK

Submission deadline: 3/01/06

For further information see
www.i-psy.com/eapl

.....

Society for Applied Research in Memory & Cognition
July 25-29, 2006
Bates College
Lewiston, Maine

For further information see
www.sarmac.org

.....

American Society of Criminology
November 1 - 4, 2006
Millenium Biltmore
Los Angeles, CA

For further information see
www.asc41.com

.....

3rd International Congress of Psychology and Law
July 3- 8, 2007

Adelaide, Australia

For further information see
www.sapmea.asn/conventions/psychlaw2007/index.html

.....

Off the Witness Stand: Using Psychology in the Practice of Justice
March 1-3, 2007
John Jay College, CUNY
New York, New York

For further information see
www.jjay.cuny.edu/~psy

American Psychological Association Annual Meeting
August 16 - 19, 2007
San Fransisco, California

For further information see
www.apa.org/conf.html

.....

American Board of Forensic Psychology
Contemporary Issues in Forensic Psychology
June 8-12, 2006
Caribe Hilton
San Juan, PR

For further information see
www.abfp.com/workshops.asp

.....

American Board of Forensic Psychology
Contemporary Issues in Forensic Psychology
October 11-15, 2006
Doubletree Hotel - Buckhead
Atlanta, GA

For further information see
www.abfp.com/workshops.asp

.....

Note: The American Board of Forensic Psychology will continue to present workshops throughout 2006-2007
Dates and Locations will be available at www.abfp.org

.....

Information regarding upcoming conferences and workshops can be sent to Jennifer Groscup (jgroscup@jjay.cuny.edu)

Grant Writing Planner

National Science Foundation Law and Social Sciences Division

Submission deadlines:
January 15th and August 15th, yearly

For further information see
www.nsf.gov

.....

Society for the Psychological Study of Social Issues (SPSSI) Grants-in-Aid

Maximum awards:
Graduate Student: \$1000
PhD Members: \$2000

Submission deadline:
October 1, 2006

For further information see
www.spssi.org

.....

American Psychological Association Various awards compiled by the APA are available for psychologists

Submission deadlines:
Various

For further information see
[www.apa.org/psychologists/
scholarships.html](http://www.apa.org/psychologists/scholarships.html)

.....

National Institute of Justice Research and Evaluation on the Abuse, Neglect, and Exploitation of Elderly Individuals, Older Women, and Residents of Residential Care Facilities

Submission deadline:
June 6, 2006

For information on NIJ funding for
research on the criminal justice system
see www.ojp.usdoj.gov/nij

National Institute of Justice Social Science Research on the Role and Impact of Forensic Evidence on the Criminal Justice Process

Submission deadline:
June 20, 2006

For information on NIJ funding for
research on the criminal justice system
see www.ojp.usdoj.gov/nij

.....

National Institute of Mental Health Various

Submission deadline:
Various

For information on NIMH funding for
research on mental health see
www.nimh.gov

.....

National Science Foundation Law and Social Sciences Division Dissertation Improvement Grants

Submission deadlines:
January 15th and August 15th, yearly

For further information see
www.nsf.gov

.....

American Psychological Association Science Directorate Dissertation Research Award Maximum Award: \$5000 Yearly award to fund dissertation research

Submission deadline:
September 15, 2006

For further information see
www.apa.org/science/dissinfo.html

American Psychology-Law Society Grants-in-Aid Maximum award: \$500

Submission deadlines:
January 31st and September 30th,
yearly

For further information see
page 25

.....

National Institute of Justice Graduate Research Fellowship 2007

Submission deadline:
November 28, 2006

For further information see
www.ojp.usdoj.gov/nij

.....

American Psychological Association Student Awards

Various awards compiled by the APAGS are available for students

For further information see
[www.apa.org/apags/members/
schawrds.html](http://www.apa.org/apags/members/schawrds.html)

.....

Information regarding
available grants and awards
can be sent to Jennifer
Groscup
(jgroscup@jjay.cuny.edu)



Is there a gaping hole in your protection?

New Plan!
LifeStyle-65 Plus
Replaces your income and provides additional dollars for your savings plans!

60% of working Americans don't own Disability Income Insurance*

The data show that 1 in 2 of you will become disabled for more than three months before age 65.

New Math, old math, fuzzy math... something doesn't add up! One thing is for sure...this is not a risk to ignore especially when it seems that everyone is depending upon you for his or her financial well-being.

Who would the family turn to?

Federal Housing Administration statistics show that 46% of all mortgage defaults are due to disability. When you aren't able to work due to a serious illness or injury who will pay the taxes, mortgage, car payments, college tuition and other expenses?

Trust endorsed LifeStyle Income Protection plans are really affordable and comprehensive!

LifeStyle Plans are designed to replace your income in the event of total disability and now the new LifeStyle-65 Plus plan can even provide funds to continue contributions to your pension or savings plan while you are disabled.

Remember, your earning power is your most important asset. It's the force that makes other things in your life possible! Call us today to find out how little it costs to secure your family's financial future.

Trust LifeStyle Plans Feature:

- › Monthly benefits up to \$10,000
- › Choice of benefit payment periods (5-year or to Age 65)
- › Choice of benefit Waiting Period (28, 90, or 180-day)
- › Residual benefits to ease your return to work
- › Guaranteed Insurability Option, which allows you to purchase additional monthly protection as your earnings increase
- › Benefit Booster, which prevents inflation from eroding the value of your benefit during an extensive period of disability
- › **Additional dollars** to replace retirement plan contributions with LifeStyle-65 Plus plan

For prices and details, go to www.apait.org, click on products and then income protection.

 THE TRUST

* American Council of Life Insurers
Coverage is individually underwritten. Policies issued by Liberty Life Assurance Company of Boston, a member of Liberty Mutual Group. Plans have limitations and exclusions. For costs and complete details, call the number listed above.

1-800-477-1200 • www.apait.org