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# NEWS

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

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## AP-LS Conference Update

Hyatt Regency, La Jolla, California, March 3-6, 2005

Plans are rapidly being finalized for the annual meeting of AP-LS. Unlike past years, when the conference schedule was printed (and mailed) in this newsletter, this year's conference schedule is only available electronically. The full conference schedule (which is still being updated daily) is now available at: <http://www.csun.edu/~apls2005/schedule.html>

The conference highlights include several distinguished invited speakers, including:

- **Janet Reno**, Former Attorney General, will speak after receiving the 2005 Award for Distinguished Contributions to Psychology and Law.
- **Edward Humes**, Pulitzer-prize winning journalist and author of *Mean Justice* and *No Matter How Loud I Shout: A Year in the Life of Juvenile Court*, will present, "Most children left behind: How our obsession with predators skews our priorities"
- **Robert Grey**, President of the American Bar Association, will speak on national efforts toward jury reform.
- **Michael Thompson**, Director of Criminal Justice Programs at the Council of State Governments, will present "The Criminal Justice / Mental Health Consensus Project: A national assessment of policymakers' efforts to reduce the overrepresentation of people with mental illness in the justice system"

In addition to these invited speakers, there is a wide array of symposia and paper presentations, as well as a poster session with more than 100 posters, a cocktail hour, and book displays. Details regarding all of the events for this year's conference can be found on the website.

*Conference cont. on p.19*

### The NEW Website is HERE !

At long last, the new AP-LS website is up and running. As promised, there are a number of new features, including electronic electronic access to Law and Human Behavior, a member search function, and the ability to join and renew your membership on-line (note that on-line dues payment is NOT available to APA members, since they pay dues directly to APA, not to AP-LS. Although we have spent quite a bit of time working out kinks in the system, many users are still getting comfortable with the new site and learning how to negotiate the login procedure. There are fairly detailed instructions on how to log in, but some members continue to have difficulty often due to no fault of their own. For any members having problems, the website administrator ([administrator@ap-ls.org](mailto:administrator@ap-ls.org)) is available to assist you in this transition.

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## Legal Update:

# An Expansion of *Tarasoff's* Duty to Protect

David DeMatteo, JD, PhD

A recent decision from a California appellate court expanded the application of the "duty to protect" doctrine articulated in *Tarasoff v. Regents of the University of California*, 551 P.2d 334 (Cal. 1976). In *Ewing v. Goldstein*, 15 Cal. Rptr. 3d 864 (Cal. Ct. App. 2004), the California Court of Appeals for the Second Appellate District held that a communication from a patient's family member constitutes a "patient communication" that can potentially trigger a therapist's duty to protect. As will be discussed, the *Ewing* decision expanded the reach of *Tarasoff* in an unprecedented manner. After briefly reviewing the evolution of the *Tarasoff* doctrine, this column will discuss the *Ewing* decision and its implications for mental health professionals.

### The *Tarasoff* Decision and its Progeny

In *Tarasoff v. Regents of the University of California*, 551 P.2d 334, 340 (Cal. 1976), the California Supreme Court stated that "[w]hen a therapist determines, or pursuant to the standards of his profession should determine, that his patient presents a serious danger of violence to another, he incurs an obligation to use reasonable care to protect the intended victim against such danger." With this watershed decision, California became the first state to impose such a duty on therapists. The *Tarasoff* decision balanced the competing interests of protecting the integrity of the therapist-patient relationship and protecting persons who may be harmed by a patient. The court's conclusion that, as a matter of policy, the need to protect persons from serious harm takes precedence over the integrity of the therapist-patient relationship is captured in an oft-repeated quote: "The protective privilege ends where the public peril begins" (*Tarasoff*, 551 P.2d at 347).

The *Tarasoff* holding was only binding in California, but the duty to protect doctrine has since been adopted via statute or common law by a majority of states (Reisner, Slobogin, & Rai, 2004), and subsequent case law and statutes have modified the *Tarasoff* duty. For example, in *Thompson v. County of Alameda*, 614 P.2d 728 (Cal. 1980), the California Supreme Court held that liability in a *Tarasoff*-type situation could only be imposed if there was a specific threat against a clearly identifiable victim. A later California case, *Hedlund v. Superior Court*, 669 P.2d 41 (Cal. 1983), held that liability could be imposed on therapists if the victim was foreseeable, even if not readily identifiable, and several other jurisdictions have also held that liability can be imposed even if the injured third party was not readily identifiable (e.g., *Currie v. United States*, 644 F. Supp. 1074 (M.D.N.C. 1986)). However, the requirement of a specific threat against a readily identifiable victim has been followed by the majority of jurisdictions that have adopted a *Tarasoff*-type duty (e.g., *Brady v. Hopper*, 570 F. Supp. 1333 (D. Colo. 1983); *Doyle v. United States*, 530 F. Supp. 1278 (C. D. Cal. 1982)). Interestingly, some states, such as Virginia and Washington, have explicitly rejected the *Tarasoff* doctrine (see *Nassar v. Parker*, 455 S.E.2d 502 (Va. 1995); *Thapar v. Zezulka*, 994 S.W.2d 635 (Tex. 1999)).

In 1985, California modified the *Tarasoff* duty in a way that is particularly relevant to the *Ewing* decision. In response to the California Supreme Court's decisions in *Tarasoff* and *Hedlund*, the California legislature adopted Section 43.92 of the California Civil Code. In line with case law from other jurisdictions, Section 43.92 limits a therapist's liability for failure to protect to situations in which a patient has

communicated a serious threat of physical violence against a reasonably identifiable victim. Against this backdrop, we'll now turn our attention to the *Ewing* decision.

### **The *Ewing* Decision**

On July 16, 2004, in *Ewing v. Goldstein*, 15 Cal. Rptr. 3d 864 (Cal. Ct. App. 2004), the California Court of Appeals for the Second Appellate District held that a communication from a patient's family member constitutes a "patient communication" that can potentially trigger a therapist's duty to protect. In a unanimous decision, the appellate court concluded that when a patient told his father that he intended to physically harm his ex-girlfriend's new boyfriend, and the father subsequently communicated that threat to his son's therapist, the communication from the father to the therapist was a "patient communication" pursuant to California statutory law. As such, the communication from the patient's father was sufficient to potentially trigger a duty to protect on the part of the therapist. Let's see how the court reached this decision.

Dr. David Goldstein, a marriage and family counselor, provided counseling services to Gene Colello between 1997 and 2001. Colello, a former Los Angeles police officer, sought counseling for work-related stress and relationship difficulties with his ex-girlfriend, Diana Williams. In early 2001, Colello became increasingly despondent over the termination of his relationship with Williams. Dr. Goldstein last met with Colello on June 19, 2001, but he spoke with Colello over the telephone on June 20 and June 21. During those conversations, Colello admitted to thinking about suicide, and Dr. Goldstein encouraged Colello to check himself into a psychiatric facility. Dr. Goldstein also obtained permission to speak with Colello's father.

On June 21, while having dinner with his parents, Colello discussed his de-

sire to harm Williams's new boyfriend. Colello's father immediately informed Dr. Goldstein of the threats that his son had made. Dr. Goldstein arranged for Colello to be treated at Northridge Hospital Medical Center, and Colello was voluntarily admitted on June 21 under the care of Dr. Gary Levinson, a staff psychiatrist. The next day, Dr. Levinson told Colello's father that he planned to discharge Colello because there was no evidence of suicidal ideation. After Colello's father informed Dr. Goldstein of his son's impending discharge, Dr. Goldstein called Dr. Levinson and expressed concern over the release decision. Nevertheless, Colello was released on June 22. On June 23, Colello murdered Williams's new boyfriend, Keith Ewing, and then committed suicide.

Ewing's parents sued Dr. Goldstein for wrongful death based on professional negligence. The Ewings alleged that Colello posed a foreseeable danger to their son, and that Colello had communicated to Dr. Goldstein, either directly or indirectly through third persons, his intention to seriously harm their son. The gravamen of the complaint was that Dr. Goldstein failed to discharge his duty to protect their son from the foreseeable risk presented by Colello. Goldstein moved for summary judgment, arguing that the action was barred by Section 43.92 of the California Civil Code, which immunizes a therapist for failing to warn of, protect against, or predict a patient's violent behavior except when the patient has communicated to the therapist a serious threat of physical violence against a reasonably identifiable victim. According to Dr. Goldstein, no duty to protect was triggered because Colello never directly disclosed to him an intention to seriously harm the Ewings' son. The Ewings opposed the motion, arguing that Dr. Goldstein was aware of the threat of harm Colello posed to the Ewings' son based on Colello's statements to Dr. Goldstein and the threat that Colello's father conveyed to Dr. Goldstein.

At trial, the Superior Court of Los Angeles County held that the Ewings failed to defeat the therapist's immunity conferred by Section 43.92 because "the patient himself" had not communicated the threat to Dr. Goldstein. The court also concluded that the information in Goldstein's possession did not rise to the level of a "serious threat of physical violence," which is required to trigger a therapist's duty to protect. Accordingly, the court granted Dr. Goldstein's motion for summary judgment, and the Ewings appealed.

On appeal, the California Court of Appeals for the Second Appellate District addressed the issue of whether a communication from a patient's family member constitutes a "patient communication" that can potentially trigger a therapist's duty to protect. The Ewings argued that the trial court misinterpreted Section 43.92 by holding that a duty to protect can only be triggered by a serious threat of violence that comes directly from the patient. To resolve this issue, the court looked to the legislative intent of Section 43.92. The court noted that Section 43.92 was not intended to overrule *Tarasoff* or *Hedlund*, but rather to limit the liability of therapists for failure to protect to those circumstances where the patient has communicated an actual threat of violence against an identified victim. Section 43.92 was a legislative effort to strike an appropriate balance between preserving a patient confidence to facilitate the therapeutic process and disclosing a patient confidence to protect an identifiable individual from serious harm.

Based on its analysis of the statute's legislative intent, the California Court of Appeals concluded that the trial court too narrowly construed Section 43.92. Accordingly, the court held that a communication from a family member to a therapist, made for the purpose of advancing a patient's therapy,

# True Witness: Cops, Courts, Science, and the Struggle against Misidentification

By James M. Doyle

Palgrave MacMillan (2005), 223 pp.

Book Review by Saul Kassin

Every now and then, a scholarly book comes along that breaks the mold. By combining history, psychology, law, biography, and a flair for prose normally reserved for good paperback novels, James Doyle's *True Witness* is one of those books.

Doyle is an odd duck: A veteran trial lawyer from Boston and a self-trained expert on eyewitness testimony. In 1987, he coauthored with Elizabeth Loftus the first of three editions of an important eyewitness book for lawyers; in 1999, he served as a member of the Technical Working Group that produced the groundbreaking NIJ *Guide* for law enforcement.

*True Witness* is a book that is both scholarly and entertaining at the same time. In it, Doyle tells the story of a one-hundred year war between the scientists of psychology and the legal system, a feud between the intellectual descendants of Hugo Munsterberg and John Henry Wigmore. The book opens with descriptions of the infamous and tragic eyewitness cases involving Gary Graham, Kirk Bloodsworth, and Ronald Cotton (who was misidentified by Jennifer Thompson of PBS Frontline's *What Jennifer Saw*)—three innocent men who were prosecuted, convicted, and imprisoned on the basis of a false identification. Doyle aptly refers to these cases, and other exonerations stemming from mistaken eyewitnesses, as stories without villains. From there, he tells the story of how the field of eyewitness psychology was born, how it stalled, and developed, and where it stands today.

Describing eyewitness research as “a striking combination of basic science and immediate application” (p. 94), Doyle weaves a colorful narrative history by focusing a spotlight on some of the field's leading figures, their science, and their forays into the legal system. Doyle is mindful of the fact that framing a complex story through the lives of a few great figures can distort by oversimplification. Yet he is convinced, and I am inclined to agree, that this history makes sense when told in this way. Exhibit A: “If anyone but Janet Reno had been Attorney General...” Any eyewitness psychologist today can fill in the rest.

Focused as such on leading figures, Doyle takes the reader from the parent Hugo Munsterberg of 1908 to his modern day descendants Robert Buckhout, Elizabeth Loftus, and Gary Wells. This list of leading actors is supplemented by a strong supporting cast of other eminent scholars who have made substantial contributions such as Steven Penrod, Roy Malpass, Jack Brigham, Rod Lindsay, Ronald Fisher, and Brian Cutler, as well as such protagonists from the “outside” as John Henry Wigmore, Jennifer Thompson, Ebbe Ebbesen,

Barry Scheck, and Janet Reno. This approach makes good storytelling sense. Importantly, too, Doyle has his finger firmly on the pulse of the *intradisciplinary* and *interdisciplinary* tensions that have both animated and inhibited progress, bringing us to the present and a hopeful but uncertain future.

Doyle's biographical research into Harvard professor Hugo Munsterberg, author of *On the Witness Stand* (1908), is a fascinating tribute to one of the most colorful and precocious scientists in the history of psychology. Munsterberg was present at Wundt's “creation” of psychology in Leipzig. He was then recruited to Harvard by no other than William James, was named the second president of the APA, and is deservedly called the “father of applied psychology” for his pioneering applications to law, organizational behavior education, and theater. In law, Munsterberg anticipated a great deal of what we know today about eyewitness accuracy, error, and confidence (he also wrote insightfully about false confessions). More than I had realized, he was also a fearless promoter of psychology in the popular press: “Munsterberg became a Carl Sagan or Stephen Jay Gould of his era...a TV talk pundit before his time” (p. 17).

Doyle thoroughly researches the most significant episode in Munsterberg's bold incursion into the law: His exchange with John Henry Wigmore, Dean of Northwestern Law School and a “towering scholar.” In 1904, Wigmore wrote the first edition of his classic *Treatise on Evidence*. He went on to establish the first forensic crime laboratory in the country and championed legal aid and legislation to compensate the wrongfully convicted long before these were popular. Everyone who studies psychology and the law knows that Wigmore wrote a scathing critique of Munsterberg's call to arms. Doyle sets the record straight on this heavyweight encounter, however, by debunking the myth that Wigmore's critique, which he published in *The Illinois Law Review*, was a “savage, bloodthirsty slaughter of psychology, psychologists, their children, and old people” (p. 28). It turns out that Wigmore agreed with much of what Munsterberg had to say about eyewitness problems and he later espoused similar views. But Wigmore had framed his attack by putting Munsterberg on trial, so the points of agreement were swallowed up by the harsh tone of this adversarial medium. Describing Munsterberg as “the psychologists' first general,” Doyle notes that he had “launched ill-prepared troops in a premature frontal assault across badly chosen ground and into the teeth of a strongly defended position” (p. 9). As for Wigmore, Doyle finds that like Munsterberg he had rhetorical capacities “equipped with an accelerator but no brake” (p. 30).

Fast forwarding past the sixty-plus years in which applications of psychology to eyewitness testimony laid dormant, Doyle picks up the action with a chapter on Robert Buckhout entitled “Nobody Likes a Smartass.” “Brandishing the fallen banner of Hugo Munsterberg” (p. 52) in his 1974 *Scientific American* article on eyewitness testimony, Buckhout was on a mission. Then being an undergraduate psychology major at Brooklyn College I had visited Buckhout’s Center for Responsive Psychology and was an unwitting subject in one of his staged assault studies, so I can vouch for Doyle’s characterization of Buckhout as someone with “an unconquerable impish streak” who “enjoyed a good fight” (p. 52). Buckhout—the original modern-day eyewitness expert—seized fame from the Angela Davis trial, where he appeared in court with charts, slides, and a tachistoscope to attack the videotape model of memory. After Davis was acquitted, the word spread: “More and more lawyers began to believe that in eyewitness cases the defense finally had a friend, and the prosecutors had an enemy: Bob Buckhout” (p. 58).

I suspect that some psychologists will argue that Doyle focused too much of the spotlight on Buckhout, a zealot who did not publish in peer-reviewed journals and whose eagerness to give expert testimony preceded the science, a charge leveled by his many critics. One might even argue that Buckhout did more harm than good. On the other hand, Buckhout did reintroduce Munsterberg to a new generation of psychologists and a field may well benefit, as minority influence research would suggest, from the presence of a colorful spokesperson with the audacity to overstep existing boundaries—and to do so with unwavering conviction.

Whatever criticisms may follow from the attention to Buckhout, Doyle knows he is on rock-firm footing when he states that if anyone deserves star billing in this story, it is Elizabeth Loftus.

Born Elizabeth Fishman, and once a self-described “boy-crazy teenager,” Loftus picked up where Buckhout left off in the courtroom. Fresh out of graduate school at Stanford, however, she also established herself as a dedicated and prolific cognitive scientist whose eyewitness-framed studies of postevent information effects profoundly transformed old conceptions of human memory. Doyle describes some of her major research publications, her commitment to the laboratory experiment, her massively popular and influential book, *Eyewitness Testimony*, first published in 1979, and her deep sense of commitment to George Miller’s call to give psychology away (which she fully articulated in her “Silence Is Not Golden” rejoinder to Egeth and McCloskey, in 1983). Doyle characterizes Loftus as a “dedicated and meticulous social scientist who led with—and was often led by—her heart” (p. 87).

Triggered by advances in DNA technology, the National Institute of Justice study of the first 28 DNA exoneration cases (most of which contained one or more eyewitness identifications in evidence), Scheck and Neufeld’s emerging Innocence Project network, and an Attorney General in Janet Reno who was horrified and motivated by the errors, the legal system, finally, was ready to hear what eyewitness researchers had to say. And, finally, thanks to the most recent research on various lineup effects, the research community was ready too. Doyle recounts how Buckhout invited an Ohio State University graduate student by the name of Gary Wells to take part in an eyewitness symposium at APA in 1976. Wells accepted the invitation despite an admonition from his mentor that “the whole eyewitness thing” was a dead end. Wells the scientist (who is also a pool shark) participated but then kept his distance from Buckhout the political activist.

Shortly after receiving his Ph.D., Wells started his research program with Rod

Lindsay, and in 1978 he published a paper in *JPSP* in which he introduced the distinction between estimator variables and system variables. In a reference to Wells’ facility with a pool cue, Doyle refers to this article as a “break out shot” (a billiards term for a shot that opens up the table and creates new opportunities for the shooter) for the way it articulated a new mission: That it is better to prevent eyewitness error than fight it after the fact in expert testimony. This new focus underlies the most recent and sophisticated eyewitness studies on such controllable system factors as lineup composition, mode of presentation, pre-lineup instructions, and post-identification feedback (for an excellent review, I would recommend Cutler and Penrod’s 1995 book, *Mistaken Identification*). This is the mission that culminated in the NIJ *Guide* for law enforcement and now fuels the reforms being considered and adopted in several states. Referring to the status of both the science and the application today, Doyle brings the story full circle: “The path, which started with Munsterberg seventy years earlier, had found its way to the pinnacle of the criminal justice system” (p. 166), “It was a body of work Wigmore himself would have applauded” (p. 163).

In one of its most enjoyable sections of this book, Doyle takes the reader inside the NIJ Technical Working Group that a determined attorney general had assembled. He details how she came upon Wells to lead the group, how prosecutors on the panel fought tooth and nail to derail the proceedings, and how a consensus was achieved. Doyle was a participant, so he is able to supply a first-hand look at the politics and the inner workings. Blow by blow, he describes the starts and the stops, the bobbing and weaving, the name calling and yelling, the factions that formed and divided the group, the compromises, and the deals that were ultimately made, all of which enabled the *Guide* as a final product.

## Expert Opinion:

# How can we distinguish “advanced” forensic practice from “good” forensic practice ?

**Dr. Tom Grisso** is Professor of Psychiatry, Director of Psychology, and Coordinator of the Law and Psychiatry Program at the University of Massachusetts Medical School. He was president of AP-LS in 1989-90. His scholarly activities have aimed to improve the quality of assessments for courts and other forensic mental health settings.

The following is based on an essay originally written for the American Board of Forensic Psychology. As Executive Director of ABFP, Thomas Grisso was asked by the Board to reflect on how one could describe “quality” as it pertains to forensic evaluations and reports. The essay (slightly revised here) was intended to assist the Board in its efforts to characterize the difference between products that manifest good, acceptable forensic practice and those that show signs of advanced or mature forensic practice.

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Column Edited by Mary Connell, Ed.D

### Quality in the Practice of Forensic Psychology

In *Zen and the Art of Motorcycle Maintenance*, Robert Pirsig’s protagonist professor uses a cross-country motorcycle trip as a context for describing his search for the ultimate answer to the question, “What is Quality?” He wanted to define the attributes of exceptional craftsmanship in a way that could apply to all endeavors in the arts, sciences, trades and everyday conduct. This intellectual quest drove him insane. The question posed here—how to distinguish advanced from adequate forensic practice—is similar and no less difficult. I proceed with caution.

A number of researchers and standard-setters recently have made progress in developing concepts and objective criteria for basic, adequate practice in forensic evaluations and reports. Less has been said about how we can describe the nature of practice that has matured beyond basic requirements. For this, we must go beyond definitions of adequacy, finding a way to think about degrees of quality.

Why should we want to consider the nature of quality in professional work beyond the level of acceptable practice ? Professors and clinical supervisors sometimes seek to guide their students and colleagues who have learned the basics and are ready to mature in their forensic practice. Some standard-setting bodies must distinguish good practice from mature, advanced practice, to the extent that the latter is necessary for certain types of credentialing. And forensic examiners themselves engage in personal scrutiny and self-evaluation of their work in their striving for growth as professionals.

Pirsig’s protagonist sought the meaning of Quality as a construct or virtue. Dictionaries define Quality as “excellence” and “superiority of kind.” Excellence is a virtue for which we strive—an aspiration more to be pursued than claimed—

and it is usually manifested in degrees. But calling Quality “excellence” does not help much. What makes some products aesthetically, intellectually or functionally “superior,” distinguishing them from the ordinary ?

#### **The Nature of Quality**

Quality begins with basic proficiency, then goes beyond that to manifest whatever it is that causes us to judge that the craftsman or the product has reached a higher or more advanced level of practice. What can we say about *proficient craftsmanship* and about *advanced craftsmanship* that has gone beyond proficiency?<sup>1</sup>

#### *The Proficient Craftsman*

“Proficient” derives from the Latin “proficere”—“to advance” or “go forward with advantage.” “Profit” has the same root. One who is proficient can do a job sufficiently well to assure that others will profit (“advance,” “be ahead”) as a result of the individual’s work, because the person has learned the basic knowledge, concepts and skills to do the job. (The derivation of “competence” suggests a similar level of functional adequacy: “competere,” to be “suitable” for a task.) Basic standards for practice allow proficient craftsmen to engage in practice, confident that their level of ability will “advance” and “profit” those for whom they provide a service

During his cross-country journey, Pirsig’s protagonist commented on proficient motorcycle mechanics he encountered. They knew all the parts and basic systems of motorcycles, how they worked, and how to adjust a carburetor, tighten or loosen a drive chain, or change a spark plug. They qualified for the job. They were proficient in that others ordinarily would profit by their work. They did the motorcycle that which the manual said needed to be done. But only a minor-

ity manifested Quality—an advanced degree of excellence in their approach. What was the difference ?

### *The Master Craftsman*

One aspect of Quality is identified in the word “expert.” The Latin root for expert is “*experiri*”—to “try.” What does “trying” have to do with being an expert? “*Experiri*” is also the root for “experience” and “experiment.” Experts use their knowledge, skills and experience to try (“experiment” with), discover, and create in the course of applying their skills case by case.<sup>2</sup>

Part of this “experimenting” aspect of Quality is the ability to solve unusual problems. Often a motorcycle (or a forensic case) presents a problem for which the manual offers no clue regarding what needs to be done to fix it. In Pirsig’s words, the proficient craftsman is “stuck.” To get unstuck, the craftsman has to turn to a non-manualized, conceptual way of understanding the situation. The craftsman who can move beyond proficiency to step back, hypothesize, and try things out systematically (experimentally, not randomly) has a better chance of arriving at a solution.

Another part of this “experimenting” aspect of Quality is in one’s approach to the task even when there is no problem. The proficient mechanic seeks to do the job correctly and move on. Craftsmen who approach their cases with an eye to Quality see something more than the case-as-task. They act as though they intend to use the case to further their craft and increase their knowledge. Pirsig’s expert mechanic approaches a motorcycle problem not only as something to “fix,” but also as a process that provides an opportunity to experiment, learn, and maybe even discover something new. Advanced craftsmen don’t merely “gain experience” by repeated application of their skills. They consciously look for ways to *use* each experience as an opportunity to refine their craft.

When craftsmen manifest this aspect of Quality, their products reveal not only proficient craftsmanship, but also ideas, solutions, or applications that go beyond business as usual, even in the most mundane operations. For example, the proficient mechanic accurately adjusts the carburetor to the manual’s specifications. The advanced mechanic learns something about the context—the motorcycle’s history, the acceleration habits of the rider, and the altitude and terrain toward which the rider is headed—then makes adjustments that deviate logically from the manual’s specifications based on these considerations. Quality is proficiency taken to another level involving innovation that sometimes deviates from specifications, creating not just what was needed, but a better solution than was necessary for ordinary proficiency standards.<sup>3</sup>

A second meaning of Quality is found in the word “mastery,” defined in dictionaries as “possession of consummate skill...full command of a subject of study.” The root is “*maistre*,” also seen in “*maestro*”—one who is a master “qualified to teach apprentices” and manifesting “exemplary skill.” Moving beyond *proficere* to *experiri* places the craftsman in the role of master from whom others can learn. A work manifests Quality when proficient craftsmen look to it as an example toward which they should strive. A master is someone we want to watch even when performing mundane tasks of the craft, because we suspect that they will not necessarily be done in the ordinary way. We will learn something new.

Pirsig’s protagonist never actually achieved a final definition of Quality, but he eliminated several options. He concluded that the mere presence of certain attributes was not what made the difference, because he couldn’t think of any attributes that always guaranteed Quality. For example, Quality requires logic, but work guided only by logic can be too rigid to achieve the

most satisfying solution. Quality requires attention to detail, but a one-sided focus on technical perfection sometimes results only in sterility. Quality requires creative thinking, but sometimes creativity leads to unrealistic nonsense. In fact, Pirsig’s analysis suggested that Quality requires a coexistence of seemingly contradictory attributes and functions. The person whose work we consider to show signs of Quality or maturity is likely to (*inter alia*):

- Manifest meticulous attention to detail yet with economy and simplicity
- Attend to structure yet display flexibility
- Operate out of traditional concepts while recognizing when something radical is needed
- Employ logic influenced by intuition and non-logical associations
- Seek guidance from principles while adapting them to practical demands

Whatever Quality is, then, it cannot be described simply as the sum of a set of attributes, because Quality seems to involve attention to their balance, proportion, and interaction, and an ability to adapt them to contextual demands so that the product is complete and satisfying in the moment. “In the moment”—in the context for which it was produced—is important. A product that looks like “Quality” might not if it were reproduced in another context for which it was not designed.

### **Operationalizing Quality**

With greater clarity about these attributes, could we operationalize and measure differences between proficient forensic clinical work and products with the mark of a master, advanced forensic clinical craftsman ? The odds seem to be against it. Operationalization requires translating what we want to know about craftsmanship into standardized observables that we would all agree are or aren’t present when we look at what the craftsman is doing or the product that evolves. Yet I’ve described Quality as



*Expert Opinion cont. from p. 7*

involving things like flexibility, experimentation, innovation, and adjusting to context. By their nature, these characteristics cannot be standardized with confidence, because they are manifested in unique ways from case to case. Master products manifest proficient and accurate practice that is true to fundamental boundaries, but often with unique and sometimes unpredictable features that are themselves the reason that the product is “expert” rather than merely “proficient.” If this is so, then there is a great deal about Quality, as distinguished from ordinary good work, that cannot be standardized.

A starting place for organizing some dimensions of master or advanced practice is to work with what I will call the *non-unique* and *unique* features of Quality. By “non-unique features,” I mean certain dimensions that are seen in both proficient and advanced work, yet are seen in the latter to a greater degree. By “unique features,” I mean dimensions that are seen only in advanced work. When they are seen at all, they mean that we are not looking at merely proficient work.

#### *Non-Unique Dimensions*

**Knowledge and Skill.** All forensic craftsmen must manifest the knowledge and skills relevant for their specific area of forensic practice. The level of knowledge and skill for proficiency is relatively narrow and fundamental. For example, proficient work can be done by knowing laws applied in local courts and specific circumstances in which the craftsman practices. Proficiency with specialized forensic assessment instruments requires knowing how to administer and interpret them in a standardized fashion.

In contrast, master craftsmanship requires a broader and conceptual level of knowledge and skill. For example, the master forensic craftsman knows not only the law (e.g., the definition of NGRI) in the expert’s own jurisdiction,

but also the history of that law, its variations across jurisdictions, and how those variations make a difference in policy and practice. The expert knows not only how to use a standardized instrument properly in order to assess a legally relevant ability (e.g., a competency assessment tool), but also how such tools are developed and the similarities and differences among the various tools available for that purpose. Knowing things in this way is a necessary predicate to the innovation and experimentation required for master craftsmanship.

**Accuracy and Accountability.** All forensic craftsmen’s work must be reliable (truthful and trustworthy), and they must be able to explain their procedures, why they chose them, their limitations, and the logic for their interpretations. For proficient work, basic standards in the clinical sciences suggest the necessary degree of accuracy and accountability that is required. Explanations for what one does and what one believes one’s data mean must be fundamentally clear and logical.

For master forensic craftsmanship, the level of accuracy and accountability is exceptional and comprehensive. The difference in comparison to proficient work is a matter of polish and precision. Advanced work is likely to offer finer detail and greater clarity of product (more pixels-per-inch in digital photography, a finer sanding grit in carpentry). For example, advanced practice often accounts not only for what was done, why, how and with what results, but also accounts for what was *not* done, why it was not done, what alternative interpretations were possible, and why they were discarded.

**Specificity.** The products of all forensic craftsmen must meet the specifications of the job as defined by the forensic referral. Their product must answer the question that was asked. Forensic craftsmen’s work is proficient when it contains the necessary clinical

and forensic information and logic to address the forensic question.

The product of master craftsmanship does that, but contains *no more* (efficiency) and *no less* (sufficiency) than is essential to address the forensic question. It employs all of the necessary procedures and no unnecessary ones. It conveys all information that is important for the purpose of the work and no information that is unimportant. It finds the proper balance point between the values of economy and comprehensiveness.

#### *Unique Dimensions*

Here are some potential dimensions of Quality (examples, recognizing that others could be developed) that are uniquely found in master craftsmanship. Their presence would suggest that a work is beyond proficient.

**Contextual Responsivity.** The products and processes of master craftsmanship are designed for the specific case at hand. The product is not a rote application of knowledge and methods. It is tuned to the context of the case. Although true to fundamentals, its structure, form, and logic are shaped in part by that which makes the case unique, and it is sensitive to the specific needs of those who will use it. As a consequence, it is often one-of-a-kind and may contain some surprises. It will have many things in common with all other forensic evaluations, but it will have some characteristics that distinguish it, such that its particulars might not be appropriate for other cases.

**Conceptual Integrity.** Products of master forensic craftsmanship employ concepts, theories, methods, and logic that are consistent *internally* and *externally*. Internally, things hold together within the case; there is a theme to which all important aspects of the product are related, and the logic is consistent throughout. Externally, the case and its logic are anchored in the concepts, methods and empirical research



at the foundation of the expert's field. Even the product's departures from conventional form and substance are justified with reference to recognized theories, concepts and methods.

**Innovative Utility.** Products of master forensic craftsmanship sometimes manifest non-conventional applications of method, concept or logic that offer the potential to advance the field's repertoire for the application of psychology to forensic questions. Seeing an advanced product, other forensic craftsmen are likely to go away having "learned something" that might be useful in future cases, thereby advancing our own expertise or advancing the field itself. These innovations may be substantial—such as a wholly novel way of putting together evidence to address a common forensic question—or quite minor—such as a turn of phrase, or the use of an unusual type

of collateral informant. In either case, products of advanced forensic craftsmanship contribute to the growth of other forensic craftsmen who are exposed to it.

### Conclusion

As Pirsig's protagonist concluded his cross-country ruminations about the nature of Quality, he was certain of only two things: that there is something that distinguishes masterful from basic work, and that he'd discovered some of the attributes that began to identify it. Yet he was able to develop only an incomplete analysis, provided little hope for operationalization of the concepts, and offered no way of knowing how Quality is promoted or achieved. I conclude this essay with the same uncertainties.

Yet the concepts and dimensions that I've described might be a small advance toward assisting each of us in

our personal assessments of our own professional development. Having achieved a level of good, proficient practice, we need concepts associated with "Quality" to help us personally evaluate our own work, structure our aspirations for maturity, and reflect on our progress as a career-long quest for professional growth.

### Footnotes

<sup>1</sup> Herein "craftsmanship" refers to work by professionals of both genders.

<sup>2</sup> This definition of expert is entirely different from the legal definition, which refers to any person whom the court qualifies as possessing specialized knowledge.

<sup>3</sup> One of the best examples of this approach to forensic work is Stan Brodsky's book, *Testifying in Court: Guidelines and Maxims for the Expert Witness* (1991, APA), which could have been titled "Zen and the Art of Expert Testimony."

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Black, M.S., Forbey, J.D., Ben-Porath, Y.S., Graham, J.R., McNulty, J.L., Anderson, S.V. et al. (2004). **Using the Minnesota Multiphasic personality Inventory-2 (MMPI-2) to detect psychological distress and dysfunction in a state correctional setting.** *Criminal Justice and Behavior*, 31, 734-751. Analysis of 41,149 MMPI-2 profiles of incarcerated males and females upon arrival at prison indicate that although the most frequently elevated scales were related to antisocial characteristics (scales 4 and 9), 39% of men and 48% of women elevated (>65T) at least one of the six remaining clinical scales. The authors argue that this is an underestimate of the presence of psychological dysfunction in prison based on their selection criteria.

Carlson, J. R., Thomas, G., & Anson, R. H. (2004). **Cross-gender perceptions of corrections officers in gender-segregated prisons.** *Journal of Offender Rehabilitation*, 39(1), 83-101.

Male ( $n=181$ ) and female ( $n=46$ ) correctional officers (COs) employed at one male and one female prison completed surveys about their attitudes towards officers of the same and opposite sex. Significantly more female COs believed that male COs were generally more competent in supervising and counseling inmates than females. In the women's prison, male COs

were more likely than female COs to believe that female COs are likely to be promoted.

Carr-Walker, P., Bowers, L., Callaghan, P., Nijman, H., & Paton, J. (2004). **Attitudes towards personality disorders: Comparison between prison officers and psychiatric nurses.** *Legal and Criminological Psychology*, 9, 265-277.

Nurses at high-security hospitals ( $n = 651$ ) and corrections officers (COs) who work with individuals classified as having a severe personality disorder ( $n = 55$ ) completed 2 measures assessing their attitudes and perceptions of patients with personality disorders. A series of ANOVAs indicate that COs are more likely than nurses to express a positive attitude towards patients with a personality disorder and less likely to view them as being responsible for their actions.

Islam-Zwart, K.A., & Vik, P.W. (2004). **Female adjustment to incarceration as influenced by sexual assault history.** *Criminal Justice and Behavior*, 31, 521-541.

Female inmates with no assault history showed initial elevations of internal adjustment problems (discomfort, insomnia) that decreased after two weeks, whereas internal adjustment problems increased for inmates with a history of adult sexual

abuse or a history of childhood and adult sexual abuse. External adjustment problems (fights) occurred more frequently among inmates with a history of exclusively adult sexual abuse.

Magaletta, P. R., Jackson, K. L., Miller, N. A., & Innes, C. A. (2004). **Levels of attribution and change in a high-security correctional population.** *Journal of Offender Rehabilitation*, 39(2), 1-17.

The reliability and validity of the Levels of Attribution and Change (LAC) scale, a self-report measure of attributions about a given or self-selected problem, were examined using 104 federal male inmates. The LAC evidenced concurrent validity as the direction and strength of the relationship between the LAC and other criterion measures, including measures of criminal thinking, treatment motivation, and mental health were as expected; those with external attributions and insufficient effort evidenced more criminal thinking.

McLeod, H.J., Byrne, M.K., & Aitken, R. (2004). **Automatism and dissociation: Disturbances of consciousness and volition from a psychological perspective.** *International Journal of Law and Psychiatry*, 27, 471-487.

86 inmates in South Australia completed self-report measures assessing memory for their index offense, gen-

eral memory, dissociation, and psychopathology. All but 2 offenders reported having some recollection of the index offense. Inmates reported higher levels of dissociative experiences than typically found in the general population.

Nicholls, T.L., Lee, Z., Corrado, R.R., & Ogloff, J.R.P. (2004). **Women inmates' mental health needs: Evidence of the validity of the Jail Screening Assessment Tool (JSAT).** *International Journal of Forensic Mental Health*, 3, 167-184.

Among 97 women incarcerated in a Canadian correctional facility, one third presented with serious mental health problems and approximately one in six presented a serious risk of self-harm or violence to others. The validity of the JSAT as a mental health screener was established by independently evaluating inmates referred for mental health services with the SCID-I/NP. All referred women were diagnosed with an Axis I disorder and the JSAT produced only 5 false positives and 3 false negatives.

Ullrich, S., & Marneros, A. (2004). **Dimensions of personality disorders in offenders.** *Criminal Behaviour and Mental Health*, 14, 202-213.

Three factors underlying personality disorders were found in a group of criminals and non-criminals. Criminals scored higher on a factor defined by emotional instability and paranoia. Non-criminals scored

higher on a factor negatively associated with schizoid personality disorder and a factor negatively associated with anxious and dependent personality dimensions.

Vannoy, S. D., & Hoyt, W. T. (2004). **Evaluation of an anger therapy intervention for incarcerated adult males.** *Journal of Offender Rehabilitation, 39*(2), 39-57.

16 male inmates in a low security prison received 12 weekly sessions of anger therapy which incorporated Buddhist psychology. Treatment participants were compared on measures of anger, empathy, and egotism with 15 male inmates in a waiting list condition. Those who received treatment showed decreases in anger compared to the control group; the decrease was mediated by decreased levels of egotism, which accounted for 8% of the variance.

Warren, J.I., Hurt, S., Loper, A.B., & Chauhan, P. (2004). **Exploring prison adjustment among female inmates: Issues of measurement and prediction.** *Criminal Justice and Behavior, 31*, 624-645. This study proposed a two factor model of the Prison Adjustment Questionnaire among 777 female inmates. Distress and Conflict factors demonstrated good concurrent validity with the Brief Symptom Inventory (BSI) global severity score. BSI Anxiety contributed a significant proportion of the variance in the Distress model, and BSI Hostility and a positive screening for a per-

sonality disorder accounted for a majority of the variance for the Conflict model.

#### **DELINQUENCY/ ANTISOCIAL BEHAVIOR**

Archer, R.P., Stredny, R.V., Mason, J.A., Arnau, R.C. (2004). **An examination and replication of the psychometric properties of the Massachusetts Youth Screening instrument-Second edition (MAYSI-2) among adolescents in detention settings.** *Assessment, 11*, 290-302.

Among a predominantly African American sample of juvenile offenders ( $N=704$ ), the factor structure, internal consistency, and test-retest reliability of the MAYSI-2 were similar to those from a previous validation study. Overall, the MAYSI-2 shows promise as an effective screening tool for mental health problems.

Bare, R. L., Hopko, D. R., & Armento, M. E. A. (2004). **The relation of psychopathic characteristics and anxiety in non-criminals: Physiological and cognitive responses to guided imagery.** *Journal of Psychopathology and Behavioral Assessment, 26*, 225-232.

Measures of trait and somatic anxiety and psychopathic traits were obtained from 76 undergraduates whose heart rate and skin conductance levels were monitored while engaging in guided imagery. Participants listened to four audiotaped vignettes which contained neutral or anxiety-provoking stimuli or minor or major

rule violations, including crimes. Emotional detachment, as measured by the Self-Report Psychopathy Scale - Revised (SRP-II), was moderately correlated with self-reported anxiety while deviant behavior was not. Those with high levels of emotional detachment exhibited lower levels of skin conductance than those with low levels.

Cooke, D.J., Hart, S.D., & Michie, C. (2004). **Cross-national differences in the assessment of psychopathy: Do they reflect variations in raters' perceptions of symptoms?** *Psychological Assessment, 16*, 335-339.

Interrater reliability for the PCL-R total score was considered good (.82) when 10 Scottish and 10 Canadian raters viewed videotapes of 6 Scottish and 6 Canadian prisoners. Results suggest that the PCL-R provides reliable assessments of psychopathy and that cross-national differences may be attributed to variations in interpersonal features of the disorder, as opposed to rater variability.

Daley, C. E., & Onwuegbuzie, A. J. (2004). **Attributions toward violence of male juvenile delinquents: A concurrent mixed-methodological analysis.** *The Journal of Social Psychology, 14*, 549-570.

Results from 82 male juvenile offenders indicated that they made attributional errors about violence 53% of the time after reading a series of vignettes. Results

identified seven underlying themes, or rationales for attributional errors, such as: conflict resolution, provocation, and fate. Researchers tentatively identified three profiles of juvenile delinquents based on these themes.

Endres, J. (2004). **The language of the psychopath: Characteristics of prisoners' performance in a sentence completion test.** *Criminal Behaviour and Mental Health, 14*, 214-226. Results from 76 German inmates found a positive correlation between PCL-R scores and a sentence completion test developed by the authors, suggesting a preoccupation with exerting power or egocentric interpersonal orientation. Similar displays were also found in those with low PCL-R scores, suggesting that the test should not be used to assess psychopathy.

Hicks, B.M., Markon, K.E., Patrick, C.J., Krueger, R.F., & Newman, J.P. (2004). **Identifying psychopathy subtypes on the basis of personality structure.** *Psychological Assessment, 16*, 276-288.

96 male PCL-R-defined psychopaths were administered the Multidimensional Personality Questionnaire-brief form. Model-based cluster analysis yielded two subtypes of criminal psychopaths. *Emotionally stable* psychopaths were characterized by low Stress Reaction and high Agency. *Aggressive* psychopaths were characterized by high Nega-



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tive Emotionality, low Constraint, and low Communion. Kimonis, E.R., Frick, P.J., & Barry, C.T. (2004). **Callous-Unemotional traits and delinquent peer affiliation.** *Journal of Consulting and Clinical Psychology, 72*, 956-966.

98 children (Mean age = 12.36 years) were recruited from a high-risk community sample and assessed for antisocial behavior, psychopathology, behavior problems, and parental/social functioning on a yearly basis for four years. Children with conduct problems were found to be more likely to have delinquent peers as friends. Dysfunctional parenting and problems in social relationships mediated this result during the first two assessments; however, this trend was not observed during later assessments.

Marcus, D.K., John, S. J., & Edens, J. F. (2004). **A taxometric analysis of psychopathic personality.** *Journal of Abnormal Psychology, 113*, 626-635.

Researchers used indicators from the Psychopathic Personality Inventory to complete three taxometric procedures ( $N = 309$ ). Results suggest that the construct of psychopathy is best described as existing on a continuum rather than as a taxon.

Ross, S. R., Lutz, C. J., & Bailey, S. E. (2004). **Psychopathy and the Five Factor Model in a noninstitutionalized sample: A domain and facet level analysis.**

*Journal of Psychopathology and Behavioral Assessment, 26*, 213-223.

The Levenson Self-Report Psychopathy (LSRP) Scales and NEO-PI-R were administered to 476 Canadian undergraduates. LSRP primary psychopathy (emotion features) was predicted by low Agreeableness, Openness, Conscientiousness and high Extraversion. Secondary psychopathy (behavioral features) was related to high Neuroticism and low Agreeableness and Consciousness.

Scarborough, Z. T., Glaser, B. A., Calhoun, G. B., Stefurak, T., & Petrocelli, J. V. (2004). **Cluster-derived grouping of the Behavior Assessment System for Children among male juvenile offenders.** *Journal of Offender Rehabilitation, 39*(1), 1-17.

The Behavior Assessment System for Children-Self Report-Adolescent (BASC-SRP-A) and Millon Adolescent Clinical Inventory (MACI) were administered to 103 male adolescent detainees at a short-term detention center. Five cluster groupings (Normal, Well-Adapted, Moderate Behavior Problems, Low Self-Reliance, High Internalizers) were created based on BASC-SRP-A scores. ANOVA was used to examine relations between cluster groupings and MACI scales. Only High Internalizers ( $n = 16$ ) produced elevations in the at-risk and clinically significant ranges on the MACI.

Skeem, J.L., Edens, J.F., Camp, J., & Colwell, L.H. (2004). **Are there ethnic differences in levels of psychopathy? A meta-analysis.** *Law and Human Behavior, 28*, 505-527.

Meta-analysis of findings from 21 studies revealed small effect sizes for ethnic differences (Black vs. White) in PCL-R scores (Cohen's  $d$  ranging from .01-.11). Findings suggest that Blacks and Whites do not meaningfully differ in psychopathic traits.

Walsh, Z., Swogger, M.T., & Kosson, D.S. (2004). **Psychopathy, IQ, and violence in European American and African American county jail inmates.** *Journal of Consulting and Clinical Psychology, 72*, 1165-1169.

326 European Americans and 348 African Americans were rated for psychopathic traits using the PCL-R. Jail records indicating prior violent charges were coded as a measure of violence. Multiple Regression analyses indicated that, for European Americans, both PCL-R and IQ scores contributed significantly to the prediction of violence, particularly for individuals with low IQ scores. For African Americans, the PCL-R was the only significant predictor of violence.

#### FORENSICEVALUATION

Guy, L.S., & Miller, H.A. (2004). **Screening for malingered psychopathology in a correctional setting: Utility of the Miller-Forensic Assessment of**

**Symptoms Test (M-FAST).** *Criminal Justice and Behavior, 31*, 695-716. Among a sample of 50 incarcerated males who had applied for mental health services, those defined as malingerers by the SIRS scored significantly higher on the M-FAST total and scale scores than non-malingerers. The M-FAST total score exhibited good internal consistency and generalizability across racial and ethnic groups. Consistent with previous M-FAST research, utility analyses indicated that the most effective total cut score is 6.

Morris, G. H., Haroun, A. M., & Naimark, D. (2004). **Assessing competency competently: Toward a rational standard for competency-to-stand-trial assessments.** *The Journal of the American Academy of Psychiatry and the Law, 32*, 231-245.

273 forensic psychiatrists and psychologists were asked to determine competency-to-stand-trial (CST) in two hypothetical cases based upon three standards: the *Dusky* standard (consult with attorney with "rational understanding"), assist counsel in a "rational manner", or the federal standard ("assist properly" in defense). Most participants reached the same CST decision, regardless of the CST standard. Fewer than 25% rendered different CST opinions for different standards.

Price, M., Recupero, P. R., Strong, D. R., & Gutheil, T. G. (2004). **Gender differ-**

**ences in the practice patterns of forensic psychiatry experts.** *The Journal of the American Academy of Psychiatry and the Law*, 32, 250-258.

Male ( $n = 64$ ) and female ( $n = 30$ ) AAPL members completed a survey concerning their experience, practice, and gender related issues. Women were less likely than men to conduct criminal, civil commitment/involuntary medication, and conservatorship/guardianship/testamentary capacity evaluations. Women and men reported performing similar numbers of personal injury/disability/fitness for duty, custody, sexual harassment, and malpractice evaluations. Women (80%) were more likely than men (41%) to believe that their gender was a consideration in being retained as an expert.

#### LAWENFORCEMENT

Detrick, P., Chibnall, J.T., & Luebbert, M.C. (2004). **The revised NEO personality inventory as predictor of police academy performance.** *Criminal Justice and Behavior*, 31, 676-694.

The Vulnerability to Stress facet scale was the best NEO-PI-R scale for predicting graduation from a Missouri police academy ( $N = 74$ ). Excitement-seeking, Ideas, and Values scales predicted disciplinary reports, and absenteeism was predicted by multiple facets. Overall, the NEO-PI-R appears to have promising predictive validity in this context.

Graham, S., & Lowery, B. S. (2004). **Priming unconscious racial stereotypes about adolescent offenders.** *Law and Human Behavior*, 28, 483-504.

Two studies examined the effects of primed unconscious racial stereotypes on perceptions and the treatment of juvenile offenders. In Study 1, police officers who had been subliminally exposed to racially charged words judged juvenile offenders in written crime descriptions more negatively than officers who were subliminally exposed to neutral words. Similar results were found in Study 2 with juvenile probation officers. SEM results suggest that primed unconscious racial stereotypes indirectly (through trait inferences and attributional judgments) influenced recommendations for punishment.

Gudjonsson, G. H., & Sigurdsson, J. F. (2004). **The relationship of suggestibility and compliance with self-deception and other-deception.** *Psychology, Crime, and Law*, 10, 447-453.

Measures of suggestibility, compliance, other- and self-deception, and the Eysenck Personality Questionnaire (EPQ) were administered to 237 Icelandic prison inmates. The deception measures and EPQ Lie Scale were significantly correlated with EPQ scales of Psychoticism and Neuroticism. No significant relationships between deception and suggestibility and compliance were found.

Melinder, A., Goodman, G.S., Eilertsen, D. E., & Mag-nussen, S. (2004). **Beliefs about child witnesses: A survey of professionals.** *Psychology, Crime, and Law*, 10, 347-365.

A mail survey regarding evaluations of child witnesses was completed by 478 Norwegian professionals who work with children in the legal system (e.g. police, attorneys, judges, psychiatrists, psychologists). Police officers rated child believability significantly higher than other professionals. Defense attorneys were the most skeptical professional group; psychologists and psychiatrists did not differ significantly from defense attorneys on most measures except they were less skeptical of the utility of clinical instruments, such as projective tests. Participants with more experience were more likely to rate behaviors, such as confidence, as reliable indicators of child believability.

Pollina, D.A., Dollins, A.B., Senter, S.M., Krapohl, D.J., & Ryan, A.H. (2004). **Comparison of polygraph data obtained from individuals involved in mock crimes and actual criminal investigations.** *Journal of Applied Psychology*, 89, 1099-1105.

Polygraph results for a community sample of 55 individuals assigned to deceptive or nondeceptive roles in a mock crime were compared to those of 67 criminal suspects that were either confirmed as being deceptive or nondeceptive.

Significant differences were found between field and laboratory polygraph response measures (i.e. diminished maximum blood volume amplitudes for lab participants) which the authors attribute to greater tonic physiological arousal in the field situation. However, discrimination ability was quite similar in the field and laboratory groups.

Varela, J.G., Boccaccini, M.T., Scogin, F., Stump, J., & Caputo, A. (2004). **Personality testing in law enforcement employment settings: A meta-analytic review.** *Criminal Justice and Behavior*, 31, 649-675.

Meta-analytic results suggest that the California Personality Inventory was a somewhat better predictor of officer performance than the MMPI/MMPI-2 or the Inwald Personality Inventory. Effect sizes for personality tests were larger when predicting current officer performance, as opposed to future job performance.

#### LEGAL DECISION-MAKING

Brewer, N., Harvey, S., & Semmler, C. (2004). **Improving comprehension of jury instructions with audio-visual presentation.** *Applied Cognitive Psychology*, 18, 765-776.

90 undergraduate law students (experts) and 90 adults (novices) were randomly assigned to receive jury instructions on self-defense verdict requirements in one of three formats (au-

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dio, audio-elaborated, and audio-visual) and were tested on their comprehension of the requirements. Comprehension measures included recognition, recall, and applying standards to novel situations. Experts displayed significantly greater comprehension than novices; novices in the audio-visual condition performed significantly better than those in the other two conditions.

Brewer, T.W. (2004). **Race and jurors' receptivity to mitigation in capital cases: The effect of jurors', defendants', and victims' race in combination.** *Law and Human Behavior*, 529-545.

Data from 865 jurors participating in the Capital Jury Project revealed 3 consistent effects regarding receptivity to mitigating information: females were more receptive than males, receptivity decreased as crime heinousness increased, and those who prematurely formed sentencing decisions (i.e., before penalty phase) were less receptive. Results also indicated that Black jurors were more receptive to mitigating information in cases with a Black defendant and a White victim.

Edens, J. F., Desforjes, D. M., Fernandez, K., & Palac, C. A. (2004). **Effects of psychopathy and violence risk testimony on mock juror perceptions of dangerousness in a capital murder trial.** *Psychology, Crime, & Law*, 10, 393-412.

A penalty phase vignette containing expert psychiatric testimony concerning a defendant's diagnosis (psychopathy, psychosis, or none) and predicted future risk of violence (high or low) was administered to 238 undergraduates. Ratings of dangerousness were lowest for those with no diagnosis; there was not a significant difference between those with psychopathy or psychosis. A main effect for future risk of violence was found. None of the study variables had a significant effect on sentencing recommendations.

Sargent, M.J. (2004). **Less thought, more punishment: Need for cognition predicts support for punitive responses to crime.** *Personality and Social Psychology Bulletin*, 30, 1485-1493.

Results of 3 studies support the hypothesis that high scores on the Need for Cognition Scale (NCS) are negatively correlated with self-reported punitiveness. Studies 1 and 2 found that need for cognition continued to predict punitiveness after controlling for gender and political ideology. Study 3 found that attributional complexity mediated the relationship between need for cognition and punitiveness, suggesting that those with a high need for cognition are less likely to support punitive consequences because they tend to find more causes for the person's behavior.

Taylor, T.S., & Hosch, H.M. (2004). **An examination of jury verdicts for**

**evidence of a similarity-leniency effect, an out-group punitiveness effect or a black sheep effect.** *Law and Human Behavior*, 28, 587-598.

Archival data from 418 noncapital felony cases were examined to identify relationships between juror ethnicity and case outcomes. No evidence was found for a similarity-leniency effect or an out-group punitiveness effect. Only strength of evidence was related to trial outcomes, while strength of evidence, defendant ethnicity, and jury ethnic composition were associated with sentence length.

Wiener, R. L., et al. (2004). **Guided jury discretion in capital murder cases: The role of declarative and procedural knowledge.** *Psychology, Public Policy, and Law*, 10, 516-576.

Results from 126 interviewees suggest little understanding of declarative state law. Results from two jury simulations suggest that jurors instructed with Missouri Approved Instructions for penalty phases demonstrate little understanding of procedural knowledge of state law. Consequences of the apparent confusion and recommendations for policy are discussed.

#### MENTALHEALTH SERVICES

Ayua, L.N., Audu, M.D., Choji, A.R., & Mela, M. (2004). **A developing world perspective on homicide and mental disorder: An eighteen-year retrospective study**

**(1980-1998) at Jos, Nigeria.** *International Journal of Forensic Mental Health*, 3, 211-216.

Approximately 50% of culpable homicide offenders from this time period ( $n=160$ ) were referred for psychiatric evaluation, which on average occurred 18 months following their arrest. Among the offenders, Schizophrenia was the most common diagnosis, most knew their victims, and there were relatively low rates of antisocial personality disorder and substance dependence.

Bowen, E., & Gilchrist, E. (2004). **Do court- and self-referred domestic violence offenders share the same characteristics? A preliminary comparison of motivation to change, locus of control and anger.** *Legal and Criminological Psychology*, 9, 279-294.

Court-referred ( $n = 38$ ) and self-referred ( $n = 14$ ) domestic violence offenders completed measures of treatment change, locus of control, and anger. Court-referred offenders were more likely than self-referred offenders to acknowledge an external locus of control and reported lower motivation for treatment.

Broner, N., Lattimore, P. K., Cowell, A. J., & Schlenger, W. E. (2004). **Effects of diversion on adults with co-occurring mental illness and substance use: Outcomes from a national multi-site study.** *Behavioral Sciences and the Law*, 22, 519-541.

A 12-month follow-up found

that offenders who were deferred rather than incarcerated utilized mental health services more frequently after release. Results were mixed with the impact of diversion on reducing drug and alcohol use, overall mental health status, and perceived quality of life.

Farabee, D., & Shen, H. (2004). **Antipsychotic medication adherence, cocaine use, and recidivism among a parolee sample.** *Behavioral Sciences and the Law*, 22, 467-476.

Researchers followed 200 parolees with a mental illness for 12 months to assess medication compliance, illegal drug use, and rearrest. A significant relation between cocaine use and rearrest was found, with medication compliance reducing rearrest rates for cocaine users. Medication compliance did not predict rearrest for non-cocaine users.

Messina, N., Burdon, W., Hagopian, G., & Prendergast, M. (2004). **One year return to custody rates among co-disordered offenders.** *Behavioral Sciences and the Law*, 22, 503-518.

Comparisons of co-disordered offenders ( $N = 2,246$ ) and drug offenders without co-occurring psychiatric diagnoses ( $N = 6,304$ ) suggest co-disordered offenders spent less time in prison-based treatment and in aftercare programs than those offenders without a psychiatric diagnosis. Co-disordered offenders were also

significantly more likely to reoffend.

Ogloff, J. R. P., Lemphers, A., & Dwyer, C. (2004). **Dual diagnosis in an Australian forensic psychiatric hospital: Prevalence and implications for services.** *Behavioral Sciences and the Law*, 22, 543-562.

Data from 73 inpatients revealed that those with dual diagnoses had more extensive histories of hospitalizations than those with no substance use history. Inpatients with dual diagnoses were found to be at a higher risk for reoffense than those with no substance use diagnosis.

Parker, G. F. (2004). **Outcomes of assertive community treatment in an NGRI conditional release program.** *The Journal of the American Academy of Psychiatry and the Law*, 32, 291-303.

This retrospective study of 83 NGRI acquittees who received assertive community treatment while on conditional release found that 39 were hospitalized at least once during the study period (4 years). The estimated annual rate of hospitalization was 14%. Four acquittees were arrested; the estimated annual rate of arrest was 1.4%. Using multivariate logistic regression, length of potential conditional release positively predicted hospitalization and arrest while a diagnosis of schizophrenia was a negative predictor.

Peters, R. H., LaVasseur, M. S., & Chandler, R. K. (2004). **Correctional**

**treatment for co-occurring disorders: Results of a national survey.** *Behavioral Sciences and the Law*, 22, 563-584.

A survey of 20 co-occurring disorders treatment programs suggest all programs had a lengthy wait list, integrated mental health and substance abuse treatment, and most required both an Axis I diagnosis and substance use disorder. Clinical interventions varied across programs with specific program modifications and interventions discussed in detail.

Saks, S., Sacks, J. Y., McKendrick, K., Banks, S., & Stommel, J. (2004). **Modified TC for MICA offenders: Crime outcomes.** *Behavioral Sciences and the Law*, 22, 477-501.

Inmates with co-occurring mental illness and chemical abuse (MICA) were randomly assigned to a modified therapeutic community (MTC) or mental health treatment program (MH). Inmates in the MTC group had significantly lower reincarceration rates after a 12-month follow-up; inmates participating in MTC and subsequent treatment showed the lowest rates of reincarceration.

Seto, M.C., Harris, G.T., & Rice, M.E. (2004). **The criminogenic, clinical, and social problems of forensic and civil psychiatric patients.** *Law and Human Behavior*, 28, 577-586.

Two studies examined mental health staff ratings of both forensic and civil psychiatric inpatients in Canada. Results from both Study 1

(83 forensic and 189 civil inpatients) and Study 2 (423 forensic and 178 civil patients) indicated that forensic patients were rated as having fewer criminogenic, clinical, and social problems.

Trupin, E. W., Turner, A. P., Stewart, D., & Wood, P. (2004). **Transition planning and recidivism among mentally ill juvenile offenders.** *Behavioral Sciences and the Law*, 22, 599-610.

44 juveniles with at least one diagnosis in addition to CD were followed one year after their release from juvenile rehabilitation institutions. Offenders who received extensive post-discharge planning (e.g., contact with community treatment providers) and mental health treatment within the first three months of release were less likely to reoffend.

Ventura, L. A., & Lambert, E. G. (2004). **Recidivism 12 months after TASC.** *Journal of Offender Rehabilitation*, 39(1), 63-82. 300 randomly selected in the Treatment Alternatives to Street Crime (TASC) program in Ohio were examined to determine incidence of rearrest 12 months after discharge; 39% of the sample successfully completed TASC. Approximately 39% were rearrested within one year of discharge. Logistic regression revealed that successful completion of TASC, being older, White, and having fewer past arrests decreased the probability of rearrest.

*Research Briefs cont. on p. 16*



## RISKASSESSMENT

Davis, M., Banks, S., Fisher, W., & Grudzinskas, A. (2004). **Longitudinal patterns of offending during the transition to adulthood in youth from the mental health system.** *The Journal of Behavioral Health Services and Research, 31*, 351-366.

Using trajectory analysis, 131 subjects who received past mental health services were followed between ages 8 and 25; 64% had offended and were grouped into various clusters based upon their total offenses and offense type per year. One group displayed an increasing rate of offenses over time and two groups involved in serious person offenses displayed intermediate to high violent offense rates that persisted. Risk factors associated with these groups include younger age at first arrest, number of total charges, substance abuse, and lack of personality disorder.

De Voegl, V., de Ruiter, C., Hildebrand, M., Bos, B., & van de Ven, P. (2004). **Type of discharge and risk of recidivism measured by the HCR-20: A retrospective study in a Dutch sample of treated forensic psychiatric patients.** *International Journal of Forensic Mental Health, 3*, 149-165.

HCR-20 and PCL-R total scores demonstrated good predictive validity for violent recidivism of 120 forensic patients followed for an av-

erage of 72.5 months. Although the HCR-20 was a stronger predictor than the PCL-R, this advantage disappeared when the psychopathy item was removed from the HCR-20 total score.

Hanson, R. K., & Wallace-Capretta, S. (2004). **Predictors of criminal recidivism among male batterers.** *Psychology, Crime, and Law, 10*, 413-427. In Canada, 320 male batterers receiving treatment were administered various measures upon intake, including the Level of Service Inventory – Revised (LSI-R). 82 inmates recidivated over a 5-year follow-up period, and 55 recidivated with a violent offense. Men with criminal histories, high scores of lifestyle instability (from LSI-R), substance abuse problems, and those who were young and least engaged in treatment were more likely to recidivate. For violent recidivism, LSI-R scores and age were the best predictors; for general recidivism, LSI-R score was the only significant predictor.

Huss, M.T., & Zeiss, R.A. (2004). **Clinical assessment of violence from inpatient records: A comparison of individual and aggregate decision making across risk strategies.** *International Journal of Forensic Mental Health, 3*, 139-147.

There were no significant differences in the predictive accuracy of nurses, social workers, psychologists, and psychiatrists in predicting future violence. None of the

clinician groups were able to predict violence above chance levels whether risk was described using probabilities, risk categories, or a dichotomous decision. Results indicated somewhat improved accuracy in predicting the severity of future violence and when predictions were aggregated across decision makers.

Hilton, N.Z., Harris, G.T., Rice, M.E., Lang, C., Cormier, C.A., & Lines, K.J. (2004). **A brief actuarial assessment for the prediction of wife assault recidivism: The Ontario Domestic Assault Risk Assessment.** *Psychological Assessment, 16*, 267-275. This thirteen-item actuarial instrument showed a large effect size in predicting future assault. Scores were significantly correlated with the time until subsequent wife assault, and its frequency and its severity. The ODARA outperformed other tools, the SARA and DVSR, on both construction and cross-validation samples.

Lipien, L., & Forthofer, M. S. (2004). **An event history of recurrent child maltreatment reports in Florida.** *Child Abuse and Neglect, 28*, 947-966.

The relationships between recurrence of child maltreatment and child and case characteristics were analyzed in 189,375 cases that were reported to the Florida Abuse Hotline Information System between January 1998 and December 1999. Approximately 26% of the sample experienced at least one incident of recurrent

maltreatment within two years with the greatest risk of recurrence occurring within four months of the initial maltreatment report. Younger and White children were more likely to experience recurrence as well as those who were initially neglected or received in-home protective services after the initial maltreatment incident.

Losel, F., & Schmucker, M. (2004). **Psychopathy, risk taking, and attention: A differentiated test of the somatic marker hypothesis.** *Journal of Abnormal Psychology, 113*, 522-529. 49 German male offenders completed a translated version of the PCL-R, a gambling task, and standardized measure of attention. Psychopathic individuals with low attention performed worse on the task than psychopathic individuals with high attention, suggesting that those with low attention and high PCL-R score make riskier decisions than those with high attention.

Loza, W., et al. (2004). **Cross-validation of the Self-Appraisal Questionnaire (SAQ): An offender risk and need assessment measure on Australian, British, Canadian, Singaporean, and American offenders.** *Journal of Interpersonal Violence, 19*, 1172-1190.

Positive correlations between SAQ scores, used to predict recidivism, and violent offenses were found for all samples except American offenders. Adequate reliability and concurrent validity were found in all samples,



supporting the use of this instrument in various populations to measure risk. No significant differences between ethnic groups were found.

Messer, J., Maughan, B., Quinton, D., & Taylor, A. (2004). **Precursors and correlates of criminal behaviour in women.** *Criminal Behaviour and Mental Health, 14*, 82-107. Data from women who were raised in institutions ( $N = 86$ ) or by family ( $N = 97$ ) suggest having deviant peers in adolescence, unsupportive partners in adulthood and becoming pregnant are significantly associated with offending. Adolescent conduct disorder and living in an institution increased the likelihood of offending by 67%.

Mills, J.F., Kroner, D.G., Hemmati, T. (2004). **The Measures of Criminal Attitudes and Associates (MCAA): The prediction of general and violent recidivism.** *Criminal Justice and Behavior, 31*, 717-733. Among 144 incarcerated males, the MCAA demonstrated adequate predictive validity. Specifically, Part A of the MCAA, a self-report measure of criminal friends, was significantly related to general and violent recidivism outcomes. The Violence scale of the MCAA added unique variance in the prediction of violent recidivism to the use of an actuarial risk assessment instrument (GSIR) alone.

Palmer, E.J., & Hollin, C.R. (2004). **The use of the** *AP-LS NEWS, Winter 2005*

**Psychological Inventory of Criminal Thinking Styles with English young offenders.** *Legal and Criminological Psychology, 9*, 253-263.

Properties of the Psychological Inventory of Criminal Thinking Styles (PICTS) were examined among 515 male offenders (age range = 18 to 22 years) in England. No relationships between PICTS scores, age, and history of criminal offending were observed. Factor Analysis revealed a 2-factor model of PICTS scores, which differs from findings from adults.

Weizmann-Henelius, G., Viemero, V., & Eronen, M. (2004). **Psychological risk markers in violent female behavior.** *International Journal of Forensic Mental Health, 3*, 185-196. The presence of personality disorders and substance abuse problems were risk markers for violent female behavior as determined by comparing 61 violent offenders and 30 non-offenders. Recidivists were more likely to experience domestic violence and parental divorce, be diagnosed with APD, have psychopathic traits, abuse substances, and participate in non-violent criminality than first-time offenders.

#### SEX ABUSE & SEX OFFENDERS

Abbey, A., & McAuslan, P. (2004). **A longitudinal examination of male college students' perpetration of sexual assault.** *Journal of Consulting and Clinical Psychology, 72*, 747-756.

197 male undergraduates completed a modified version of the Sexual Experiences Survey and a series of measures assessing attitudes towards gender roles and women. Participants completed the same measures 11-12 months later. Those who reported having committed a sexual assault after the age of 14 during both assessments held more hostile gender-role beliefs and callous attitudes toward women than those who denied having committed a sexual assault.

Baker, E., & Beech, A. R. (2004). **Dissociation and variability of adult attachment dimensions and early maladaptive schemas in sexual and violent offenders.** *Journal of Interpersonal Violence, 19*, 1119-1136. Offenders ( $N = 35$ ) scored significantly higher on the Dissociative Experiences Scale (DES) than non-offenders ( $N = 21$ ). Hypotheses that sex offenders would experience greater variability on attachment dimensions, in early maladaptive schema, and in interpersonal behavior than violent offenders or non-offenders were not supported.

Beck, V. S., & Travis, L. F. (2004). **Sex offender notification and protective behavior.** *Violence and Victims, 19*, 289-302. Individuals who were notified that a sex offender was living adjacent to their addresses were significantly more likely to engage in defensive behavior (e.g., adding additional lighting to their household) than non-notified

individuals. Notified individuals were significantly more likely to report illegal or suspicious behavior than individuals who were not notified.

Jackson, R.L., Rogers, R. & Shuman, D.W. (2004). **The adequacy and accuracy of sexually violent predator evaluations: Contextualized risk assessment in clinical practice.** *International Journal of Forensic Mental Health, 3*, 115-129.

In predicting future sexual violence, forensic psychologists ( $n = 88$ ) applied the psycholegal standard for SVP commitment more precisely than graduate student participants ( $n = 134$ ), although the students demonstrated a greater ability to discriminate between types of violent behavior (sexual vs. nonsexual). The psychologists and graduate students were accurate in their predictions approximately one-half of the time. Victim impact statements biased all participants' predictions of violence and increased student support for involuntary commitment.

Mills, J.F., Anderson, D., & Kroner, D. G. (2004). **The antisocial attitudes and associates of sex offenders.** *Criminal Behaviour and Mental Health, 14*, 134-145.

Comparisons of sex offenders ( $N = 90$ ) and non-sex offenders ( $N = 119$ ) on the Measures of Criminal Attitudes and Associates (MCAA) indicate that differences in age and exposure to criminal environ-

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Research Briefs cont. from p. 17  
ment account for differences in criminal attitudes across offenders sampled rather than type of offense.

Sjostedt, G., Langstrom, N., Sturidsson, K., & Grann, M. (2004). **Stability of modus operandi in sexual offending.** *Criminal Justice and Behavior, 31*, 609-623.

Recidivism data from a 6-year follow up period was collected on all Swedish sex offenders released from 1993 to 1997. Results suggest that sex offenders have a high stability modus operandi, as measured by consistency across registered sexual offenses. Specifically, victim choice is an offense characteristic that is highly stable over time.

#### WITNESS ISSUES

Bornstein, B. H. (2004). **The impact of different types of expert scientific testimony on mock jurors' liability verdicts.** *Psychology, Crime, & Law, 10*, 429-446.

In Experiment 1, 152 undergraduates read a vignette with non-psychological expert testimony in a civil case. When the defense's expert offered anecdotal versus experimental evidence, the participants rated the expert as more credible and were more likely to find the defendant liable. In Experiment 2, 141 undergraduates rated the defense's expert as more credible when the defense provided anecdotal and experimental evidence. Those with a low need for cognitive activity judged the defendant as less

liable when provided anecdotal evidence; those with a high proclivity for numerical information judged the defendant as less liable when provided experimental evidence.

Culhane, S.E. & Hosch, H.M. (2004). **An alibi witness' influence on mock jurors verdicts.** *Journal of Applied Social Psychology, 34*, 1604-1616.

Mock jurors acquitted a defendant more often when an alibi witness had no relationship with the defendant. Testimony corroborating the defendant's alibi reduced the frequency of conviction when compared to ambiguous or noncorroborating testimony. Similar to previous research, eyewitness confidence was related to higher conviction rates, regardless of alibi testimony.

Davenport, J.L., & Cutler, B.L. (2004). **Impact of defense-only and opposing eyewitness experts on juror judgments.** *Law and Human Behavior, 28*, 569-576.

In a 2 (foil bias vs. unbiased) x 2 (instruction biased vs. unbiased) x 3 (no expert testimony vs. defense-only expert vs. opposing experts) study, 497 participants (257 community members and 240 undergraduates) watched a videotaped trial of an armed robbery in which an eyewitness positively identified the defendant. Participants in the biased conditions rated the instruction and photo lineup as more suggestible than participants in the unbiased conditions. Participants in the opposing expert condition perceived

the defense expert's testimony as less credible, influential, and useful, compared to participants in the defense-only expert condition.

Gabbert, F., Memon, A., Allan, K., & Wright, D.B. (2004). **Say it to my face: Examining the effects of socially encountered misinformation.** *Legal and Criminological Psychology, 9*, 215-227.

210 participants watched a videotape of a short simulated robbery (about 1.5 minutes) and completed recall questionnaires shortly after watching the robbery and participating in a misinformation phase. Participants were given misinformation by either reading a biased narrative or speaking to a biased-confederate. Those in the biased-confederate condition were found to be more likely to report misinformation and to change their responses after being misinformed.

Haw, R.M., & Fisher, R.P. (2004). **Effects of administrator-witness contact on eyewitness identification accuracy.** *Journal of Applied Psychology, 89*, 1106-1112.

300 undergraduate participants serving as eyewitnesses were more likely to make decisions consistent with the lineup administrator's expectations when there was a high amount of contact between them as opposed to a low amount of contact (measured by distance from and interaction with the witness during the lineup). The researchers suggest that the use of double blind testing, or at

least minimizing contact between line-up administrator and witness could reduce false identifications without reducing hits.

Ibabe, I., & Sporer, S. L. (2004). **How you ask is what you get: On the influence of question form on accuracy and confidence.** *Applied Cognitive Psychology, 18*, 711-726.

After viewing a film about a car theft, 62 undergraduates completed one of three versions of a test (open-ended, true/false, or multiple choice) about the theft. Questions concerned action and descriptive details that were central or peripheral (non-essential) to the crime. Participants answering open-ended and true/false questions were more accurate than those completing multiple choice tests. Overall, participants did better recalling central versus peripheral information, particularly for action details. Participants displayed greater confidence when they completed true/false and multiple choice tests and when they answered questions regarding action details and central information.

Stromwell, L. A., Bengtsson, L., Leander, L., & Granhag, P. A. (2004). **Assessing children's statements: The impact of a repeated experience on CBCA and RM ratings.** *Applied Cognitive Psychology, 18*, 653-668.

87 children either imagined or truly experienced a simulated medical check-up either one or four times. Children were interviewed one

week after the final event was imagined or experienced, and their statements were analyzed using Criteria-Based Content Analysis (CBCA) or Reality Monitoring (RM). Higher scores, associated with truthfulness using CBCA and RM, were obtained for repeatedly experienced and imagined events versus those experienced or imagined once. Using CBCA or RM, 44% and 53% of the statements based on true events were classified correctly, respectively, and 64% and 73% of statements regarding imagined events were correctly classified, respectively.

Tizzard-Drover, T., & Peterson, C. (2004). **The influence of an early interview on long-term recall: A comparative analysis.** *Applied Cognitive Psychology, 18*, 727-743. Canadian children ( $n = 141$ ) from three age groups (3-4, 5-7, 8-9 year olds) who were treated at an emergency room were placed in one of three interviewing conditions: interviewed 1 year after treatment, interviewed immediately and 1 year later, or interviewed immediately, 6 months, and 1 year later. Overall, children recalled more about the injury than the treatment and older children recalled more than younger children. The more interviews children had, the more they remembered at the 1 year follow-up.

Weber, N., Brewer, N., Wells, G. L., Semmler, C., & Keast, A. (2004). **Eye-witness identification accuracy and response latency: The unruly 10-12 second rule.** *Journal of Experimental Psychology: Applied, 10*, 139-147. Results from 3,213 experimental witnesses were consistent with previous research suggesting that accurate identifications are made quicker than inaccurate identifications. Results indicate that using the 10-12 second rule to distinguish accurate and inaccurate identifications may be inappropriate and suggest a larger range (5 to 29 seconds).

*Conference cont. from p. 1*

### La Jolla Attractions

La Jolla is a beautiful area and great place to be in early Spring. The area has incredible attractions, including beautiful beaches (from bicycling to surfing), a large bay (with cruises), and world famous animal parks and aquariums (the San Diego Zoo, Wild Animal Park, Sea World, Birch Aquarium). The Museum of Contemporary Art, Cabrillo Monument, and Mission San Diego de Alcalá are nearby. Terrific restaurants and great shopping (from the Gas Lamp Quarter to downtown) abound.

In short, La Jolla is a fantastic place to vacation . . . as well as conference. The Hyatt Regency at La Jolla (the conference hotel) has agreed to extend discounted room rates to those who would like to come early to, or stay late after, the conference.

For a list of local attractions provided by Frommer's, please see the hotel website at: <http://lajolla.hyatt.com/property/areaguide/localinfo/index.jhtml?hotelId=2154&level=0>

### Conference & Hotel Registration

The conference website provides links for online conference and hotel registration. See <http://www.csun.edu/~apls2005/>

The conference rates per night for the hotel are: \$160 (single or double occupancy), \$185 (triple), and \$210 (quadruple). To receive these rates you must make your reservation by February 5, 2005 and identify yourself as being part of the American Psychology and Law Conference. Please book your room early to ensure availability. You may book by going to <http://lajolla.hyatt.com/groupbooking/apls> or calling 858-552-1234.

### Transportation

Downtown La Jolla and the beaches are approximately four miles away from the conference hotel, and can be

accessed via a quick taxi ride or 10-15 minute bus ride.

The hotel is located 10 miles from the San Diego International Airport. Transportation from the airport to the hotel comes in the form of taxis and shuttles. Unless you are traveling in a group (where a taxi is a wise choice), the least expensive option is the Xpress Shuttle, which costs \$11 each way. You may also wish to rent a car (AVIS provides discounts to members of APA). If so, please note that the hotel charges guests \$16/day for parking in their garage.

We look forward to seeing you in La Jolla!

*Jennifer Skeem and Bradley McAuliff  
Conference Co-Chairs*

*True Witness cont. from p. 5*

*True Witness* is a good read. You may disagree with Doyle's "Great person" approach to history, you may think that certain great persons were short-changed in his account, and looking ahead you may be more optimistic or pessimistic about whether psychology's successes in this arena mark "the arrival of a tipping point" or "nothing more than a group of dead ends" (p. 205), a question Doyle raises in a final chapter entitled, "An Endgame." Either way, eyewitness researchers will enjoy this book, for sure, but so will other AP-LS members, historians of psychology, criminal justice professionals, and students—which is why this book now appears on my undergraduate psychology and the law syllabus.

*Saul Kassin is Professor of Psychology at Williams College in Williamstown MA. He has authored or co-authored many books, book chapters, and journal articles on police interrogations and confessions, jury decision making, and eyewitness testimony.*



### Legal Update cont. from p. 3

is a “patient communication” under Section 43.92. According to the court, the fact that the family member is not a “patient” is not crucial to the purpose of Section 43.92. The court also noted that because Section 43.92 was prompted in part by *Tarasoff*, which is rooted in the psychotherapist-patient privilege, both Section 43.92 and the psychotherapist-patient privilege should be accorded complementary interpretations. Therefore, because a communication between a patient’s family member and the patient’s therapist, made in the course of or functionally related to the diagnosis and treatment of the patient, is protected by the psychotherapist-patient privilege, that same communication should be considered a “patient communication” in determining whether a duty to protect is triggered under Section 43.92.

In summary, the court held that a communication from a patient’s family member is a “patient communication” under Section 43.92 that can trigger a therapist’s duty to protect if the information contained in the communication leads the therapist to believe that his or her patient poses a serious risk of grave bodily injury to a reasonably identifiable third party. In short, a therapist’s duty to protect can be triggered by a communication from the patient or the patient’s family member. The court expressly refused, however, to consider whether a therapist’s duty to protect could also be triggered by a communication from a third party other than a patient’s family member. Because there was a material factual issue regarding whether Colello’s statements were sufficient, in terms of content, to trigger a duty to protect on the part of Dr. Goldstein, the appellate court held that the trial court should not have granted summary judgment, and it reversed the judgment.

### Analysis of the *Ewing* Decision

In his classic text, *The Bramble Bush* (1951), Professor Llewellyn cautioned,

“The rule follows where its reason leads; where the reason stops, there stops the rule” (p. 157-8). When applied to statutes, Professor Llewellyn’s words suggest that a statute should be interpreted in a manner that is consistent with the statute’s legislative intent, and a statute’s judicial construction should be no greater than necessary to achieve the statute’s purpose. Unfortunately, the appellate court in *Ewing* did not heed Professor Llewellyn’s sage advice, and the court interpreted Section 43.92 in a manner that is arguably at odds with its intended purpose. Section 43.92 was enacted in response to the expansive decisions in *Tarasoff* and *Hedlund* and in recognition of the inherent difficulties that would result if therapists were required to *predict* whether a patient will be violent. Section 43.92 was intended to remove the element of prediction, and instead impose liability on a therapist for failure to protect only in situations where a “patient has communicated to the psychotherapist a serious threat of physical violence against a reasonably identifiable victim or victims.” Under Section 43.92, therapists were no longer required to predict whether a patient was going to be violent; rather, a therapist’s duty to protect was triggered when a patient made a specific threat of serious harm against a reasonably identifiable person. To determine whether a duty to protect is triggered, the therapist must determine whether a patient’s threat is credible (i.e., not an idle threat based on anger, or venting), serious in terms of potential harm, and directed at a reasonably identifiable person.

Ironically, the *Ewing* decision arguably puts therapists in a worse position than before Section 43.92 was enacted. Under *Ewing*, therapists must still determine whether a patient’s threat is credible, serious, and directed at a reasonably identifiable person, but they may need to make these often-difficult determinations based on second-hand information. (It is worth noting that this

type of second-hand communication would likely be excluded as hearsay in a court of law due to its potential unreliability.) Therapists will now be asked to judge the credibility of a patient’s threat not based on the patient’s statements to the therapist, but rather from statements that the patient made to a family member that were subsequently conveyed to the therapist. Moreover, in situations where immediate action is necessary based on the seriousness of the patient’s threat (conveyed via the family member), it is conceivable that a therapist may need to break confidentiality and discharge his or her duty to protect without first talking to the patient about the threats. It seems tragic that in these situations, confidentiality – which forms the cornerstone of the therapeutic relationship – will be broken based on second-hand information. The *Ewing* decision is only binding in California, but it is certainly not unreasonable to think that courts from other jurisdictions will adopt similar doctrines.

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# Fellowships and Positions

## Postdoctoral Fellowship in Forensic Psychology

A forensic clinic located in Cook County's Juvenile Court is offering a one-year forensic psychology postdoctoral fellowship, beginning September 9, 2005. The fellowship program offers didactic and clinical components and supervision by licensed clinical psychologists with expertise in forensic evaluation, and child protection and juvenile justice clinical issues.

Cook County's Juvenile Court is the largest and oldest juvenile court system in the nation. It serves the city of Chicago and surrounding suburbs, and consists of a child protection (abuse and neglect) division and a juvenile justice (delinquency) division. The Clinic is a public entity, operating under the authority of the Chief Judge of the Circuit Court of Cook County, with the goal of providing timely, accurate, culturally sensitive and relevant answers to mental health questions in juvenile proceedings. The fellowship program offers didactic and clinical components. Fellows participate in didactic seminars that address legal and clinical issues relevant to forensic practice in a juvenile court setting, as well as broader forensic issues. Fellows act as the primary clinician for sentencing evaluations and evaluations of parenting capacity. Fellows will assist in evaluations of competency to stand trial, competency to waive Miranda evaluations, and in evaluations used for termination of parental rights. Fellows will receive supervision from licensed clinical psychologists with expertise in forensic evaluation and child protection and juvenile justice clinical issues.

Applicants must have a doctoral degree in psychology and have completed an APA-accredited pre-doctoral clinical internship. Stipend is \$38,500 with benefits, and an additional \$500 for professional development. Send CV, 3 letters of reference, and a statement of purpose by **March 15, 2005** to:

Antoinette Kavanaugh, Ph.D.  
Cook County Juvenile Court Clinic  
2245 W. Ogden - 5th floor  
Chicago, IL 60612

or Email [a-kavanaugh@law.northwestern.edu](mailto:a-kavanaugh@law.northwestern.edu).

Candidates may interview in LaJolla, California at the APLS conference in March 2005 or on-site at the Clinic. Please specify in your cover letter whether you prefer to interview at the conference or on-site.

## Forensic Psychologist Juvenile Court Clinic

The Juvenile Court Clinic of Cook County is seeking a full-time licensed psychologist to conduct court ordered forensic evaluations of parents, adolescents, and children involved in child protection or delinquency proceedings. Specialized forensic training preferred but not required. Minority and bilingual applicants are encouraged to apply. Forward a letter of interest, writing sample, and curriculum vitae to: Julie Biehl, Director, 2245 W. Ogden - 5th floor, Chicago, IL 60612, Fax: 312-433-6851, Email: [j-biehl@law.northwestern.edu](mailto:j-biehl@law.northwestern.edu)

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## Post-doctoral Fellowship in Dispute Resolution

Northwestern University's Dispute Resolution Research Center (DRRC) and School of Law invite applications for a joint two-year fellowship at the post-doctoral level. Applicants must have completed a J.D. **and** a Ph.D. in a social science discipline prior to beginning the fellowship.

Fellows will hold the title of Visiting Assistant Professor, and will have the opportunity to pursue their own empirical research. Fellows are also invited to join in the ongoing research of DRRC associated faculty, located at the Kellogg School of Management, the School of Law, and other departments at the university. Fellows will have the opportunity to audit courses, and to participate in DRRC and School of Law seminars and workshops. Fellows will participate in Kellogg's internship program for the negotiations course, and then will be assigned to teach 3 sections of the course per year at the School of Law or Kellogg. The fellowship pays \$64,400 per year plus benefits and includes \$5,000 per year in research support. Information about Northwestern University School of Law's Visiting Assistant Professor program is available at: <http://www.law.northwestern.edu/faculty/recruitment/visitingassistant.html>.

Applications should include a vita, examples of written work, two letters of recommendation, and a statement as to how current or future research interests would benefit from association with the DRRC and the School of Law. Applications received by February 18, 2005 will be given full consideration. Awards will be announced around April 15, 2005.

Applications should be directed to: Nancy McLaughlin, Dispute Resolution Research Center, Kellogg School of Management, Northwestern University, 2001 Sheridan Road, Leverone Hall 371, Evanston, IL 60208-2001, Phone: (847) 467-6873, Fax: (847) 467-5700, <http://www.kellogg.northwestern.edu/drcc/index.htm>



# Call for Papers

## Assessment: *The Assessment of Interpersonal Aggression and Violence*

Guest Editors: John F. Edens & Kevin S. Douglas

*Assessment* is planning a special section devoted to the assessment of interpersonal aggression and violence. Although papers examining the utility of various risk factors or instruments are appropriate for submission, of particular interest are manuscripts that focus on the 'criterion problem' in relation to the operationalization and measurement of aggression and violence as outcome measures in applied assessment research. Despite increasing attention to the predictive validity of various constructs and instruments over the past few decades, relatively less consideration has been given to the conceptual, methodological, and statistical sophistication of the criterion measures used in much of the applied research on aggression and violence. Priority will be given to those papers that systematically examine multiple measures or operationalizations of aggression and violence, as well as those that address temporal or contextual factors impacting the incidence or prevalence of such behavior.

Submissions may address diverse assessment methods (e.g., self-report, laboratory measures, peer reports, official records), content areas (e.g., institutional aggression, family violence, workplace aggression, bullying, dating violence), and/or populations (e.g., children and adolescents, those with serious mental illness, sexual offenders, community samples), as long as they contribute to our understanding of the assessment of aggression and violence among humans. Both data-based papers and literature reviews and critiques are appropriate for submission if they focus on important conceptual, methodological or statistical issues in this area, such as the relative utility of latent constructs versus 'overt' measures of aggression; the applicability of differing operationalizations of violence to various legal criteria; the generalizability of the predictive validity of measures across increasingly severe or diverse forms of aggression; or the incremental validity of various risk assessment methodologies or instruments.

Questions regarding the appropriateness of potential submissions can be directed to either of the guest editors for this special section, John Edens ([jedens@smu.edu](mailto:jedens@smu.edu)) and Kevin Douglas ([douglask@sfu.ca](mailto:douglask@sfu.ca)). Manuscripts should be submitted electronically to [assessment@kent.edu](mailto:assessment@kent.edu) and will go through the standard review process, with the guest editors serving as the action editors. Authors should identify in a cover letter that the manuscript is being submitted for the special section. Deadline for receipt of submissions is **June 1, 2005**.

## *Behavioral Sciences and the Law* Special Issue on Malingering

*Behavioral Sciences and the Law* will devote a special issue to **Malingering** to be edited by Alan R. Felthous, M.D. Potential contributors may focus on any relevant topic, including malingered presentations in various criminal, civil, and military settings; different malingered conditions such as psychosis, mental defectiveness, and depression; malingered mental illness limited to the time of the act, clinical approaches to diagnosing malingering, psychological instruments for the detection of malingering, managing the malingering patient, and criminal or legal aspects of malingering. Empirical studies of measures and techniques for the assessment of malingering are welcome.

The deadline for receipt of manuscripts is September 1, 2005. Manuscripts should be twenty to thirty double-spaced typewritten pages. Submissions should conform to the style requirements of the latest edition of the *Publication Manual of the American Psychological Association*. Submissions must contain a 150 word abstract.

Send three copies (two of which should be prepared so as to be "blind reviewed") to the special issue editor, Dr. Felthous, at Chester Mental Health Center, P.O. Box 31, 1315 Lehmen Drive, Chester, Illinois 62233-0031; telephone: (618) 826-4751; e-mail: [DHSC6624@dhs.state.il.us](mailto:DHSC6624@dhs.state.il.us).

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### APLS Book Series

The American Psychology-Law Society Book Series, now published by Oxford University Press, publishes scholarly work that advances the field of psychology and law by contributing to its theoretical and empirical knowledge base. Topics of recent books (previously published by Kluwer/Academic Press) include false confessions, the death penalty, girls and aggression, and psychological injuries in civil law. Already scheduled for the Oxford series is a book on the death penalty by Craig Haney, a book on trial consulting by Amy Posey and Larry Wrightsman, and a book on psychological injuries in civil cases by William Koch, Kevin Douglas, Tonia Nicholls, and Melanie O'Neill. Inquiries and proposals from potential authors should be sent to Dr. Ronald Roesch, Series Editor (E-mail: [roesch@sfu.ca](mailto:roesch@sfu.ca) or phone: 604-291-3370). For information on the Kluwer series, see <http://www.wkap.nl/prod/s/PILP>. APLS members get a 25% discount on book orders for orders placed by telephone (not available online). Call toll free +1-866-269-9527 between 8:30-5:00 EST; or fax +1-781-681-9045. APLS members must specifically mention that they are members to receive the discount.

# 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 \$55 (45 Euros). Information about EAPL can be obtained at the Association website: [www.law.kuleuven.ac.be/eapl/](http://www.law.kuleuven.ac.be/eapl/). Information about *Psychology, Crime and Law* can be found at [www.tandf.co.uk/journals/titles/1068316x.html](http://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 29 through July 2, 2004, in Vilnius, Lithuania. Further details are available through the Association website.

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## 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/key-note 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@edu.edu](mailto:lnadkarn@edu.edu)

## Gail Goodman wins TWO APA awards ! Distinguished Contributions to Research in Public Policy AND Distinguished Professional Contributions to Applied Research

Gail Goodman, Professor of Psychology at University of California, Davis, was named recipient of TWO prestigious awards from the American Psychological Association. The honoree for Distinguished Contributions to Research in Public Policy is selected by the Board for the Advancement of Psychology in the Public Interest and is awarded to psychologists who have made a distinguished empirical and/or theoretical contribution to research in public policy, either through a single extraordinary achievement or a lifetime of work. Previous recipients include Shari Diamond, John Monohan, Linda Teplin, Gail Wyatt, Tom Grisso, and Mary Koss. The award for Distinguished Professional Contributions to Applied Research (previously called the Award for Distinguished Professional Contributions to Knowledge), is given to a researcher who has developed innovative applications in an area of psychological practice such as assessment, consultation, instruction, or intervention. Former recipients of this award include Ed Zigler, Paul Meehl, and Mary Ainsworth. Dr. Goodman will present two invited addresses at the 2005 APA Convention, one for each award, and is invited to submit an article to the *American Psychologist* based on her work that led to the Distinguished Professional Contribution to Applied Research award.

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## American Board of Forensic Psychology Workshop Schedule: 2004-2005

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. For more detailed information or registration, see our website at [www.abfp.com](http://www.abfp.com)

### Individual Specialty Area Presentations

Hyatt Regency  
La Jolla, CA  
March 2-6, 2005

Hilton Hotel  
St. Petersburg, FL  
April 13-17, 2005

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. As an ABPP Academy, our courses count toward California's mandatory CE requirements.



# Nominations, Awards, and Announcements

## Student Research Paper Competition

In order to promote student involvement, through research applicable to litigation sciences, the Research Committee of the American Society of Trial Consultants conducts an annual Student Research Paper Competition. The winner will be invited to present his or her research at the 2005 ASTC Conference, June 8-12 in Philadelphia, Pennsylvania.

The paper topic can address any issue related to the profession of trial consultation including, but not limited to: voir dire, witness examination, the use of technology in the courtroom, and jury decision-making. Papers should be empirically based (include a purpose/theoretical rationale, methodology/ procedures employed, results and a discussion of the significance of the results to the field of trial consulting), in a format that is suitable for submission to a research journal, and no more than 35 double-spaced pages in length (inclusive of references, tables and appendices). Research must have been conducted while the first author was an actively enrolled student in a recognized university degree program (undergraduate, graduate or professional school). The first author must be a currently enrolled student, or have graduated no earlier than May 2004.

In addition to the opportunity to present his or her research and to enhance his or her vita, the winner will receive a \$500 award, a one-year ASTC membership (for the upcoming year), and free registration for the 2005 conference, including official meal functions (transportation and accommodation costs regrettably not included). In the event of multiple authors, the award will be presented to the first author.

Three copies of the paper must be received, at the address listed below, no later than **April 14, 2005**. Papers should be prepared in keeping with a blind review (include a cover page indicating the title, name, address, phone number and email address of the first author); submissions will not be returned. The Research Committee reviews all entries for quality, (e.g. meeting the call, soundness of methodology, etc.) and evaluates all papers. If, in the Committees opinion, no submissions meet the Societys call and/or quality standards, an award will not be made. To learn more about the American Society of Trial Consultants, visit our website: <<http://www.astcweb.org/>><http://www.astcweb.org>

Send copies of submissions to: Dr. Donna Shestowsky, Chair, ASTC Grants and Awards, University of California, Davis School of Law, 400 Mrak Hall Dr., Davis, CA 95616, Email: [dshest@ucdavis.edu](mailto:dshest@ucdavis.edu)

## 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. Persons who will have defended dissertations in 2004 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 2004 Awards, one hard copy of the completed dissertation, an electronic copy of the dissertation (in Word), along with a letter of support from the dissertation chair, should be sent by January 1, 2005 to Jennifer Groscup, Chair, AP-LS Dissertation Awards Committee, Department of Psychology, John Jay College of Criminal Justice, The City University of New York, 445 West 59<sup>th</sup> Street, New York, NY 10019-1128, [jgroscup@jjay.cuny.edu](mailto:jgroscup@jjay.cuny.edu)

Note: The electronic copy can be sent via email as an attachment in Word to the email address above.

## APLS Book Series

The *Perspectives in Law and Psychology* series, sponsored by APLS, publishes scholarly work that advances the field of psychology and law by contributing to its theoretical and empirical knowledge base. Topics of books in include false confessions, the death penalty, girls and aggression, and psychological injuries in civil law. 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](mailto:roesch@sfu.ca) or phone: 604-291-3370; fax: 604-291-3427). For information on the series, see <http://www.wkap.nl/prod/s/PILP>. APLS members get a 25% discount on book orders. However, this discount is not available when ordering online. Call toll free +1-866-269-9527 between 8:30-5:00 EST; or fax +1-781-681-9045. APLS members must specifically mention that they are members to receive the discount.

The following books have recently been published:

Moretti, M. M., Odgers, C. L., & Jackson, M. A. (Eds.). (2004). *Girls and aggression: Contributing factors and intervention principles*. (Volume 19).

Lassiter, D. (Ed.). (2004). *Interrogations, confessions, and entrapment*. (Volume 20).



## Nominations and Applications for Fellow Status

AP-LS/Division 41 is seeking nominations (including self-nominations) for Fellow status. Successful candidates who are not currently APA Fellows must demonstrate evidence of unusual and outstanding contributions to psychology and law and obtain the endorsement of two current AP-LS/Division 41 Fellows. Successful candidates who are currently APA Fellows must provide evidence of unusual and outstanding contributions to psychology and law, but need not obtain the endorsement of current Fellows. Please submit nominations or request further details concerning the application process to Kirk Heilbrun, Chair of the AP-LS/Division 41 Fellows Committee ([kirk.heilbrun@drexel.edu](mailto:kirk.heilbrun@drexel.edu)). Those wishing to be considered for a final decision by 8-05 must have all materials submitted to the Committee Chair by 1-15-05. Those seeking a decision by 8-06 should have completed materials submitted by 1-15-06.

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### Share Your Syllabus for Psychology-Law Courses

The APLS Careers and Training committee is renewing its efforts to collect syllabi for courses in Psychology and Law and closely related topics. Some syllabi are already posted on the website (<http://www.unl.edu/ap-ls/syllabi.htm>). Won't you consider sharing ideas and resources with your APLS colleagues? The collection is a valuable resource for developing a new course, revamping a current course, or learning what other programs offer. We welcome information on undergraduate and graduate courses. Please send your syllabus, preferably as a PDF or Microsoft Word attachment, to Jen Woolard at [jlw47@georgetown.edu](mailto:jlw47@georgetown.edu).

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### Bottoms and Ogloff named co-winners of AP-LS Award for Outstanding Teaching and Mentoring in Psychology and Law

The Careers and Training Committee is delighted to announce that Drs. Bette Bottoms and Jim Ogloff have been named co-winners of the award for *Outstanding Teaching and Mentoring in the Field of Psychology and Law* for 2005. This 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. Dr. Bottoms received her doctorate from SUNY Buffalo in 1992, and is Professor of Psychology at University of Illinois at Chicago. Dr. Ogloff received his J.D. and Ph.D. from the University of Nebraska. He is currently a Professor of at Monash University in Australia.

## Association of Threat Assessment Professionals Dr. Chris Hatcher Memorial Scholarship

The National Board of Directors of the Association of Threat Assessment Professionals (ATAP) seeks to encourage qualified candidates to compete for the Dr. Chris Hatcher Memorial Scholarship. The winning candidates will receive a \$1,500 scholarship to be awarded at the Twelfth Annual Threat Management Conference, August 27 to August 30, 2002. Founded in 1992, ATAP brings together threat assessment professionals from both the public and private sectors. This scholarship honors the memory of one of its most prominent members, Chris Hatcher, Ph.D. This scholarship provides financial support to individuals planning to work in the field of forensic psychology, psychiatry, and social work.

### Selection Criteria

- Open to all graduate, post-graduate, and post-doctoral students studying in the field of forensic psychology, psychiatry, social work, or related social service fields.
- Applicants must be involved in a full-time program at a recognized college, university, or university medical center.
- Applicants in graduate school programs must currently maintain a 3.0 grade point average (on a 4.0 scale). For those applicants in post-graduate and post-doctoral programs, where grades are often not used, grade transcripts from their most recent graduate school program are acceptable.
- Applicants must be of sound character and shall not have been convicted of any crimes.

### Required Materials

- A completed application form and an official grade transcript.
- An institutional validation of program enrollment.
- A completed Curriculum Vitae.
- At least two recommendations: one of which must be from the training director of the applicant's program and the other from a faculty member with direct supervisory experience in regards to the applicant's work.
- A brief statement (no more than 500 words, double-spaced and typed) describing the applicant's interest in the areas of risk of violence, threat assessment, and threat management.

For further information, please contact:

Victor R. Scarano, M.D., J.D.  
Chief, Forensic Psychiatry Services  
Baylor College of Medicine  
6560 Fannin Street, Suite 832  
Houston, Texas 77030  
(713)798-3944; [vscarano@bcm.tmc.edu](mailto:vscarano@bcm.tmc.edu)



# 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 Psychology  
University of Nebraska  
238 Burnett Hall, Lincoln  
NE 68588-0308

Electronic submissions can be submitted via e-mail to [mscalora@unl.edu](mailto:mscalora@unl.edu) (paste your submission into your e-mail or include an attached file in word perfect, word, or ASCII format). Committee members: Mario Scalora, Univ. of Nebraska, Garrett Berman, Roger Williams University, Elizabeth Bennett, Washington and Jefferson College, Robert Cochrane, U.S. Department of Justice. **There are two deadlines each year: September 30 and January 31.**

## American Academy of Forensic Psychology Dissertation Grants in Applied Law & Psychology

The American Academy of Forensic Psychology (AAFP) has made available up to \$5000 (maximum award is \$1,500 per applicant) for grants to graduate students conducting dissertations in applied areas of law and psychology, with preference shown for dissertations addressing clinical-forensic issues. Awards can be used to cover dissertation costs such as photocopying and mailing expenses, participant compensation, travel reimbursement, etc. Awards may not be used to cover tuition or related academic fees. Requests submitted in prior years are ineligible.

Applications will be reviewed by a committee of AAFP fellows and grants will be awarded based on the following:

1. potential contribution of the dissertation to applied law-psychology
2. methodological soundness/experimental design
3. budgetary needs
4. review of applicant's personal statement

Students in the process of developing a dissertation proposal and those collecting dissertation data as of March 31, 2005 are eligible. To apply, students must submit 4 copies of the following no later than March 31, 2005 (incomplete applications will not be considered):

1. a letter from the applicant detailing:
2. his/her interest and career goals in the area of law and psychology
3. the proposed dissertation and its time line
4. the dissertation budget, the award amount requested, and how the award will be used
5. a current CV
6. a letter (no longer than one page) from the applicant's dissertation chair/supervisor offering his/her support of the applicant, noting that the dissertation proposal has been or is expected to be approved, and will be conducted as detailed in the applicant's letter

Submit the materials electronically (no later than March 31, 2005) to: [maconroy@shsu.edu](mailto:maconroy@shsu.edu) OR Submit four copies of (postmarked no later than March 31, 2005) to: Mary Alice Conroy, Ph.D., SHSU Psychological Services Center P. O. Box 2210, Huntsville, Texas 77341-2210

Questions or inquiries regarding the award competition can be directed to Mary Alice Conroy at the above address or via Email at [maconroy@shsu.edu](mailto:maconroy@shsu.edu).

# Notes From The Student Chair



## AP-LS Student Officers E-mail Addresses

Chair, Kim Coffman  
coff5143@bellsouth.net

Past Chair, Tara Mitchell  
tmitch01@fiu.edu

Chair Elect, Christopher Kunkle  
cdkunkle@optonline.net

Secretary/Treasurer, Peter Shore  
ryannah@aol.com

Student Newsletter/Web Editor,  
Michael Griffin  
griff067@barna.ua.edu

AP-LS Student Homepage  
[www.psy.fiu.edu/~apls-students](http://www.psy.fiu.edu/~apls-students)

AP-LS Student E-mail  
apls-st@psy.fiu.edu

## Dear AP-LS Student Members

We are in the final planning stages for the upcoming AP-LS conference and wanted to update you on some events of interest there that you'll want to mark on your calendars for Friday, March 4<sup>th</sup> and Saturday, March 5<sup>th</sup>:

### Friday, March 4<sup>th</sup>

First, mark your calendars for a symposium on "Advice for Graduate Students and Beginning Professionals" that will be held in Aventine C from 4:00 to 5:20 p.m. on Friday. Several activities have been planned for this symposium that should interest you, including presentations regarding the activities and services of the Careers and Training Committee of the AP-LS, the activities and services of the Mentoring Committee, and additional information provided by a host of speakers regarding advice on teaching, publishing and clinical practices.

Following the symposium, the Student Organization has planned a panel session on the topic of "Obtaining Employment After Graduation" in Aventine B from 5:30 to 6:20 p.m. Information regarding how to plan and give a "job talk" will be discussed, and guidance will be provided regarding the kinds of information one should focus on when securing a job contract.

### Saturday, March 5<sup>th</sup>

Be sure to plan to stay in San Diego through Saturday morning so that you can attend the "Student / Faculty Mentor Breakfast" that will be held in Aventine C from 8:00 – 9:00 a.m. on Saturday. Several professionals from our diverse areas in AP-LS are planning to join us for a light breakfast in order to allow us to interact with "mentors" in small discussion groups in a comfortable setting. The purpose of this breakfast is to connect both graduate students and beginning professionals with mentors who can provide assistance through our early careers.

We look forward to meeting you at the conference and working with you in the future! Keep in mind – student officer elections will be forthcoming for those of you who may have an interest!

Thank you,

*Kim Coffman*  
*Chair, Student Section*



