



## AP-LS 2011 International Congress on Psychology and Law Hyatt Regency, Miami, FL March 3rd – March 5th, 2011

The program for the AP-LS/4<sup>th</sup> International Congress on Psychology and Law is now available for electronic viewing at the conference website (<http://www.ap-ls.org/conferences/apls2011/index2011.htm>). If you have not already visited the conference website, please be sure to do so as from there you will be able to register for the conference, register for pre-conference workshops, reserve a room at the conference hotel (most nights already sold out), and read about special sessions that are planned for the conference. Unlike previous years, wherein the conference is typically 2 ½ days of programming, this year we will have 3 full days of conference programming as members of the **European Association of Psychology and Law (EAPL)** and the **Australian and New Zealand Association of Psychiatry, Psychology and Law (ANZAPPL)** will join the **American Psychology – Law Society (AP-LS)** to make this the first-ever International Congress held in North America (previous locations have been Dublin, Ireland (1999); Edinburgh, Scotland (2003); and Adelaide, Australia (2007)). The opening session will begin at 9:00am on Thursday, March 3<sup>rd</sup>, and will kick off 3 days of concurrent symposia, paper sessions, and poster sessions as well as a number of award presentations. This article will provide some brief highlights for the upcoming conference. For more information, please see our conference website, which is regularly updated with new information about the conference (and is a great source for answers to all of your questions).

### Pre-Conference Workshops

Several pre-conference continuing education workshops are being offered on Wednesday March 2<sup>nd</sup>. Four full-day workshops (8:00 am – 5:00 pm; 7 CEs) and two half-day workshops (8:00 am – 12:00 pm & 1:00 pm – 5:00 pm; 3.5 CEs) are being offered. Full-day workshops include: “Assessment, Treatment, & Risk Management of Sexual Offenders” presented by Robin J. Wilson; “Assessing High Risk Youth: Conceptual and Methodological Challenges” presented by Lorraine Johnstone; “Treating Offenders with Mental Illness: Toward an evidence-based intervention” presented by Robert Morgan and Daryl Kroner; and Introducing the Comprehensive Assessment of Psychopathic Personality (CAPP)” presented by David Cooke and Stephen Hart. Half-day workshops include: “The Miranda Rights

Comprehension Instruments” presented by Naomi Goldstein, Heather Zelle, and Alan Goldstein; and “Causal Inference Using Propensity Scores” presented by Thomas Loughran.

### Within-Conference CE Sessions (Sponsored by CONCEPT)

As in Vancouver last year, we are pleased to be able to offer Continuing Education (CE) Credits for psychologists for some of the sessions at this year’s conference in Miami. There will be a \$25 administrative fee for this service, which will allow interested participants to receive up to 15 CE Credits. For more information on the sessions for which CE Credit will be offered and the procedures for obtaining CE Credit, please see the conference program and/or go to the CONCEPT website (<https://secure.concept-ce.com/live-ce-courses/conference-ces/ap-ls.html>).

### Opening Session

The opening session will take place from 9:00 am – 11:50 am on Thursday March 3<sup>rd</sup>. Each of the Presidents from the three participant organizations will provide a brief welcoming statement followed by a presentation of the APLS 2011 Outstanding Teaching and Mentoring Award as well as announcements of the winners of other awards, including the APLS Dissertation Awards for 2010.

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## Presidential Column

### An Editorial by Patty Griffin, Div. 41 President

As noted in my first column, one of my goals during my year as President of AP-LS is to develop a better picture of our members and our membership trends over the years. Since APA keeps annual statistics describing the membership of each division, our most detailed picture of the majority of our membership is for those who are both APA and AP-LS members. In this column, I'll describe what we know about those members based on 2009 information provided by APA.

The earliest numbers for AP-LS/APA members dates back to 1981, when we had 581 joint members. The largest number was 2,325 in 2000. Since that time, there have been small annual decreases. Our joint membership in 2009 was 1,822: 1,629 in APA Member status (doctorate in psychology or related field), 28 in APA Associate status (masters or 2 years of psychology graduate study), and 165 in APA Fellow status

Our office records indicate another 853 members with most of them students (762), international affiliates, and those who are members of AP-LS but not APA.

Back to the AP-LS/APA description. Women represent 34%, as compared to 56% of the general APA membership. 20% of our 165 fellows are women.

Almost 84% of our AP-LS/APA members identify their race/ethnicity as White while 2% identify themselves as Black, 2% as Hispanic, and 1% as Asian. Almost 11% do not specify race/ethnicity.

As a group, we're most kindly described as "middle aged." Less than 9% of the AP-LS/APA members are under the age of 40. Our mean age is 57 years. Almost 10% of our organization is 70 years or older.

Almost 99% have a doctorate. One percent report having a terminal master's degree. For 64% of our AP-LS/APA members, it has been 20 years or more since receiving their degrees. For 22%, it has been 10 to 20 years. A total of 12.2% completed their degrees less than 10 years ago.

The vast majority (78%) describe their current major field as Health Service Provider with another 10% in Research and Related subfields. Some 79% are licensed. A total of 149 (8%) hold forensic diplomate status from ABPP. Another 92 (5%) have a clinical psychology diplomate from ABPP, with an additional 72 holding other ABPP diplomates. A total of 60% paid the 2009 practice assessment.

The primary work settings for full-time employed members are independent practice (43%), university and other academic settings (25%), government (10%), and hospital and other human service settings (12%). Approximately 3% of our AP-LS/APA joint members noted that they are retired with half of those describing themselves as still working.

In the future and as data permit, I'll try to put these numbers into the context of our larger membership. What now seems clear is that while our organization is doing a great job attracting student members (762 in 2009), we need to find ways to retain them as they graduate and move into their early careers. We also need to support Early Career Professionals' involvement with AP-LS in a host of ways.

As always, let me know what you think about these issues. I look forward to seeing you soon in Miami for the 4<sup>th</sup> International Congress on Psychology and Law. Margaret Bull Kovera and Patty Zapf have put together a terrific program along with program chairs from European Association of Psychology and Law and the Australian and New Zealand Association of Psychiatry, Psychology and Law. Other major contributors to the conference are Karen Galin, leading our Continuing Education workshop, and Kathy Gaskey, our very hard-working Administrative Assistant.

Patty Griffin

Note: Many thanks go to Kathleen Kemp, MS. (Drexel graduate student and current UMass Medical School intern), Kathy Gaskey (our Administrative Assistant), and Katy Winckworth-Prejsnar (my research assistant) for help putting together this information.

Division 41 - American Psychological Association  
**Law and Human Behavior Updates:  
Indicators of Journal Health**  
Brian Cutler, Editor

As I ended another calendar year in my role of editor – the busiest year to date – I spent some time over the holidays reflecting on the review process and the work of reviewers.

We all know that the peer review process is not perfect, but it remains our main method of quality control in psychological science. That said, I decided to use this column to offer a few observations about the work of LHB reviewers, and by reviewers I mean editorial board members, ad hoc reviewers, and student reviewers. In the December, 2010 issue, we acknowledged a list of about 190 reviewers, each of whom reviewed at least one manuscript. Many of these reviewers evaluated multiple manuscripts. Some reviewed manuscripts and revisions of the same manuscripts. I have not counted the number of reviews that were submitted during that period, but I am confident that the number is substantial. If a scholar with economic interests and training were to estimate the cost to academia of the review process, perhaps based on estimates of the amount of review time and average salaries of those reviewers, the cost would undoubtedly impress us.

The reviews that we obtain are impressive from a qualitative standpoint as well. Although the reviews range in depth and detail, it is obvious that reviewers read the manuscripts very carefully, sometimes read additional research specifically for the review, and edit multiple drafts of their reviews before submitting them. Reviewers often tell me that they sleep on their reviews before submitting them, which means that they continue to exert mental effort on the reviews between drafts. Most reviewers serve as anonymous, ad hoc mentors to the authors, giving constructive suggestions for improving their manuscripts and moving forward with their research programs. Reviewers also take very seriously the effect their reviews have on authors. I commonly receive confidential comments from reviewers expressing concerns that authors may perceive their reviews as too harsh or too critical. Although it is difficult for me to ascertain the effect of the reviews on the authors, my own assessment is that the reviews are not overly harsh or critical and are most often constructive. I receive few complaints from authors about the reviews.

When I consider the standard hourly fee (\$0.00) that LHB pays reviewers for the impressive quantity and quality of reviews we receive and the likely bonus that reviewers receive from their employers for this work (\$0.00), I am seri-

ously humbled. This dedication to our peer review process demonstrates tremendous personal and professional commitment to LHB, AP-LS, our discipline, and the broader scholarly enterprise.

Reviewers should know that their efforts are recognized and deeply appreciated. Manuscripts that LHB publishes are improved as a result of the peer review process, sometimes dramatically. The reviews contribute to the professional development of authors and to the growing status of Psychology and Law within the scientific psychology and legal communities.

For the first time in LHB's history, we received more than 200 new manuscript submissions in one year (2010). Given the large number of new submissions and revisions, our reviewers worked overtime. We are always looking to spread this work around, and we welcome offers to review. If you are not receiving LHB submission for review and are willing to contribute to this process, please send me an email, introduce yourself, attach your CV, and let me know the research areas in which you are comfortable reviewing. We could use your assistance.

And keep sending us your best work!

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### **Law and Human Behavior: Online First**

LHB is now a member of Springer's Online First program. In this program, manuscripts accepted for publication in LHB are immediately placed in the production cue and soon thereafter published online. It is important to note that, once these manuscripts are published online, they are published. They are not "in press," but "published." Each article published online is assigned a Digital Object Identifier (DOI). Sometime later, the article is then published (again) in print. This is a very exciting development for LHB, for it means that we can greatly reduce the time between acceptance of manuscripts and (online) publication.

**How do I access Online First articles?** AP-LS members have the benefit of full-text access to LHB articles (including back issues of published journals) through Springerlink. To obtain this access, however, members must first log onto the AP-LS web page and then navigate to Springerlink through the AP-LS page (you will find a convenient link). Many university faculty members and students also have the option of logging on through their library networks.



# Legal Update

## Should I Stay or Should I Go?

### Psychology Applied to Judicial Recusal and Disqualification

Editor: Jeremy Blumenthal, J.D., Ph.D.

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#### I

Readers of a certain age (i.e., mine [i.e., advanced]) may remember one of the first Nintendo Entertainment System games, “Duck Hunt,” where the player’s hunting dog would flush ducks out of the grass, and the player would try to shoot the ducks as they flew around the screen for some time. Successful shooting led to high scores and advancing levels; poor marksmanship led to the dog turning to snicker at the player.

Duck hunting came to the attention of the public in quite another way in early 2004. In January of that year, Justice Antonin Scalia and Vice-President Dick Cheney, among others, were guests together on a two-day hunting trip in Louisiana. In an unrelated lawsuit against Cheney that eventually wended its way to the Supreme Court, Sierra Club, one plaintiff in the lawsuit, filed a motion to recuse Justice Scalia based on an appearance of partiality for having flown with the Vice-President to Louisiana and accompanied him on the hunt (Goodson, 2005). In keeping with the Court’s “historical practice,” the motion was to be resolved by none other than Justice Scalia. In an extensive—but not entirely persuasive—memorandum, Justice Scalia addressed the allegations against him (or against the appearance of his propriety), corrected some inaccuracies in media reports of the trip, and ultimately denied the motion. He sat on the case and was part of the 7-2 majority ruling in favor of Vice President Cheney. More recently, the Supreme Court decided the *Caperton* case, holding that it was improper on the facts at bar—indeed, an unconstitutional violation of due process on those facts—for a state judge not to recuse himself in a case involving a major independent campaign supporter (*Caperton v. A.T. Massey Coal Co.*, 2009). In a lawsuit between two coal companies, the plaintiff company had sought the recusal of a recently elected state Supreme Court justice on appeal of a verdict against the defendant, where the CEO of the defendant company had contributed several million dollars to the justice’s campaign (Goodman, Caroline, & Marks, 2010). The justice did not recuse himself and eventually cast a deciding vote overturning the verdict (Goodman et al., 2010). The U.S. Supreme Court held, however, that on the *Caperton* facts there was such a risk of bias that recusal was mandated.

And in December of last year, Judge Stephen Reinhardt on the U.S. Court of Appeals for the Ninth Circuit refused to recuse himself on an appeal in the *Perry v. Schwarzenegger* case—California’s “gay marriage” case—despite his wife’s recent leadership role in the Southern California branch of the ACLU. The ACLU was not a party to the suit, but had filed court documents the previous year arguing that Proposition 8, defining marriage to be only between a man and a woman, be ruled unconstitutional (as it was).

Judge Reinhardt denied a motion to disqualify himself, stating that he could and would rule impartially in the case.

The judicial system has guidelines for determining when recusal is appropriate or even mandated. Recusal at the federal level is governed by three statutes (Hayes, 2008). One, 28 U.S.C. s.144, applies solely to district (trial) court judges, and operates when a party alleges a factual bias, a judge’s “personal bias or prejudice” against that party. The broader statute, 28 U.S.C. s. 455, applies to any judge. In two subsections it identifies a number of specific circumstances in which a judge must recuse himself and also mandates recusal (disqualification; the two terms have become virtually synonymous) where the judge’s “impartiality might reasonably be questioned.” The third, rarely applied, mandates disqualification where a judge would hear an appeal of a case she heard at a lower level (28 U.S.C. s. 47). Federal and state jurisdictions also rely heavily on the American Bar Association’s Code of Model Judicial Conduct (2004), which refers both to the reasonable questioning of a judge’s impartiality and identifies specific facts that should mandate disqualification (see Hayes, 2008).

Seen another way, there are thus at least three sorts of circumstances that might call for judicial recusal. The first, of course, is in a case in which a judge or justice has a direct interest. The second is the Scalia context, where the *appearance* of partiality is suggested and, under the circumstances, a reasonable observer might question the judge’s impartiality. The third, something of a combination of the first two, is along *Caperton*’s lines, where the facts are such that a reviewing court perceives such a risk of actual bias that it presumes a judge would be unable to resist.

#### II

**What could legal psychology research have to say about these circumstances and about judicial recusal issues in general?**

As indicated in Justice Scalia’s example, at the level of the Supreme Court (Lubet, 2010)—but in many other jurisdictions as well—the challenged jurist is the one to address and resolve the motion for recusal. Other jurisdictions (about half the states) identify the seemingly obvious difficulty in having the individual being challenged decide whether he or she is in fact unbiased, or even whether there might be the appearance of bias in hearing or deciding the particular case (see Abramson, 1994, and Roberts, 2004, for ongoing criticism of this arrangement). Empirical research could address whether a jurist is in fact able to set aside any bias in deciding whether he might in fact be (or appear to be) biased. For instance, a study might present judges with potential

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# Expert Opinion

Editors: Matthew Huss & Eric Elbogen

## Questions About the Construct of Empathy in the Treatment of Adolescents in the Juvenile Justice System

Matt Zaitchik and Frank DiCataldo, Roger Williams University  
& Lois Condie, Harvard Medical School

Embedded in many treatment programs for adolescent offenders are modules that help them take responsibility for their actions, take the perspective of victims, and abandon excessive self-focus in favor of a broader view of individuals and communities. Empathy training has become a primary objective for the great majority of offender treatment programs in the United States, both for adult and juvenile offenders, especially for sex offenders. For example McGrath, Cumming, Burchard, Zeoli, & Ellerby (2010) report that 92.7% of adult, 92.6% of adolescent, and 76% of child sex offender treatment programs in the U.S offer empathy and victim awareness training. Is the reliance on empathy/victim perspective taking justified? That is, can we demonstrate that such a treatment approach has an impact in reducing violent or sexual recidivism? Moreover, is the direct teaching of victim empathy likely to reduce recidivism in populations of adolescent offenders or are there more developmentally-appropriate approaches worth considering?

The inclusion of empathy enhancement in treatment protocols for offenders is almost universal among treatment providers (Knopp, Freeman-Longo, & Stevenson 1992; Nangle, Hecker, Grover, & Smith, 2003). The assumption that a lack of or reduced victim empathy plays a central role in the violent or sexual offenses against others appears self-evident. It is also assumed that an increase in the victim empathy of offenders thereby, decreases their self-serving cognitive distortions (McCrary, Kaufman, Vasey, Barriga, Devlin, & Gibbs, 2008) and thus they will be less likely to violently offend in the future. The first assumption appears to be supported by the literature. Studies have consistently demonstrated that many types of offenders, both adult and adolescent, display deficits in empathy toward victims as well as general empathy toward others (Jolliffe & Farrington, 2004). It has been demonstrated that a subset of more severe delinquent adolescents demonstrate deficits in measures of empathy. Studies have also demonstrated deficits in moral reasoning and the presence of self-serving cognitive distortions among delinquent youths (McCrary et al., 2008). The latter assumption, however, has not been supported by consistent empirical evidence. As noted by McGrath and his colleagues (2010), "Offense responsibility and victim empathy ... are targeted in almost all programs for adult and adolescent abusers. Yet little evidence that focusing of these issues in treatment results in reduced reoffending rates" (p. x).

### **Empathy deficits in delinquents with psychopathic traits**

Despite the intuitive belief that treatment can increase empathy and will lead to reduced levels of recidivism, there are equally persuasive arguments against this practice. It has been demonstrated that psychopathic offenders lack the capacity for empa-

thy, perhaps at the neurocognitive level (Dolan, 2004; Preston & de Waal, 2002). It has been posited that psychopaths "know the words, but not the music" of emotion; therefore, they might learn the nomenclature of empathy but do not emotionally experience it. Although it is inappropriate to label adolescent offenders as psychopaths, numerous studies have identified a significant subgroup of adolescent offenders that could be considered to be at risk for psychopathy in adulthood or who exhibit psychopathic traits, including deficits in empathy (Caldwell, Skeem, Salekin, and Van Rybroek, 2006; Cohen & Strayer, 1996). Such juvenile offenders may not benefit from many treatment programs that target empathy, in part because they are more likely to drop out of treatment (Caldwell, et al., 2006). There is evidence that these juvenile offenders present a higher risk of reoffense than other adolescent offenders even after engaging in treatment (Caldwell et. al., 2006; Dolan, 2004).

Deficits in empathy are seen in violent and sexually violent offenders. Particular attention has been paid to sexually violent adolescent offenders. Although our understanding of risk factors relevant to juvenile sex offenders is still emerging, it appears that the presence of deviant sexual arousal is an important variable (as it is in adult sex offenders). There is some evidence that juvenile sex offenders have deficits in empathy (Curwen, 2003), but these empathy deficits may be specific to their victims or their particular situations. Moreover, the majority of juvenile sex offenders desist from future sex offending, although they may reoffend non-sexually (DiCataldo, 2009), and the small subgroup of juvenile sex offenders who do reoffend appear to be driven to reoffend by their arousal to deviant stimuli (McCann & Lussier, 2008). Treatment designed to increase victim empathy, therefore, will not affect the mechanisms that drive the deviant sexual behavior. Neither will it, necessarily, address the developmental, social, and familial issues of those juvenile sex offenders who do not reoffend sexually.

### **Developmental factors**

Often missing from analyses of adolescents responses to relevant treatment are developmental expectations and norms relevant to particular forms of treatment. Developmental issues influence both the capacity for empathy as well as the effect of treatment on the development of empathy. Although there is ample evidence that many children develop the capacity for perspective taking and empathic response fairly early in life (Preston & de Wall, 2002), empathy responses may be specific to their limited domains of experience. Egocentrism may sometimes override empathic responsiveness. Even non-delinquent adolescents are not free of egocentric thought. It is developmentally appropriate for adolescents



to be preoccupied with their own thoughts and experiences and they often believe these are as important to others as they are to themselves. Adolescent egocentrism emerges via the *personal fable* and the *imaginary audience*. According to Vartanian (2000)

The imaginary audience refers to adolescents' tendency to believe that others are always watching and evaluating them; the personal fable refers to the belief that the self is unique, invulnerable, and omnipotent. The patterns of thinking reflected by both constructs seem to capture and explain feelings and behaviors typically associated with early adolescence, such as self-consciousness, conformity to peer group norms, and risk-taking. (pp. 639-640)

An argument can be made that even in non-delinquent youth, concerns about others and the community may be secondary to concerns about the self.

In light of inconsistent empirical support and developmental theoretical suppositions relevant to the capacities of adolescents and adolescent offenders to develop and act prosocially upon empathy, what might be the reasons that an overwhelming majority of treatment programs for juvenile offenders focus so heavily on empathy? Certainly there are historical origins of this focus that include religious, philosophical and psychodynamic understandings of morality, criminality, justice, and antisocial/prosocial behaviors (Condie, 2010). A discussion of these factors is clearly beyond the scope of this paper, but these historical factors provide a basis for the belief that a) choices, urges, and needs to behave immorally or unlawfully reside within the individual; (b) individuals can go through a course of treatment (or philosophical/moral enlightenment) that modifies his or her capacity for empathy; (c) a change in the capacity for empathy corresponds to a change in character; and (d) those changes lead to behavior change in the form of reducing offending behavior. The logical extension of these arguments is that in order to make positive changes regarding social and behavioral adjustments, the individual must make basic character changes to alter the way she or he acts in the social world, the community, and in his or her private life.

Although profound empathy failure may be a relatively enduring dispositional characteristic of a small subgroup of chronic, serious, violent youthful offenders, most juvenile offenders may be prone, as any one of us is, to situation-specific empathy failures, which are typically the product of peer group and other situationally-based forces. Social psychology may have more to contribute to our understanding of this phenomenon than clinical psychology. Osofsky, Bandura and Zimbardo's (2005) notion of moral disengagement, a situationally-bounded suspension of empathic contact with others, may help explain a large share of juvenile violence, particularly youth gang violence. Maybe it's long past time we searched for empathy not within the individual, as part of some enduring aspect of their moral sensibility, but as a part of the social landscape where they perform, where empathy is temporarily suspended by the group norms, cognitive frameworks and social forces in which the juvenile offender finds himself embedded, clearing a space for his violent actions. Instead of moral monsters without empathy, maybe it is the social forces and con-

ditions under which they operate that brings about the absence of empathy that we find so shocking and difficult to understand. As with all theoretical models, it may be that there are interactional forces that feed a diminution of empathy; and, there may be some individuals for whom the capacity for empathy is compromised for both individual and social reasons. Thus, theories that encapsulate individual variables, small-group dynamics, gang culture and belongingness, community features, and societal variables must take both the individual and a social framework into account.

A reliance on the *wish* that building empathy will reduce juvenile criminality is not enough. Researchers and clinicians must fight the strong pull of a long and relatively unyielding historical tradition (within both the social sciences and the law) of reliance upon a unitary theory within which offenders are taught or expected to seek individual insight, feel regret and remorse, apologize or seek reconciliation, and demonstrate newfound empathy. The field of risk assessment has made great strides in moving away from intuitive clinical judgments toward evidence-based methods. Similarly, the treatment for many psychological disorders has become gradually more evidence-based. Clinicians, consumers, and courts are increasingly demanding empirical evidence that treatment and assessment approaches are based on reliable and valid assumption and techniques. The same expectations should be applied to the treatment of juvenile offenders. It might be that empathy training is an appropriate intervention for some juvenile offenders. It is just as likely, however, that this approach is counterproductive for others. No treatment approach is "one size fits all" and the empirical evidence is certainly lacking that empathy training works for all types of juvenile offenders. There is ample evidence that juvenile offenders are a heterogeneous group, made up of youths with disparate strengths, needs, motivations and criminal trajectories. More research is required on the efficacy of empathy training before we can accept its primacy in the treatment of juvenile offenders.

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### Legal Update Column, Continued from p. 4

recusal or disqualification scenarios both in first- and third-person contexts, examining whether any self-oriented biases lead to differences in judgments of when recusal would be appropriate.

A variation might ask participants to take the perspective of an appellate court reviewing a decision not to recuse, though this too could be developed in interesting ways. A trial judge's decision not to recuse is reviewed under an abuse of discretion standard, one which is quite deferential to the lower court's ruling. Comparing the appellate perspective and the trial judge's decision might give some insight into the circumstances under which judges are seen to abuse their discretion. Perhaps more interesting, though, might be a study that varied the standard of review: a number of commentators call for less deferential review, especially when a judge makes her own disqualification decision (e.g., Friedland, 2004; Stempel, 1987). Comparing outcomes under a de novo standard—i.e., with the appellate court looking at the facts

and law anew, with no explicit deference paid to the lower court's decision—could lend support (or not) to such calls for reform.

This is also an important reason to conduct studies using non-judges as participants (much easier, of course, than recruiting sitting judges). Again, the more flexible statute (s.455(a)), as well as the Model Code, use as their standard the situation where a judge's "impartiality might reasonably be questioned." Lay perceptions could give a sense of what circumstances a "reasonable observer" might perceive as warranting judicial disqualification. This is one of the instances in legal psychological research where differences between lay and legal or judicial perceptions can have important legal consequences.

These few examples focus on identifying when it would be proper for a judge to recuse. Obviously, though, other studies might usefully be conducted—for instance, might judges overcorrect for perceived lack of impartiality when informed of various self-serving or other judgmental biases?

Debates over the circumstances under which it is appropriate for a judge to recuse herself, and proposals for reform as to the means for determining those situations, continue (a recent panel at the American Association of Law Schools annual conference was devoted to such debate and proposals). As with most—if not all—areas in which the legal system makes assumptions about human behavior, judicial disqualification statutes and case law could benefit from empirical research by psycholegal scholars.

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# Actual Innocence Research

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## The Effects of Wrongful Conviction on Victims and Their Families

**We strongly encourage others (particularly students) to be guest editors. If you would like to be a guest editor (or have questions), please email Allison at [aredlich@albany.edu](mailto:aredlich@albany.edu).**

Our understanding of wrongful convictions has grown tremendously in recent years. Nearly all of this research, however, has focused on examining the prevalence or causes of wrongful conviction, and the consequences for exonerees themselves. Often lost in these cases are the far-reaching effects of convicting the wrong person on others impacted by the crime and subsequent handling of the case by the criminal justice system. In this month's column, we describe the case of the Norfolk Four, one of the most egregious cases of wrongful conviction in recent memory. We then discuss the importance of understanding the effects of such cases on victims and surviving family members. This particular case is extremely complex and contains many nuances we could not capture in this brief forum. Those interested in learning more about this case are encouraged to read Wells and Leo (2008) and view the recent episode of Frontline dedicated to this case, [http://www.pbs.org/wgbh/pages/frontline/the-confessions/?utm\\_campaign=viewpage&utm\\_medium=grid&utm\\_source=grid](http://www.pbs.org/wgbh/pages/frontline/the-confessions/?utm_campaign=viewpage&utm_medium=grid&utm_source=grid).

### *Case Overview<sup>1</sup>*

U.S. Navy sailor Billy Bosko returned from sea on July 8, 1997 to find his wife, Michelle Moore-Bosko, on the bedroom floor in a pool of blood, clad only in a t-shirt. He and his neighbor, Danial Williams, called 911 and covered the body with a nearby blanket. The police arrived shortly thereafter. Michelle had been raped, stabbed four times, and strangled. There was blood found underneath her fingernails that did not belong to her. The body showed no signs of defensive or restraint injuries, and the bedroom showed no signs of a struggle. A bent steak knife, which contained red stains that appeared to be blood, lay on the floor of the bedroom. It appeared as if there was only one attacker. There were no signs of forced entry, indicating that Michelle likely knew her assailant.

Investigators became suspicious of Danial Williams, when a girlfriend of Michelle's told them that he was "kind of obsessed with" Michelle (Wells & Leo, 2008: p. 14). She also told them to look into her friend Omar Ballard, with whom Michelle was familiar, and who had a criminal history. The police never did question Ballard, and took Williams, also a Navy sailor, in for questioning. Williams first claimed innocence, but after almost ten hours of interrogation, being told he failed a polygraph test, and warned that he was facing capital murder, he admitted involvement in the attack. He said he committed the crime alone, though his story contained several discrepancies and changed between his first admission and the statement that was later recorded. A second taped recording contained more changes and discrepancies.

Shortly after DNA results excluded Williams that December, investigators interrogated Williams' roommate, fellow Navy sailor Joe Dick. Initially denying involvement, Dick, a slow learner with a history of psychiatric issues, confessed after nearly seven hours of interrogation, stating that he and Williams attacked Michelle. His story contained several discrepancies, and he was unsure of the room in which the attack occurred. Dick eventually became convinced that he could have committed the crime and subsequently forgot, and began to believe in his own guilt.

DNA tests eventually excluded Dick as well, so police and prosecutors changed their theory to three attackers. Through the use of a snitch placed in Dick's cell, police settled on fellow sailor Eric Wilson as the third suspect. Like the others, Wilson initially denied any involvement in the crime, but confessed after a nearly nine-hour interrogation, telling a story that changed repeatedly and contained several discrepancies. His story, however, was devastating. He claimed that he had participated in the rape with Dick and Williams, and at one point after he had finished, Michelle had looked into his eyes and asked for help. At that point, Wilson claimed, he left the apartment, while Michelle was still alive.

Wilson's DNA did not match, but Dick changed his story yet again, now claiming that at least six people had participated in the attack. He claimed that beyond the three already arrested, there were three others, only one of whom he knew, a sailor named George. Though investigators linked this story to a man named George Clark, they found that another former sailor, Derek Tice, was the one of whom Dick spoke. As with the others, Tice claimed innocence, but cracked after nine hours of interrogation. Tice also implicated Richard Pauley, Jr. and Geoffrey Farris in the attack. Neither confessed, and the DNA results would exclude Tice, Pauley, and Farris. That July, Joe Dick accepted a plea offer of a life sentence.

The next February, the police were given a letter from Omar Ballard in which he stated he had attacked Michelle. He had a history of sexual assault; in fact, he had raped a 14 year-old girl ten days after Michelle's murder. They investigated Ballard, and finally had a DNA match. The prosecution, however, had a theory that Ballard was the eighth attacker, and happened to be the only one to leave semen at the scene. Omar confessed to the crime, saying he acted alone and accurately described the attack and the weapon used. Police, however, refused to believe that Ballard was the sole attacker. Williams, Wilson, and Tice were all convicted. Joe Dick served as a key witness in several of the trials, at one point crying and apologizing to Michelle's parents. Farris, Pauley, and Danser were never convicted.

Wilson was released in September 2005 after serving almost seven and a half years in prison. Lawyers for the remaining three conducted a lengthy investigation, obtaining letters from jurors who  
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sat on the original convicting juries, as well as from several judges and lawyers, urging the governor to grant clemency. After filing a lengthy clemency petition, the remaining three were granted conditional pardons by Virginia governor Tim Kaine in August 2009, after serving 11 years in prison. In September, the U.S. District Court granted Derek Tice's federal habeas petition based on ineffective assistance of counsel and overturned his conviction. Wilson is still a registered sex offender in Virginia. Lawyers for the men continue to work to secure official exonerations.

Though nearly all evidence points away from the guilt of Williams, Dick, Wilson, and Tice, the family of Michelle Moore-Bosko continues to believe these men are the perpetrators. To this day, her parents maintain a website dedicated to furthering this belief.<sup>2</sup>

### Research Ideas

In recent years, research has examined the effects of wrongful conviction on exonerees after release, including psychological issues, social and familial struggles, financial hardships, and difficulties involved in everyday living (e.g., Westervelt & Cook, 2008, 2010; Grounds, 2004; Campbell & Denov, 2004). While understanding the ordeals faced by the wrongly convicted is critical, it is important to remember that exonerees are not the only ones to feel the effects of such errors. Wrongful convictions may also have dire consequences for victim-survivors (family members, friends). Understanding what these individuals go through when the wrong person is convicted for a crime is as important and compelling as the exonerations themselves.

Research on victim-survivors has found that family members of homicide victims often experience post-traumatic stress disorder (PTSD) at some point in their lifetimes (Amick-Mcmullan, Kilpatrick, & Resnick, 1991). Some are characterized by flashbacks and dreams depicting images of a violent death (Rynearson & McCreery, 1993). Specifically, feelings of grief tend to be especially intense for parents who survive the death of a child (Sanders, 1979; Kovarsky, 1989).

However, it seems that a case of wrongful conviction would present a unique set of struggles for the family of the victim. After all, the system that is supposed to handle the case, provide justice, and offer some sense of closure failed to do so. One could only imagine the damaging psychological effects of such a scenario. How would these effects differ from those of traditional victim-survivors? Are these effects dependent upon the circumstances of the wrongful conviction and exoneration (e.g., the causes of conviction, method of exoneration, characteristics of the exoneree, identification of the real perpetrator, etc.)? Do the families of the victims even believe in wrongful convictions, or are they consumed with a sense of denial, seeing the exoneration of the supposed perpetrator as the real miscarriage of justice? These are interesting questions that have yet to be addressed by researchers.

One can imagine several scenarios when thinking about the reactions of victim-survivors to a wrongful conviction. The initial feelings of shock and uncertainty may disrupt the lives of such persons, bringing back vivid memories of the loss of a loved one. If the family does believe in the innocence of the convicted person, they may experience feelings of intense despair and let-down, as any sense of closure that resulted from the conviction and punishment of the guilty party could be destroyed. On the other hand, victim-survivors may feel a strong sense of denial, as was the AP-LS NEWS, Winter 2011

case with Michelle Moore-Bosko's family. Unable to believe that human beings would confess to a rape and murder of which they were innocent, the Bosko family adamantly maintains their belief in the guilt of the Norfolk Four. Regardless of the reaction of the victims' family and friends, the discovery of an error of criminal justice and the subsequent re-handling of the case by that same system can cause emotional and psychological harm to the individuals involved. As the Bosko family notes, "[t]he incessant efforts to rehash the details of Michelle's murder have caused us to become the victims of emotional terrorism" (<http://www.norfolk4guilty.com>). In a sense, the families of victims in these cases are victimized yet again when the failures of the criminal justice system are brought to light.

### Conclusion

The case of the Norfolk Four, one of many known or probable miscarriages of justice to have occurred in the United States, is one of the most egregious cases of wrongful conviction in recent history. The release of the men via gubernatorial pardon has created an emotionally difficult situation for the family of the victim, Michelle Moore-Bosko. It is important for future research to examine the effects of wrongful convictions on victim-survivors. Though potentially difficult to conduct, such research would provide an understanding of the scope of the effects of wrongful conviction, and may assist in the development of programs to assist individuals in coping with this scenario.

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### (Endnotes)

<sup>1</sup> Information about the case was gathered from Wells & Leo (2008), and <http://www.norfolkfour.com>.

<sup>2</sup> See <http://www.norfolk4guilty.com>.



## *AP-LS Conference Update, Continued from p. 1*

We are pleased to announce that **Bryan Stevenson** will give the opening keynote address for the conference. Bryan Stevenson is a graduate of Harvard, with both a Masters in Public Policy from the Kennedy School of Government and a J.D. from the School of Law and is a member of the clinical faculty at New York University School of Law. Mr. Stevenson has been representing capital defendants and death row prisoners in the Deep South since 1985 when he was a staff attorney with the Southern Center for Human Rights in Atlanta, Georgia. Since 1989, he has been Executive Director of the Equal Justice Initiative (EJI), a private, nonprofit law organization he founded that focuses on social justice and human rights in the context of criminal justice reform in the United States. EJI litigates on behalf of condemned prisoners, juvenile offenders, people wrongly convicted or charged, poor people denied effective representation and others whose trials are marked by racial bias or prosecutorial misconduct. Mr. Stevenson was one of the attorneys who successfully argued before the U.S. Supreme Court in *Graham v. Florida* that sentences of life without parole for juvenile offenders were unconstitutional. The title of his opening keynote address is **Reevaluating juvenile culpability and evolving standards of decency**.

### **World Juries Session**

On Friday March 4<sup>th</sup> from 9:00 am – 10:20 am is a **Special Session on World Jury Systems**. **Kaoru Kurosawa** from Japan, **Stefan Machura** from Germany, **Jane Goodman-Delahunty** from Australia, **Kwangbai Park** from Korea, and **Regina Schuller** from Canada will present on various aspects of their countries' jury systems.

### **Presidential Plenaries**

The Presidents of the three participating organizations have each planned a Presidential Plenary session for this year's conference.

**Patty Griffin**, President of AP-LS, has organized a session on human trafficking entitled, "**Inhuman Cargo: The Hidden Crisis of Modern Day Slavery in America and the World**" to be presented by **Michele Gillen**, Chief Investigative Reporter for WFOR-TV in Miami. This session will take place on Thursday March 3<sup>rd</sup> immediately following the opening session, from 11:00 am – 12:20 pm.

**David Cooke**, President of EAPL, has organized a session to highlight two of the main areas of research being conducted in Europe. **Friedrich Losel** will present an address entitled, "**What works in offender rehabilitation? Towards a third generation of research and practice**" and **Gill Attrill** will present an address entitled, "**Against the tide; the struggle for change: Psychopathy, risk and a small fish.**" This session will take place on Friday March 4<sup>th</sup> from 10:40 am - 12:00 pm.

**Jane Goodman-Delahunty**, President of ANZAPPL, has organized a session entitled, "**A Hypothetical: Sexual Harassment in Sydney – What Price?**" where she, along with **Anna Baldry**, **William Foote**, **Mandeep Dhami**, **Joel Dvoskin**, and **Patrick Kokenge** will discuss Australia's most sensational sexual harassment case against a serial offender, the CEO of Australia's most distinguished retailer. This session will take place on Saturday March 5<sup>th</sup> from 9:00 am – 10:20 am.

We are pleased to announce the following special sessions and events. Please check the conference program and the conference website for more information on each.

**Thursday:** On Thursday, March 2<sup>nd</sup>, the conference begins at 9:00am. In addition to the **Opening Keynote Address** by **Bryan Stevenson**, and **Patty Griffin's AP-LS Presidential Plenary Session**, there will be a pre-conference session for **Early Career Professionals on Grant Writing** from 8:00 am – 8:50 am. The **AP-LS Minority Affairs Committee** will hold their Annual Luncheon on Thursday from 12:20 pm – 1:30 pm and the **APLS and EAPL Business Meetings** will be held from 5:30 pm – 6:30 pm.

A **Welcome Reception** will be held from 6:00 pm – 8:00 pm on the Hotel's Riverwalk Outdoor Terrace. Come enjoy the opportunity to reconnect with colleagues as those who are going on the **Sunset Cruise** board the yacht, which will be anchored outside the hotel. The **Sunset Cruise** will take place from 7:00 pm – 10:00 pm so if you are attending this event, please be sure to have embarked the yacht by 7:00 pm or you will miss out on this great opportunity to enjoy all that Miami's coastline has to offer (not to mention the open bar and heavy hors d'oeuvres).

**Friday:** On Friday morning the **Professional Advancement of Women Committee** is sponsoring a workshop entitled, "**Running to keep in place: Can a competent professional have a balanced life?**" and presented by **Karen Fraser Wyche** from 8:00 am – 8:50 am. The **EAPL Presidential Plenary** is at 10:40 am. The Mentoring Committee will hold their Annual Luncheon from 12:00 pm – 1:00 pm. The winner of the **Saleem Shah Award**, **Jodi Viljoen**, will be presenting her address entitled, "**Extending Clinical Forensic Assessment to Adolescent Offenders: Emerging Knowledge on Juvenile Violence Risk and Competence Assessment**" from 2:30 pm – 3:30 pm. **Daniel Lassiter and Christian Meissner**, winners of the **APLS Book Award**, will present their address entitled, "**Interrogations and Confessions: The Good, the Bad, and the Ugly**" from 5:00 pm – 6:00 pm. The **Friday Evening Social Hour** will take place from 6:30 pm – 8:00 pm.

**Saturday:** On Saturday morning the **ANZAPPL Presidential Plenary** takes place at 9:00 am. **Robert Meyer**, winner of the **AAFP Distinguished Contributions Award** will present his address entitled, "**Psychopathy and Sex Offenders Through the Years**" from 2:30 pm – 3:30 pm. **Norman Poythress**, winner of the **AP-LS Distinguished Contributions Award**, will present his address entitled, "**Psychopathy and Impulsivity Reconsidered**" from 3:50 pm – 4:50 pm. The **Saturday Evening Social Hour** will take place from 6:30 pm – 8:00 pm.

In the last few weeks leading up to the conference we encourage everyone to check out the conference website for additional updates.

We look forward to seeing you in Miami!!

Margaret Kovera & Patty Zapf

# AP-LS Teaching Techniques

## All Rise: Taking Psychology Outside of the Classroom and Into the Courtroom

Dustin Wygant, Eastern Kentucky University

College students seem to be naturally drawn to forensic psychology, often because of the subject's rather unrealistic depiction on various television shows such as *Criminal Minds*, *Law & Order SVU*, and *Profiler*. I recall the sighs on the first day of my PSY 466 Forensic Psychology course when I burst the collective bubble in the room by telling my students that in my work as a forensic psychologist I have never once assisted in the capture of a serial killer or "profiled" a criminal suspect for the police. "This is not what we typically do in our roles as forensic psychologists" I told my students. "Well, what do you do then?" a student asked. "I'll show you." I replied.

Today's students want to experience the subject, not just learn about it during a lecture. Incorporating experiential exercises into our classes can only help to bring our subjects to life (and likely our students as well). Those of us fortunate enough to teach courses on forensic psychology enjoy the benefit of having an interesting subject- the intersection of psychological science and legal jurisprudence. While forensic psychology is deeply rooted in the empirical and doctrinal traditions and theories of both psychology and law, it is also a subject that has real implications everyday- namely the application of psychological principles in our legal system. As such, we have the ability to take our concepts and theories and discuss or demonstrate their use in actual legal settings. Moreover, courts (and trials), by their very nature are enticing and hold our interest. While teaching Forensic Psychology this past fall, I developed an exercise to bring the concepts in the course to life for my students. This exercise, which culminated in a field trip to our local Kentucky Circuit Courthouse incorporated many of the key concepts I covered in the course: Voir Dire and the psychology of juries, the foundations of psychological opinions in the court, forensic psychological assessment, competency to stand trial, criminal responsibility, the relevance of psychological testing and psychiatric diagnosis in the court, malingered psychopathology, and finally, expert testimony.

I was fortunate to meet our county's Circuit Judge, the Honorable William G. Clouse early in my tenure at Eastern Kentucky University. It certainly helped that he happened to be a distinguished alumnus of EKVU and was more than willing to help his alma mater. Judge Clouse was gracious enough to allow my class unfettered access to his courtroom for a field trip this past November, during which my students observed oral arguments pertaining to the insanity defense for a murder trial. After being seated in the courtroom, the bailiff said those magical words, "All rise" and the experience became real to my students. But I'm getting ahead of myself. How did this all come about?

Several months earlier, when I was planning out my fall semester, an idea came to me that it would be interesting to take my students on a fieldtrip to the local courthouse to meet a judge. Initially, I

thought it would be fun for the students to hear Judge Clouse give his perspective on several topics pertaining to the course (e.g., jury selection, insanity...). A thought came to me, however, that it would be much more interesting (and fun) to have the students observe me providing expert testimony about a case. I had worked for several years in a forensic practice before becoming a full time professor, and I had plenty of case materials to reference.

I immediately thought of one of my previous criminal cases; one involving the insanity defense in a murder trial. The case took place several years earlier in Ohio (which employs the M'Naghten rule as its insanity defense). The defendant in this case was clearly mentally ill (persecutory delusions), but also exhibited substantial evidence of malingered hallucinations throughout his incarceration and during the evaluation. Despite his history of mental illness, the defendant showed clear evidence of understanding the wrongfulness of his actions (e.g., evaded police detection, disposed of the weapon...). However, now that I am in Kentucky, which incorporates both the cognitive and volitional components of insanity, I reasoned that this defendant might have had a better chance with the insanity defense. Having settled on this case, I thought about which side I would argue in court. The prosecution's position was that the defendant was malingering mental illness and knew the wrongfulness of his actions at the time of the offense. The defense reasoned that despite his malingering during the evaluation, the defendant had a longstanding history of mental illness, which substantially impaired his ability conform his behavior to the requirements of law (Kentucky Revised Statute §504.020). Given the facts of the case (coupled with my ability to rewrite history in whatever form I wanted since I already had to alter the basic facts of the case to preserve confidentiality), I reasoned that I could make a strong argument for either position. It struck me then, that this situation might be beneficial if I could get another person on board and have a "battle of the experts." Rather than trying to convince a colleague to participate, I thought that this might be an opportunity to extend the exercise to one of my graduate students, Jaime Anderson, who was my teaching assistant for the class. Jaime was in the process of applying to doctoral programs in clinical forensic psychology and I reasoned that participation in this exercise would be a great experience to discuss in her personal statement. At this point, I had my case selected and an opposing expert witness; now all I needed were attorneys to get on board to complete the experience. Shortly thereafter, by chance I met a faculty member in the Government Department who was also the faculty mentor for the Mock Trial program at EKVU. It occurred to me that this would once again be a great opportunity to get students involved, particularly ones interested in future careers as attorneys. I arranged it with the mock trial coach that I would get four mock trial students who had experience with the program and would be interested in learning more about forensic psychological



assessment and expert testimony. For their efforts and considerable hard work on this project, each of the four students received one credit hour of independent study. The mock trial students were randomly divided into pairs to work as the prosecution and defense.

Having the major players in place, I set out to prepare the case materials that the mock trial students would use to draft their arguments. I took the police investigation report from the original case, which took place in northeast Ohio three years earlier and revised it to set the crime up locally in Richmond, Kentucky during the past year. Having a seven page police report allowed for sufficient details from the initial interviews with the witnesses to establish information about the defendant's mental status near the commission of the instant offenses. I then developed a detailed account of the defendant's mental health in the jail, including notes from the jail psychiatrist, observations by the jail staff, and consultation notes from the consulting jail psychologist. Finally, I developed two forensic evaluations, the first coming from the Kentucky Correctional Psychiatric Center (KCPC), which handles the initial court-ordered forensic evaluations for the Circuit Courts throughout Kentucky. I selected my graduate student as the prosecution's expert and author of the report from KCPC. I then took my original report and revised it as the defense's second opinion evaluation. The final two documents that were provided to the mock trial students included a copy of my curriculum vitae and one that I drafted for my graduate student. I deliberately selected my graduate student's educational background and expertise in the field of forensic psychiatry to see if there was any effect of a psychiatrist offering expert testimony versus a clinical psychologist. With the police report, mental health records, two forensic evaluations, and CVs in place, the mock trial students had everything they needed to draft their arguments and positions for the case.

The mock trial case involved a young man who was charged with murdering one of his friends before traveling on foot to his former employer, where he shot his former boss, however, he did not fatally wound him. As I mentioned earlier, there was clear evidence that the defendant malingered symptoms of mental illness. Psychological testing in both evaluations, including the Minnesota Multiphasic Personality Inventory-2 (MMPI-2; Butcher et al., 2001), Miller Forensic Assessment of Symptoms Test (M-FAST; Miller, 2001), Structured Inventory of Reported Symptoms (SIRS; Rogers et al., 1992), and the Test of Memory Malingering (TOMM; Tombaugh, 1996) were all consistent with exaggerated symptoms of psychosis and memory impairment. Moreover, the defendant was recorded talking with his mother on the telephone while in jail, during which she instructed him to "play a little crazy." In the mental status sections of each report, both examiners also noted inconsistencies in the defendant's report of psychotic symptoms, as well as atypical and extremely bizarre hallucinations. However, there was also clear evidence that the defendant displayed paranoid delusional beliefs prior to the offense and long before his current legal involvement. Indeed, the defendant was evaluated as an adolescent, during which a psychologist concluded that he was exhibiting premorbid symptoms of a thought disorder. Both forensic reports had similar diagnostic conclusions, with the prosecutor's report diagnosing the defendant with Malingering, Psychotic Disorder Not Otherwise Specified, Alcohol and Cannabis Abuse, and Personality Disorder Not Otherwise Specified with Paranoid Features, while the defense

expert concluded Delusional Disorder Persecutory Type, Malingering, and Alcohol and Cannabis Abuse. The major difference between the two reports was that the prosecution expert concluded that malingering was the primary diagnosis and her forensic opinion regarding insanity was such that if he was currently malingering psychosis it was unclear if he was acutely mentally ill during the commission of the offenses. The defense expert concluded that while there was evidence of malingered auditory and visual hallucinations, there was sufficient evidence to diagnose the defendant with a Delusional Disorder based on the timeline of his mental status. Consequently, I concluded that given the defendant's intense paranoid delusions at the time of the offense, he felt compelled to commit the crime and met the statutory requirements for an insanity defense. I purposefully constructed similar diagnostic conclusions between the two reports so that the mock attorneys would have to argue differences in emphasis regarding which diagnosis was primary in terms of guiding the forensic opinion about insanity.

With both reports and supporting documents in place, the final piece was the selection of the jury panel. I initially thought that I would simply select the students for the jury and script the oral arguments in such a manner as to make it clear which side had clearer evidentiary support. However, one of the students in my class approached me after one lecture when I first told them about the experience and offered a suggestion. This student recommended that we have a voir dire session prior to the field trip so that each side could select potential "jurors" more in line with their positions. I thought this was a great idea and took it one step further by having my mock trial attorneys each develop a one-page juror questionnaire in order to obtain background information for questioning. Each side developed the questionnaire and I administered it to my class after assigning each student a jury number. The mock trial students compiled the results and made initial selections about exclusions based on cause (one of the students knew someone in the class on a personal level) as well as peremptory challenges.

The mock trial students visited my class during the session before the field trip and called on the students by juror number with follow-up questions. I served as the judge to moderate the jury selection. Many of the questions focused on attitudes about mental illness and gun control, however, some of the questions involved aspects of socioeconomic status (e.g., examination of the student's shoes), illustrating points made by Greene and Heilbrun (2011) in the course's text about implicit personality characteristics that attorneys rely upon when selecting jurors. The mock trial students selected 12 students and 2 alternate jurors.

On the day of the field trip, the students showed up after Judge Clouse had finished his daily docket. The bailiff took the 12 jurors and seated them in the jury room while brief opening statements were made in the courtroom. For the purpose of this experience, we skipped many of the evidentiary procedures and pretrial motions that would have taken place and focused the session on the testimony of the two expert witnesses.

My graduate student, Jaime, began as the prosecution's witness. Before she provided testimony regarding the case, she was questioned about her credentials and the prosecution petitioned the Court to acknowledge her as an expert in forensic psychiatry.

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Jaime then proceeded with direct testimony from the prosecution. The prosecution established their line of questioning in a deductive manner by having Jaime discuss the results of the evaluation (i.e., psychological test results and clinical observations) that supported a conclusion of malingering. It was then argued that if the defendant was malingering so substantially during the evaluation that it would be difficult to support his claim of insanity during the commission of the offenses. Following direct examination, Jaime underwent cross-examination by the defense attorney. This testimony focused on information excluded during the prosecution's questions that pertained to the defendant's history of mental illness.

After Jaime concluded her testimony, I was called to the stand as the defense expert. Similar to the initial testimony, I began by discussing my credentials before the defense petitioned the Court to acknowledge me as an expert in forensic psychological assessment. During direct testimony with the defense attorney, I established a time line for the defendant's mental status, beginning with an evaluation that was completed during his adolescence and suggested that he exhibited premonitory indications of thought disorder. Following this, I discussed records and interviews with individuals who could substantiate the defendant's mental status closer to the time of the offense. This inductive manner of questioning was in stark contrast to the prosecution's approach and demonstrated to the students how attorney's on either side could construct an argument with different conclusions using basically the same information. Following direct examination, the prosecuting mock trial student performed cross examination, during which he argued that my conclusions about the defendant's mental status during the instant offense was heavily influenced by his own statements and lacked credibility due to his malingered psychopathology during the evaluations.

Following both testimonies, the prosecution and defense were each allowed five minutes for a closing argument before the student jurors retired to the jury room to deliberate. Given the time constraints involved since the testimony and closing statement took approximately an hour and a half to conclude, the jurors were instructed to deliberate for 15-20 minutes and base their conclusion of guilty or not guilty by reason of insanity on a majority rule versus a unanimous decision. After 15 minutes of deliberation, the jurors returned to the courtroom and concluded that the defendant was not guilty by reason of insanity with an 8-4 decision.

The fieldtrip was an unequivocal success. Some of the student reactions included, "Overall, I think this was an extremely positive learning experience. We were able to see how forensic psychologists interact in the courtroom, and how their testimony is used in the deliberation process, as well as how jury selection and deliberation occurred." Another student remarked, "The mock trial provided a truthful look at the court process, the role of the forensic psychologist, and, in this particular instance, how sanity can be interpreted by both the prosecution and defense to sway jury members. This is especially important since an adversarial nature is the basis for the legal system." Moreover, other students remarked, "There is little that reading a textbook can compare to real-world simulations" and "I felt as though this experience was a great way to tie all aspects of the adversarial nature of a trial, jury psychology, and what it is like to be an expert witness that we learned throughout the semester." Most of all, the field trip was fun and everyone involved benefitted from the experience. It was a great way to bring to life so many of the *AP-LS NEWS, Winter 2011*

course's ideas in one experience and was hopefully one that the students will remember long after the course.

#### Author Note

Dustin B. Wygant, Ph.D. is an Assistant Professor of Psychology at Eastern Kentucky University. He is a licensed clinical psychologist in Kentucky and Ohio and regularly consults with the University of Cincinnati Division of Forensic Psychology in addition to operating his own forensic consultation company. All materials used in this teaching exercise are available for review and use. Please contact Dr. Wygant at [dbwygant@gmail.com](mailto:dbwygant@gmail.com). 521 Lancaster Avenue, Richmond, KY 40475. Fax: 859-622-5871.

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## AP-LS Teaching Techniques Column: Articles Welcome

The Teaching Techniques column, sponsored by the AP-LS Teaching, Training, and Careers Committee, offers useful ideas for those of us who teach (or who plan to teach) courses in Psychology and Law, Forensic Psychology, or more specialized areas of legal psychology. We hope that the Teaching Techniques column of the Newsletter will become the best place to find activities, simulations, and demonstrations that engage students in the learning process and help professors to teach important content in psychology and law.

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

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# AP-LS Corrections Committee:

## A Tribute to Don Andrews

by Joel Dvoskin, Kirk Heilbrun & Daryl Kroner, Chair of the Corrections Committee

One of the measures of professional legacy involves the answer to this question: What would the field have been like without this individual's contributions? As multi-faceted and extensive as Don Andrews' work was, however, his enormous contributions in combining risk and rehabilitation in work with offender populations stand out.

Don Andrews was truly a giant. His belief in psychology and social science was avid, as was his optimism about our ability to apply our science of Psychology to the most serious of human behaviors, violent crime. The most productive years of his life were spent amid political and scientific nihilism, where "nothing works" was a disingenuous excuse for angry and wasteful criminal justice policies that claimed to be tough on crime but were only tough on criminals. Refusing to bend to the cynical zeitgeist, Don defiantly pointed to the evidence that some interventions work, and more should be tried. This message was relentlessly presented to diverse groups and organizations. He would go to APA, only to have a 10-minute presentation. An indication of his impact across disciplines is seeing the term "criminogenic need" mentioned in the psychiatric literature. His work led to vast, auspicious changes in criminal justice policy in many agencies in at least several countries.

Don completed his doctorate degree in psychology at Queen's University in 1969, after which time he joined the faculty at Carleton University, where he remained throughout his academic career. He was a founding member of the University's highly successful Criminology and Criminal Justice Program. Along with colleagues such as Jim Bonta, Bob Hoge, Steve Wormith, and others, he distilled much of the essence of what our field can offer in working with offenders (*The Psychology of Criminal Conduct; Assessing the Juvenile Offender*) and provided an approach to measuring risk and rehabilitation needs, and structuring our interventions (the *Level of Service Inventories*). This is huge. Every well-informed jurisdiction, whether seeking to divert, deliver services in the community on probation, deliver facility-based services, or provide community-based services during re-entry, should be grateful to Andrews and his colleagues for RNR. It guides the selection of particular services and the intensity of their delivery, so resources can be used efficiently as well as effectively. It lends itself to the empirical foundation that has become so important in contemporary human service delivery. It is one of the most valuable contributions that psychology has ever offered to offenders and those who work with them.

Don tested "common sense" beliefs and never shied away from controversy when he found them wanting. His work was compelling to liberals who want to believe that people can learn and grow in pro-social ways; but it was also compelling to conservatives who want to stop wasteful spending on programs that don't work. He was one of only a handful of researchers and scholars who taught us that social science could drastically improve the outcomes of even serious offenders. What a legacy!

As a person, Don's enthusiasm was infectious. He truly believed in the value of his work. Though he was able to laugh heartily at himself, he understood the deadly seriousness of his life's work, and never shrank from the toughest questions. As a graduate student, I (DK) was sitting in an office with other students and Don walks past the open door. Comes back into the office, and without any "hi" blurts out his views on a recent social desirability paper (we were measuring antisocialness). As abruptly as he came, he left, with us looking at each other, "what just happened?" The not so funny part is that it took a number of publications find out that Don was right.

There have never been enough people like Don Andrews, and when we are lucky enough to find one, he must be cherished. Sadly, he is gone. Happily, his life's work remains, and our communities across North America are richer and safer for it.

Yes, Don Andrews was a giant. But he was also our friend. He was warm and enthusiastic. His beliefs were strong and stubborn, which allowed them to sustain his work in the face of cynical opposition. In the end, he was mostly right, leaving a legacy of a more promising and optimistic criminal justice system than we have known for a very long time.

Thank you, Don.

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### Book and Test Reviews

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

# Research Briefs

Editor: Maria Hartwig, Ph.D

Alarid, L. F. & Vega, O.L. (2010). **Identity construction, self perceptions, and criminal behavior of incarcerated women.** *Deviant Behavior, 31*, 704-728. doi: 10.1080/01639620903415943. Investigated identity status formation by interviewing 104 women convicted of felony offenses and sentenced to a residential boot camp facility to determine how they viewed their personal and social identities and whether previous criminal behavior predicted how women viewed themselves. Results indicated that having a prior conviction and being involved in drug use and sales, but not property crime, predicted that women would perceive themselves as criminals.

Bradley-Engen, M. S., Cuddeback, G. S., Gayman, M. D., Morrissey, J. P., Mancuso, D. (2010). **Trends in state prison admissions of offenders with serious mental illness.** *Psychiatric Services, 61*, 1263-1265. doi: 10.1176/appi.ps.61.12.1263. Analyzed trends in a state prison system over eight years to examine rates of mental illness among the prison population. Results indicated a 44 percent increased in admissions of inmates with a substance abuse disorder from 1998 to 2005, but rates of admitted inmates with severe mental illness remained relatively stable over that time.

Bruckner, T. A., Yoon, J., Brown, T. T., & Adams, N. (2010). **Involuntary civil commitments after the implementation of California's Mental Health Services Act.** *Psychiatric Services, 61*, 1006-1111. doi:10.1176/appi.ps.61.10.1006. Reviewed records of involuntary psychiatric hospitaliza-

The AP-LS newsletter research briefs are written by students in the Forensic Psychology Ph.D. Program at John Jay College: Eugenia Garcia-Dubus, Sarah Jordan, Jason Mandelbaum, Blair Mesa, Anthony Perillo, Ashley Spada, and Brian Wallace.

If you are interested in Co-Editing the AP-LS Research Briefs by taking over the clinically oriented article summaries, please contact Maria Hartwig (mhartwig@jjay.cuny.edu) or Jennifer Groscup (jgroscup@scrippscollege.edu). It is helpful to have a team of dedicated students to work with you!

tions of two lengths (72 hours and 14 days) over a seven-year period in California while also considering state-dispersed funding for county mental health systems during this time. Increased funding for county mental health systems coincided with reductions in long-term psychiatric commitments but not for 72-hour commitments. The number of 14-day commitments during this increased funding was ten percent below the expected rate, suggesting the funds had a positive impact on reducing long-term commitments.

Constantine, R. K., Petrila, J. Andel, R., Givens, E. M., Becker, M., Robst, J., Van Dorn, R., Boaz, T., Teague, G., Haynes, D., & Howe, A. (2010). **Arrest trajectories of adult offenders with a serious mental illness.** *Psychology, Public Policy, and Law, 16*, 319-339. doi:10.1037/a0020852. Examinations of arrest and social service records in a Florida county over a one-year period revealed that 10 percent of those arrested had a diagnosable psychotic or mood disorder. Those with a serious mental illness also demonstrated more chronic arrest patterns over time. En-

vironmental factors appeared to further increase arrest risk for the mentally ill, particularly homelessness, substance abuse, less outpatient treatment, and more inpatient treatment.

Cusack, K. J., Steadman, H. J., & Herring, A. H. (2010). **Perceived coercion among jail diversion participants in a multisite study.** *Psychiatric Services, 61*, 911-916. doi: 10.1176/appi.ps.61.9.911. The study involved interviews with 905 clients from 13 diversion programs across the United States. Although the majority of participants (64%) reported they were not coerced into participating in the jail diversion program, ten percent reported high coercion, particularly among African-American defendants and substance abusers. Ultimately, perceived coercion did not appear to impact participation in treatment while in a diversion program.

Evans, C., Brinded, P., Simpson, A. I., Frampton, C., & Mulder, R. T. (2010). **Validation of brief screening tools for mental disorders among New Zealand prisoners.** *Psychiatric Services, 61*, 923-928. doi: 10.1176/appi.ps.61.9.923.

Examined intake data from 1,292 inmates screened for mental illness with two newly developed instruments. Data were compared to results from an empirically validated screening measure for neuropsychological issues. Both new screening measures proved to be poor screens for neuropsychological problems; however, the measures more strongly identified those with psychotic disorders and those currently in poor mental condition. The authors argued these instruments should be used in conjunction in order to maximize results.

Evans, E., Hser, Y., & Huang, D. (2010). **Employment services utilization and outcomes among substance abusing offenders participating in California's Proposition 36 drug treatment initiative.** *The Journal of Behavioral Health Services & Research, 37*, 461-476. doi:10.1007/s11414-009-9185-z. Examined data from 1,453 offenders to explore the characteristics, employment services utilization, and outcomes of those who did and did not receive employment services while in drug treatment. One-year outcomes were similar across groups. Employment services utilization was less likely for persons recruited from outpatient settings and more likely with greater severity social problems and desire for services. Odds of employment one-year post-treatment were higher for Hispanics (vs. Whites) and for those with longer retention.

Gilbert, A. R., Moser, L. L., Van Dorn, R. A., Swanson, J. W., Wilder, C. M., Robbins, P. C., Keator, K. J., Steadman, H. J. & Swartz, M. S. (2010). **Reductions in arrest under assisted outpatient treatment in New York.** *Psychiatric Services, 61*, 996-999. doi: 10.1176/



appi.ps.61.10.996. The authors examined 211 psychotic- or mood-disordered persons evaluated and determined eligible for assisted outpatient treatment (AOT). Those participating in AOT were significantly less likely to be rearrested than those who were not. Voluntary agreement to enter treatment did not significantly reduce re-arrest rates when compared to court-mandated participants.

Hartwell, S., McMackin, R., Tansi, R., & Bartlett, N. (2010). **I grew up too fast for my age: Postdischarge issues and experiences of male juvenile offenders.** *Journal of Offender Rehabilitation, 49*, 495-515. doi:10.1080/10509674.2010.510772. Investigated factors related to community reentry experiences and post discharge recidivism among a sample of 35 youths placed in residential juvenile justice treatment programs for at least 6 months. Seventeen of those interviewed were rearrested shortly after residential treatment. Results indicated that those in the rearrested group were significantly younger at the time of their first arrest than those who were not rearrested, and had a higher number of overall arrests and length of residential treatment history.

Loughran, T. A., Mulvey, E. P., Schubert, C. A., Chassin, L. A., Steinberg, L., Piquero, A. R., Fagan, J., Cota-Robles, S., Cauffman, E., & Losoya, S. (2010). **Differential effects of adult court transfer on juvenile offender recidivism.** *Law and Human Behavior, 34*, 476-488. doi:10.1007/s10979-009-9210-z. Estimated the effect of transfer on later crime using a sample of 654 serious juvenile offenders, (29% transferred). Authors used propensity score matching to reduce selection bias. Authors found an

overall null effect of transfer on re-arrest, but differential effects of transfer for adolescents with different offending histories.

McWilliam, N. (2010). **A school peer mediation program as a context for exploring therapeutic jurisprudence (TJ): Can a peer mediation program inform the law?** *International Journal of Law and Psychiatry, 33*, 293-305. doi:10.1016/j.ijlp.2010.09.002. Examined the effects of a school peer mediation program, concerning the management of bullying and conflict, called "Empowering Kids" among 323 students and school staff members. Results indicated, consistent with the theory of therapeutic jurisprudence, that the peer mediation process had a positive effect on both students and teaching staff, highlighting the value of scholarship in peer mediation.

Odgers, C. L., Robins, S. J., & Russell, M. A. (2010). **Morbidity and mortality risk among the "forgotten few": Why are girls in the justice system in such poor health?** *Law and Human Behavior, 34*, 429-444. doi:10.1007/s10979-009-9199-3. Physical health of girls sentenced to custody in a US State was examined via medical and clinical assessments. Over 50% met criteria for injuries, obesity, and STD's. A dose-response relationship was documented between childhood victimization/injuries and injury risk in adolescence and self-harm, HIV risk, physical symptoms, and hospitalizations in young adulthood. Relationship between childhood victimization and poor adult health was fully mediated by health-risk behaviors in adolescence.

Roberts-Lewis, A. C., Welch-Brewer, C. L., Jackson, M. S., Kirk, R., & Pharr, O.M., (2010). **Assessing change in psychosocial functioning of incar-**

**cerated girls with a substance use disorder: Gender sensitive substance abuse intervention.** *Journal of Offender Rehabilitation, 49*, 479-494. doi:10.1080/10509674.2010.51077. Investigated the efficacy of a female gender-specific substance abuse treatment intervention, Holistic Enrichment for At-Risk Teens (HEART), in improving personal and social functioning problems among 101 incarcerated girls who met DSM-IV criteria for substance dependence. Results indicated that the HEART program was more effective in reducing social functioning problems than standard substance abuse treatment, highlighting the need for gender-sensitive substance abuse programs in female juvenile correctional facilities.

Schubert, C. A., Mulvey, E. P., Loughran, T. A., Fagan, J., Chassin, L. A., Piquero, A. R., Losoya, S. H., Steinberg, L., & Cauffman, E. (2010). **Predicting outcomes for youth transferred to adult court.** *Law and Human Behavior, 34*, 460-475. doi:10.1007/s10979-009-9209-5. Using a sample of 193 transferred youth from Arizona, authors consider how individual characteristics are related to antisocial activity, re-arrest, reinstitutionalization, and gainful activity. Findings showed adjustment significantly related to legal and risk-need factors. Results indicate some transferred youth may experience negative outcomes, and refinements to transfer policy may benefit from consideration of these factors.

Yorke, N. J., Friedman, B.D., & Hurt, P. (2010). **Implementing a batterer's intervention program in a correctional setting: A tertiary prevention model.** *Journal of Offender Rehabilitation, 49*, 456-478. doi:10.1080/10509674.2010.51077. Investi-

gated the results of a batterer's intervention program (BIP) as part of a prison substance abuse program (SAP) among a sample of California state maximum security inmate participants who had been assigned to the SAP therapeutic community program within the prison. Therapeutic interventions significantly influenced offenders' ability to recognize their behaviors as abusive and admit personal responsibility for their actions. Increased empathy and self-report of committing acts of domestic violence were observed.

#### DELIQUENCY/ ANTISOCIAL BEHAVIOR

Burke, J. D., Waldman, I., & Lahey, B. B. (2010). **Predictive validity of childhood Oppositional Defiant Disorder and Conduct Disorder: Implications for the DSM-V.** *Journal of Abnormal Psychology, 119*, 739-751. doi:10.1037/a0019708. Analyzed data from three studies of minors concerning diagnostic criteria for Oppositional Defiant Disorder (ODD) and Conduct Disorder (CD). Both diagnoses were predictive of future mental illness and overall dysfunction. Different developmental trajectories supported notions that some, but not all, children with CD exhibit antisociality as adults, particularly those displaying callousness. DSM-IV criteria for ODD identified fewer impaired children than ICD-10 criteria.

Burt, S. A., Donnellan, M. B., Humbad, M. N., Hicks, B. M., McGue, M., & Iacono, W.G. (2010). **Does marriage inhibit antisocial behavior? An examination of selection vs. causation via a longitudinal twin design.** *Archives of General Psychiatry, 12*, 1309-1315. doi:10.1001/archgenpsychiatry.2010.159. Investigated the relationship between marriage and inhibition  
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of antisocial behavior among 289 male-male twin pairs. The effect of marriage was significant for monozygotic and dizygotic twins, in that the married twin engaged in less antisocial behavior than the unmarried co-twin, and the effect remained when prior antisocial behavior was controlled for. However, an initial selection effect was observed, in that men with lower levels of antisocial behavior were more likely to marry.

Childs, K. K., Sullivan, C. J., & Gullledge, L. M. (2011). **Delinquent behavior across adolescence: Investigating the shifting salience of key criminological predictors.** *Deviant Behavior, 32*, 64-100. doi: 10.1080/01639621003748498. Investigated the impact of changes to individual-level constructs on substance abuse and delinquent behavior in mid to late adolescence, as part of a longitudinal study. Results indicated that changes in risk-seeking, parental and peer influences, and attitudes are significantly related to the frequency of self-reported delinquency and substance use, and that similar factors influence delinquency and substance use during mid to late adolescence.

Fang, X., Massetti, G. M., Ouyang, L., Grosse, S. D., & Mercy, J. A. (2010). **Attention-deficit/hyperactivity disorder, conduct disorder, and young adult intimate partner violence.** *Archives of General Psychiatry, 67*, 1179-1186. doi: 10.1001/archgenpsychiatry.2010.137. Investigated the relationship between retrospectively reported childhood ADHD and conduct disorder (CD) symptoms and perpetration of intimate partner violence among a sample of 11,238. Conduct disorder significantly predicted IPV perpetration with

and without injury, and when CD and hyperactivity/impulsivity were controlled for, inattention predicted IPV perpetration without injury. ADHD significantly predicted IPV perpetration resulting in injury but not IPV without injury.

Harenski, C. L., Harenski, K. A., Shane, M. S., & Kiehl, K. A. (2010). **Aberrant neural processing of moral violations in criminal psychopaths.** *Journal of Abnormal Psychology, 119*, 863-874. doi:10.1037/a0020979. The authors conducted fMRI scans of those high and low on psychopathy while assessing the severity of moral violations depicting in various pictures. Those high in psychopathy demonstrated reduced activity in the ventromedial prefrontal cortex and anterior temporal cortex during the activity, regions linked to moral decision making. The authors argue the results support notions of moral insensitivity among those high in psychopathy.

Higgins, G. E., Jennings, W. G., & Mahoney, M. (2010). **Developmental trajectories of maternal and paternal attachment and delinquency in adolescence.** *Deviant Behavior, 31*, 655-677. doi: 10.1080/01639620903415851. Examined trajectories of maternal and paternal attachment and their relationship to delinquent trajectories among 383 adolescents over the ages of 12 to 16. Results suggested five groups of maternal attachment: little to no attachment, initially low but increasing attachment, initially high but declining attachment, and two groups of high and stable attachment. Results indicated that as maternal and paternal attachment increased, the likelihood for delinquency decreased.

Langley, K., Heron, J., O'Donovan, M. C., Owen, M. J., & Thapar, A. (2010). **Genotype link with extreme anti-**

**social behavior: The contribution of cognitive pathways.** *Archives of General Psychiatry, 67*, 1317-1323. doi:10.1001/archgenpsychiatry.2010.163. Investigated the association between the high-activity COMT genotype and antisocial behavior in ADHD among 4365 children with data on the genotype and ADHD symptoms and diagnoses. Results indicated the high-activity COMT genotype was associated with both executive control and impaired social understanding. Executive control did not affect the association between genotype and antisocial behavior; however, the relationship dropped when impaired social understanding was included in the model.

Le Corff, Y., & Toupin, J. (2010). **The five-factor model of personality at the facet level: Association with Antisocial Personality Disorder symptoms and prediction of antisocial behavior.** *Journal of Psychopathology and Behavioral Assessment, 32*, 586-594. doi:10.1007/s10862-010-9180-y. The authors interviewed 144 male adolescents with histories of delinquency. In comparison with prior studies of adolescents with no history of antisocial behavior, the current sample similarly identified two factors associated with antisocial behavior: compliance and activity. Factors pertaining to compliance provided insight into antisocial activity even when accounting for prior antisocial behavior.

McMahon, R. J., Witkiewitz, K., Kotler, J. S., & The Conduct Problems Prevention Research Group (2010). **Predictive validity of callous-unemotional traits measured in early adolescence with respect to multiple antisocial outcomes.** *Journal of Abnormal Psychology, 119*, 752-763. doi:10.1037/a0020796. In a longitudinal

analysis of 754 adolescents from Grade 7 to two years post-high school, the authors examined antisocial traits and delinquency. Results indicated callous-unemotional traits at baseline predicted future antisociality more strongly than did prior conduct problems. Consideration for callous-unemotional traits when assessing conduct disorders improved prediction of antisociality. The authors contend that prediction of future delinquency is improved by considering callousness and unemotionality.

Miller, S., Malone, P. S., Dodge, K. A. (2010). **Developmental trajectories of boys' and girls' delinquency: Sex differences and links to later adolescent outcomes.** *Journal of Abnormal Child Psychology, 38*, 1021-1032. doi: 10.1007/s10802-010-9430-1. Examined gender differences in trajectories of delinquent behavior over a 6-year period in adolescence among 754 children, as part of a longitudinal study. Results indicated four trajectory patterns: increasing, desisting, chronic, and non-problem groups. Trajectory membership significantly predicted age 19 outcomes for partner violence, risky sexual behavior and depression, and the risk did not vary by gender. Poor outcomes were observed for youth in the chronic and increasing trajectories.

Olino, T. M., Seeley, J. R., & Lewinsohn, P. M. (2010). **Conduct disorder and psychosocial outcomes at age 30: Early adult psychopathology as a potential mediator.** *Journal of Abnormal Child Psychology, 38*, 1139-1149. doi:10.1007/s10802-010-9427-9. Investigated the relationship between youth conduct disorder (CD) and adult psychosocial outcomes to identify potential



mediators of the relationship by assessing participants on 4 occasions, from adolescence to around age 30 using self-report measures. Most domains of adult psychosocial functioning were associated with youth CD, but adult antisocial behavior was the only form of psychopathology predicted by CD. Adult antisocial behavior mediated the relationship between CD and marital status, life satisfaction, and being in jail.

Ruèevia, S. (2010). **Psychopathic personality traits and delinquent and risky sexual behaviors in Croatian sample of non-referred boys and girls.** *Law and Human Behavior, 34*, 379-391. doi:10.1007/s10979-009-9196-6. Association of psychopathic traits, as measured by the YPI, with violent and non-violent delinquency, delinquency versatility, and risky sexual behavior in a non-referred Croatian sample (226 boys, 480 girls) was examined. Impulsive-Irresponsible and Callous-Unemotional dimensions were most associated with all outcome measures. Impulsive-Irresponsible behavioral style had stronger association with non-violent delinquency and delinquency versatility for boys. Impulsive-Irresponsible dimension had stronger influence on risky sexual behavior for girls.

Viljoen, J. L., MacDougall, E. A. M., Gagnon, N. C., & Douglas, K. S. (2010). **Psychopathy evidence in legal proceedings involving adolescent offenders.** *Psychology, Public Policy, and Law, 16*, 254-283. doi:10.1037/a0019649. Data from 111 court cases since 1947 were examined to identify trends in the use of psychopathy evidence for adolescent defendants. Results suggested the cases incorporating psychopathy evidence has substantially increased over the past two decades and

has most often been presented in cases concerning potential transfers to adult court. This evidence was often used to suggest the defendant was not amenable to treatment.

#### FORENSIC ASSESSMENT

Bow, J. N., Gottlieb, M. C., Siegel, J. C., & Noble, G. S. (2010). **Licensing Board Complaints in Child Custody Practice.** *Journal of Forensic Psychology Practice, 10*, 403-418. doi:10.1080/15228932.2010.489851. Authors examined licensing board complaints among 117 psychologist participants involved in child custody practice. Results indicated that 63% had received licensing board complaints, but that a small proportion resulted in disciplinary action. Participants, although they noted the complaint process was stressful, held a favorable view of licensing boards and insurance companies.

Burchett, D. L. & Ben-Porath, Y. S. (2010). **The impact of overreporting on MMPI-2-RF substantive scale score validity.** *Assessment, 17*, 497-516. doi:10.1177/1073191110378972. Examined the impact of overreporting on the validity of MMPI-2-RF substantive scale of individuals who completed the instrument under instructions to feign psychopathology or somatic complaints by comparing them to a standard instruction condition. Validity coefficients for MMPI-2-RF substantive scale scores were much weaker for feigners than for controls. Mean profiles were more elevated for feigners than controls. Effects were more extreme for psychopathology feigners than for somatic feigners.

Christy, A., Otto, R., Finch, J., Ringhoff, D., & Kimonis, E. R. (2010). **Factors affecting jail**

**detention of defendants adjudicated incompetent to proceed.** *Behavioral Sciences & the Law, 28*, 707-716. doi:10.1002/bsl.961 Data collected in Florida were used to determine the lengths of time incompetent defendants spent at stages in the legal process. Addition of forensic bed capacity following media attention and litigation resulted in a decrease in the amount of time defendants waited for transfer to a state hospital. The amount of time it took for commitment orders to be submitted accounted for a meaningful portion of days defendants spent awaiting transfer to a hospital.

Fanniff, A. M., Otto, R. K., & Petrila, J. (2010). **Competence to proceed in SVP commitment hearings: Irrelevant or fundamental due process right?** *Behavioral Sciences & the Law, 28* 647-670. doi: 10.1002/bsl.957. Sexually Violent Predator (SVP) civil commitment, intended to incapacitate offenders and protect the public, has been implemented in 21 jurisdictions. The article reviews differences between SVP and traditional civil commitment, the rationale underlying competence requirements, and decisions regarding competence in SVP commitment to inform debate regarding whether SVP respondents must be competent to proceed with the commitment process.

Giger, P., Merten, T., Merckelbach, H., & Oswald, M. (2010). **Detection of feigned crime-related amnesia: A multi-method approach.** *Journal of Forensic Psychology Practice, 10*, 440-463. doi:10.1080/15228932.2010.489875. Investigated the efficacy of seven symptom validity instruments among 60 participants who were assigned to respond honestly, feign crime-related amnesia, or feign amnesia with a

warning not to exaggerate. Results indicated high sensitivity and specificity for the Structured Inventory of Malingered Symptomatology (SIRS), the Amsterdam Short-Term Memory Test, and the Morel Emotional Numbing Test, demonstrating that these instruments are valid and useful in decision making about crime-related amnesia.

Guenther, C. C., & Otto, R. K. (2010). **Identifying persons feigning limitations in their competence to proceed in the legal process.** *Behavioral Sciences & the Law, 28*, 603-613. doi: 10.1002/bsl.956. Examined the utility of the Inventory of Legal Knowledge (ILK) to identify persons motivated to feign competence related limitations. Findings showed that the measure has adequate test-retest reliability and classified correctly the large majority of participants in two samples (i.e., college students and psychiatric patients) who completed the measure under "honest" or "fake bad" conditions.

Kennealy, P. J., Skeem, J. L., Walters, G. D., & Camp, J. (2010). **Do core interpersonal and affective traits of PCL-R psychopathy interact with antisocial behavior and disinhibition to predict violence?** *Psychological Assessment, 22*, 569-580. doi:10.1037/a0019618. This meta-analysis of 32 effect sizes (N = 10,555) tested whether an interaction between the PCL-R Interpersonal-Affective and Social Deviance scales predicted violence beyond the simple additive effects of each scale. Results indicate that Social Deviance is more uniquely predictive of violence (d = .40) than Interpersonal-Affective traits (d = .11), and they do not interact (d = .00) to increase predictive power.

Large, M., Nielssen, O., & MCrim, E. G. (2010). **The reliability of evidence about psychiatric diagnosis after serious crime: Part II. Agreement between experts and treating practitioners.** *Journal of the American Academy of Psychiatry and Law, 38*, 524-530. Investigated agreement among treating practitioners and expert witnesses on psychiatric diagnoses. Results indicated good agreement on diagnoses of brain injury, schizophrenia-spectrum psychosis, depressive disorders, intellectual disability, substance abuse, and personality disorders. Moderate agreement between experts and treating practitioners was found concerning the primary Axis I disorder, and evidence provided by treating practitioners in criminal cases was found to be reliable.

Levitt, G. A., Vora, I., Tyler, K., Arenzon, L., Drachman, D., & Ramos, G. (2010). **Civil commitment outcomes of incompetent defendants.** *Journal of the American Academy of Psychiatry and the Law, 38*, 349-358. Investigated admission status and outcomes of civil commitment of 293 defendants found not competent and not restorable (NCNR) and admitted involuntarily to an inpatient hospital in comparison to 280 matched patients admitted involuntarily from the community. The NCNR group met fewer admission criteria, had longer hospital stays, was found less dangerous, and received court-ordered treatment more often than the non-NCNR patient, suggesting that the NCNR individuals are treated differently than community patients.

Marcus, D. K., Poythress, N. G., Edens, J. F., & Lilienfeld, S. O. (2010). **Adjudicative competence: Evidence that impairment in “rational understand-**

**ing” is taxonic.** *Psychological Assessment, 22*, 716-722. doi:10.1037/a0020131. Focused on the “rational understanding” prong of the Dusky standard. Authors hypothesized that, whereas factual knowledge of the legal system and ability to assist counsel may fall on a continuum, plausible beliefs about legal proceedings may be dichotomous in nature. Taxometric analyses of the Appreciation scale of the MCAT-CA, with a sample of 721 defendants, provided support for a taxonic structure.

Mossman, D., Bowen, M. D., Vanness, D. J., Bienenfeld, D., Correll, T., Kay, J., Klyklyo, W. M., & Lehrer, D. S. (2010). **Quantifying the accuracy of forensic examiners in the absence of a “gold standard”.** *Law and Human Behavior, 34*, 402-417. doi:10.1007/s10979-009-9197-5. Five evaluators rated each defendant’s (n = 156) Dusky-defined competence to stand trial on a five-point scale and their understanding of, appreciation of, and reasoning about criminal proceedings. Accuracy parameters were estimated using maximum likelihood and Bayesian approaches. Evaluators appeared to be very accurate, though this finding should be viewed with caution.

Naud, H., & Daigle, M. S. (2010). **Predictive validity of the Suicide Probability Scale in a male inmate population.** *Journal of Psychopathology and Behavioral Assessment, 32*, 333-342. doi:10.1007/s10862-009-9159-8. Over one thousand Canadian inmates were administered the Suicide Probability Scale (SPS) upon incarceration. Over the following decade, 26 participants committed suicide, and 114 engaged in some suicidal behavior. The SPS exhibited predictive utility on a broad scale in that the measure did not

identify those who committed suicide but did identify those as a whole who engaged in any suicidal behavior or intent.

Nielssen, O., MCrim, G. E., & Large, M. (2010). **The reliability of evidence about psychiatric diagnosis after serious crime: Part I. Agreement between experts.** *Journal of the American Academy of Psychiatry and Law, 38*, 516-523. Investigated agreement among experts’ psychiatric diagnoses in Australia. Results indicated good inter-rater agreement on diagnoses of brain injury, schizophrenia-spectrum psychosis, substance-induced psychotic disorder, and intellectual disability. Moderate agreement was found for diagnoses of depressive and personality disorders. Poor agreement was found for diagnoses of anxiety disorders. Agreement on the primary Axis I diagnosis was moderate, and a similar probability of agreement within pairs of experts was found for those engaged by the same side and opposite sides, suggesting concerns about biased expert psychiatric opinion may have been inflated.

Perlin, M. L. (2010). **“Good and bad, I defined these terms, quite clear no doubt somehow”:** **Neuroimaging and competency to be executed after Panetti.** *Behavioral Sciences & the Law, 28*, 671-689. doi: 10.1002/bsl.955. Considers the impact of neuroimaging testimony on post-Panetti competency determination hearings. The article looks at multiple questions of admissibility of evidence, adequacy of counsel, availability of expert assistance, juror attitudes, trial tactics, and application of the *Daubert* doctrine. The author warns that the power of the testimony in question has the capacity to inappropriately affect fact-finders in ways that may lead “to out-

comes that are both factually and legally inaccurate and constitutionally flawed.”

Sellbom, M., & Bagby, R. (2010). **Detection of overreported psychopathology with the MMPI-2 RF form validity scales.** *Psychological Assessment, 22*, 757-767. doi:10.1037/a0020825. MMPI-2 RF responses of undergraduate students instructed to overreport psychopathology (coached or noncoached) were compared with those of psychiatric inpatients who completed the MMPI-2 under standardized instructions. The MMPI-2 RF validity scale Infrequent Psychopathology Responses best differentiated the simulation groups from the sample of patients, regardless of experimental condition. Classification accuracy statistics confirmed the recommended cut scores in the MMPI-2 RF manual.

Shuman, D. V., & Zervopoulos, J. A. (2010). **Empathy or objectivity: The forensic examiner’s dilemma?** *Behavioral Sciences & the Law, 28*, 585-602. doi: 10.1002/bsl.953. Empathy-related issues that may bias forensic assessment of adjudicative competence arise in evaluation interactions with defendants (therapeutic empathy) and from examiners’ personal views of issues that these assessments address (empathy-bias). The article examines empathy-bias and its effects on the development of expert opinions. The authors assert that the often assumed dilemma between empathy and objectivity is a false one. Using case law, research psychology, and professional guidelines, the authors emphasize that examiners must generate plausible alternative explanations of evaluation data as they form their opinions, not afterwards.



Soliman, S., & Resnick, P. J. (2010). **Feigning in adjudicative competence evaluations.** *Behavioral Sciences & the Law*, 28, 614-629. doi: 10.1002/bsl.950. Competence to stand trial is the most requested forensic psychiatric evaluation. The challenge of detecting feigned incompetence has not been systematically studied until the past decade. Estimates of feigned adjudicative incompetence vary from 8 to 21%. This article reviews techniques for detecting malingered psychosis and malingered cognitive impairment during competence evaluations, and discusses specific technique for assessing feigned adjudicative incompetence.

Stockdale, K. C., Olver, M. E., & Wong, S. P. (2010). **The Psychopathy Checklist: Youth Version and adolescent and adult recidivism: Considerations with respect to gender, ethnicity, and age.** *Psychological Assessment*, 22, 768-781. doi:10.1037/a0020044. A sample of 161 Canadian young offenders who received outpatient psychological services was used. The PCL:YV significantly predicted any recidivism in the aggregate sample over a 7-year follow-up; however, when results were disaggregated by youth and adult outcomes, the PCL:YV appeared to be a stronger predictor of youth recidivism. The Antisocial facet contributed the most variance in prediction of adult outcomes; the 3-factor model contributed incremental variance in prediction of youth recidivism.

Tolin, D. F., Steenkamp, M. M., Marx, B. P., & Litz, B. T. (2010). **Detecting symptom exaggeration in combat veterans using the MMPI-2 symptom validity scales: A mixed group validation.** *Psychological Assessment*, 22, 729-736. doi:10.1037/a0020973. Mixed group valida-

tion (MGV) was employed to determine the efficacy of MMPI-2 exaggeration scales in compensation-seeking (CS) and noncompensation-seeking (NCS) veterans. MMPI-2 responses of 377 male veterans were examined according to CS versus NCS status. The validity scales generally performed well (adequate sensitivity, specificity, and efficiency) under most base-rate estimations, and most produced cutoff scores that showed adequate detection of symptom exaggeration, regardless of base-rate assumptions.

Viljoen, J. L., McLachlan, K., Wingrove, T., & Penner, E. (2010). **Defense attorneys' concerns about the competence of adolescent defendants.** *Behavioral Sciences & the Law*, 28, 630-646. doi: 10.1002/bsl.954. Examined attorneys' (n = 214) experience in defending adolescents with competence-related difficulties. Findings indicated attorneys have doubts about competence in 10% of cases, and find them challenging to defend. Most attorneys recognize developmental factors may contribute to competence-related difficulties, and believe the law should accept developmental immaturity as a basis for incompetence findings. Attorneys did not request a competence evaluation in half of the cases in which they had concerns.

Vitacco, M. J., & Kosson, D. S. (2010). **Understanding psychopathy through an evaluation of interpersonal behavior: Testing the factor structure of the interpersonal measure of psychopathy in a large sample of jail detainees.** *Psychological Assessment*, 22, 638-649. doi:10.1037/a0019780. Evaluated the internal structure of the Interpersonal Measure of Psychopathy (IM-P) through exploratory and con-

firmatory factor analyses (CFA) in a large sample of jail inmates. A 17-item, 3-factor (Dominance, Grandiosity, and Boundary Violations) structure evidenced good fit in European American and African American inmates. Multigroup CFA indicated structural invariance between groups. External validity was demonstrated. Little evidence was found for slope bias related to race, but there was evidence of intercept bias for some analyses.

Weinstock, R., Leong, G. B., & Silva, J. A. (2010). **Competence to be executed: An ethical analysis post Panetti.** *Behavioral Sciences & the Law*, 28, 690-706. doi: 10.1002/bsl.951. Competence to be executed evaluations can prevent an execution or remove the last meaningful impediment to it. Forensic psychiatrists have primary duties to the legal system and truth and honesty, but like all other areas of medical consultation also should balance conflicting secondary traditional medical ethical duties. The article discusses ethical issues in relation to such competence evaluations, and stresses sensitivity to potentially seriously conflicting duties and roles.

Witt, E. A., Hopwood, C. J., Morey, L. C., Markowitz, J. C., McGlashan, T. H., Grilo, C. M., Sanislow, C. A., Shea, M. T., Skodol, A. E., Gunderson, J. G., & Donnellan, M. (2010). **Psychometric characteristics and clinical correlates of NEO-PI-R fearless dominance and impulsive antisociality in the Collaborative Longitudinal Personality Disorders Study.** *Psychological Assessment*, 22, 559-568. doi:10.1037/a0019617. Evaluated the validity of derived measures of the psychopathic traits of Fearless Dominance and Impulsive Antisociality from the NEO-PI-R using data from the Collaborative Longitudinal Personality Disorders Study (baseline N = 733). Fearless Dominance

and Impulsive Antisociality scales were stable across 10 years and demonstrated differential associations with measures of personality pathology generally consistent with past research. Moreover, these measures demonstrated incremental validity over the NEO-PI-R profile-rating approach.

Wygant, D. B., Sellbom, M., Gervais, R. O., Ben-Porath, Y. S., Stafford, K. P., Freeman, D. B., & Heilbronner, R. L. (2010). **Further validation of the MMPI-2 and MMPI-2-RF Response Bias Scale: Findings from disability and criminal forensic settings.** *Psychological Assessment*, 22, 745-756. doi:10.1037/a0020042. Using cognitive symptom validity tests as response bias indicators, the RBS exhibited large effect sizes (Cohen's ds = 1.24 and 1.48) in detecting cognitive response bias in the disability and criminal forensic samples, respectively. The scale also added incremental prediction to the traditional MMPI-2 and the MMPI-2-RF overreporting validity scales in the disability sample and exhibited excellent specificity with acceptable sensitivity at cutoffs ranging from 90T to 120T.

#### LAW ENFORCEMENT, CONFESSIONS, & DECEPTION

Clemens, F., Granhag, P., Strömwall, L. A., Vrij, A., Landström, S., Hjelmsäter, E., & Hartwig, M. (2010). **Skulking around the dinosaur: Eliciting cues to children's deception via strategic disclosure of evidence.** *Applied Cognitive Psychology*, 24, 925-940. doi:10.1002/acp.1597. Investigated verbal cues to deception as a function of early vs. late disclosure of evidence. Children either guilty or innocent of a mock crime, were interviewed (n = 84). Deceptive

statements were more inconsistent with the evidence than truthful statements, and this was more pronounced as a function of evidence disclosure. Adult observers (n = 168) made veracity assessments of the statements. Observers in the late disclosure condition achieved an accuracy rate higher than chance (63.1%), whereas accuracy rates in the early disclosure condition were at chance level (56%).

Powell, M., Murfett, R., & Thomson, D. M. (2010). **An analysis of police officers' decisions about whether to refer cases of child abuse for prosecution.** *Psychology, Crime, & Law, 16*, 715-724. doi: 10.1080/10683160903025828. Australian child abuse allegation case files (n = 33) were qualitatively analyzed for factors relating to referral by police investigators for prosecution. The main factors related to referral were existence of corroborating evidence and suspects' statements. The quality of the victim interview (e.g. use of leading questions) was not considered by the investigating police officers.

Reinhard, M. (2010). **Need for cognition and the process of lie detection.** *Journal of Experimental Social Psychology, 46*, 961-971. doi:10.1016/j.jesp.2010.06.002. Four experiments investigated the influence of Need for Cognition (NFC) on the process of lie detection. In Experiments 1 and 2, participants saw a film in which nonverbal cues (fidgety vs. calm movements) and verbal cues (low vs. high plausibility) were manipulated. As predicted, when NFC was lower, only nonverbal cues influenced veracity judgments. Participants with higher NFC also used verbal cues. Experiments 3 and 4 tested if higher NFC leads to better discrimi-

nation of veracity and found that participants with higher NFC achieved higher classification accuracy.

Swanner, J., & Beike, D. (2010). **Incentives increase the rate of false but not true secondary confessions from informants with an allegiance to a suspect.** *Law and Human Behavior, 34*, 418-428. doi:10.1007/s10979-009-9212-x. Participant-informants (n = 192), after exposure to a confederate's confession or denial, produced secondary confessions at a rate insensitive to an interpersonal closeness manipulation. Incentive increased the rate of false secondary confessions for informants made close to the suspect.

Verschuere, B., Crombez, G., Degrootte, T., & Rosseel, Y. (2010). **Detecting concealed information with reaction times: Validity and comparison with the polygraph.** *Applied Cognitive Psychology, 24*, 991-1002. doi:10.1002/acp.1601. Assessed the validity of the reaction-time (RT)-based test for concealed information detection, and compared its discriminative power with the polygraph. Participants (n = 32) in a feigned amnesia study were promised a reward when successfully concealing autobiographical information. Participants performed an RT-based test and a polygraph. Data support the validity of the RT-based test for concealed information detection, and indicate its discriminative power is similar to the polygraph.

#### LEGAL DECISION-MAKING/JURY RESEARCH

Butler, B. (2010). **Moving beyond Ford, Atkins, and Roper: Jurors' attitudes toward the execution of the elderly and the physically disabled.** *Psychology, Crime, & Law, 16*, 631-647. doi: 10.1080/10683160902998033. Surveyed

250 jury eligible participants. Attitudes towards the death penalty, death qualification, and demographic factors were examined in relation to the use of the death penalty in the elderly and physically disabled. Participants who were death qualified, more favorable towards the death penalty, support the death penalty, and have more legally authoritarian attitudes were more likely to support the use of the death penalty for the elderly and disabled.

McAuliff, B. D., & Duckworth, T. (2010). **I spy with my little eye: Jurors' detection of internal validity threats in expert evidence.** *Law and Human Behavior, 34*, 489-500. doi:10.1007/s10979-010-9219-3. Mock jurors (n = 223) exposed to a child sexual abuse case were mostly insensitive to threats to internal validity in a study presented by defense's expert witness. Publication status (peer-reviewed vs. not) similarly had little effect on mock juror evaluations.

Summers, A., Hayward, R. D. and Miller, M. K. (2010). **Death qualification as systematic exclusion of jurors with certain religious and other characteristics.** *Journal of Applied Social Psychology, 40*, 3218-3234. doi: 10.1111/j.1559-1816.2010.00698.x. Examined if the death-qualification process excludes jurors based on religious characteristics, justice philosophy, cognitive processing, and demographics. Results indicated that death qualification can be predicted by religious affiliation, devotionism, fundamentalism, and Biblical interpretism. Cognitive processing had no impact on death qualification. Gender and race predicted death qualification, age and prior jury duty did not.

#### RISK ASSESSMENT/COMMUNICATION

Alexandrea, G. C., Nadanovsky, P., Moraes, C. L., & Reichenheima, M. (2010). **The presence of a stepfather and child physical abuse, as reported by a sample of Brazilian mothers in Rio de Janeiro.** *Child Abuse & Neglect, 34*, 959-966. doi:10.1016/j.chiabu.2010.06.005. Authors interviewed 385 Brazilian women with children 1-12 years to investigate whether the presence of a stepfather increased the risk of child physical abuse. Physical abuse was reported for 34% of children with stepfathers and 17.6% of children living with genetic fathers. The odds of physical abuse were increased by 2.7 in stepfather households; however, the elevated risk was due to reported abuse by the mothers rather than their male partners.

Bani-Yaghoub, M., Fedoroff, J. P., Curry, S., & Amundsen, D. E. (2010). **A time series modeling approach in risk appraisal of violent and sexual recidivism.** *Law and Human Behavior, 34*, 349-366. doi: 10.1007/s10979-009-9183-y. Proposes a time series modeling approach to predict violent and sexual recidivism over short and long periods of time. The approach outperformed two widely used actuarial instruments (i.e., the Violence Risk Appraisal Guide and the Sex Offender Risk Appraisal Guide). Analysis of temporal risk variations based on specific time series models can add valuable information into risk assessment and management of violent offenders.

DeLisi, M., Caudill, J.W., Trulson, C.R., Marquart, J.W., Vaughn, M.G., & Beaver, K.M. (2010). **Angry inmates are violent inmates: A poisson re-**



**gression approach to youthful offenders.** *Journal of Forensic Psychology Practice*, 10, 419-439. doi:10.1080/15228932.2010.489861.

Authors examined the psychosocial characteristics, most importantly, anger, that predict inmate misconduct. After controlling for psychiatric symptoms, age, race, gender, commitment offense type, and prior delinquency, analyses indicated that anger significantly predicted sexual misconduct, staff assaults, and aggressive misconduct. Anger approached significance in predicting ward assaults. Specifically, the MASYI-2-angry-irritable scale had significant and modest predictive accuracy, with sensitivities ranging from .58 to .66.

Mokros, A., Stadtland, C., Osterheider, M., & Nedopil, N. (2010). **Assessment of risk for violent recidivism through multivariate Bayesian classification.** *Psychology, Public Policy, and Law*, 16, 418-450. doi:10.1037/a0021312. Utilized data from 393 German offenders to extend understanding of Bayesian statistics' applicability to risk assessment to the multivariate level. The authors focused on three factors: offender age, PCL-R subscale scores, and HCR-20 subscale scores. Multivariate Bayesian statistics proved useful in assessing risk for future violence by accounting for offender age and PCL-R scores.

## WITNESS ISSUES

Alonzo, J. D. and Lane, S. M. (2010). **Saying Versus judging: Assessing knowledge of eyewitness memory.** *Applied Cognitive Psychology*, 24, 1245-1264. doi: 10.1002/acp.1626. Participants study evaluated the accuracy of eyewitnesses depicted in brief trial transcripts and answered survey questions to assess

their beliefs regarding the same eyewitness memory issues. Past research has primarily assessed jurors' knowledge about factors influencing eyewitness memory using survey questions, but expressed beliefs may over- or under-estimate the ability of respondents to act appropriately when faced with a relevant situation. Results revealed that participants' performance on the transcripts did not correlate with their survey responses for most issues.

Havard, C., Memon, A., Clifford, B. and Gabbert, F. (2010). **A comparison of video and static photo lineups with child and adolescent witnesses.** *Applied Cognitive Psychology*, 24, 1209-1221. doi: 10.1002/acp.1645. Compared 7-9 and 13-15-year olds' (n = 215) ability to make identifications from video or static photo lineups. Participants witnessed a live event and 2-3 days later viewed a target present (TP), or target absent (TA) video or photo lineup. For all TP lineups, correct responses did not differ as a function of age. Video lineups produced lower rates of false identifications when the target was absent, but only for adolescent witnesses. Researchers concluded that there were no indications of problems in the use of video identification procedures with children, and there are possibly certain benefits.

Hilliar, K., Kemp, R., & Denson, T. (2010). **Now everyone looks the same: Alcohol intoxication reduces the own-race bias in face recognition.** *Law and Human Behavior*, 34, 367-378. doi:10.1007/s10979-009-9204-x. Asian and European participants (n=139), when mildly intoxicated, showed reduced same-race bias in a facial recognition task. Own-race bias was present in an alcohol placebo condition.

Landström, S., & Granhag, P.A. (2010). **In-court versus out-of-court testimonies: Children's experiences and adults' assessments.** *Applied Cognitive Psychology*, 24, 941-955. doi:10.1002/acp.1606. Child witnesses (n = 108) were interviewed about an experienced or imagined event. Adult mock jurors (n = 240) watched the testimonies live, via two-way closed-circuit television (CCTV) or via a prerecorded video. Live observers perceived the children more positively than the two-way CCTV observers, who perceived the children more positively than the video observers. However, a significantly smaller proportion of the children who testified on video stated that they were nervous, compared to the children who testified live or via CCTV.

Marche, T. A., Brainerd, C. J., & Reyna, V. F. (2010). **Distinguishing true from false memories in forensic contexts: Can phenomenology tell us what is real?** *Applied Cognitive Psychology*, 24, 1168-1182. doi:10.1002/acp.1629. Participants heard a narrative of a robbery followed by suggestive questions about its content, and were then asked to rate the items they recognized as studied using the Memory Characteristics Questionnaire. Consistent with studies of word lists, there were phenomenological differences between true and false memory responses: memory phenomenology was richer for true than for false memories.

Memon, A., Meissner, C. A., & Fraser, J. (2010). **The Cognitive Interview: A meta-analytic review and study space analysis of the past 25 years.** *Psychology, Public Policy, and Law*, 16, 340-372. doi:10.1037/a0020518. Used meta-analysis and supplemental meta-analytic methods to update understanding of the body of

literature on the Cognitive Interview technique for witnesses. Prior conclusions regarding large increases in correct details and slight increases in detail errors with the Cognitive Interview were supported. The authors contend that recent studies have shown the Cognitive Interview is particularly useful with older witnesses, but not all studies have accounted for real-world conditions.

Roberts, K. P., & Lamb, M. E. (2010). **Reality-monitoring characteristics in confirmed and doubtful allegations of child sexual abuse.** *Applied Cognitive Psychology*, 24, 1049-1079. doi:10.1002/acp.1600. Across three studies, 119 allegations of sexual abuse by younger (aged 3-8) and older (aged 9-16) children were analyzed for differences in the presence of reality-monitoring criteria. Statements were deemed likely or unlikely to be descriptions of actual incidents using independent case information (e.g. medical evidence). Accounts by older children consistently contained more reality-monitoring criteria than those provided by younger children, and age differences were particularly strong in doubtful cases.

Verkampt, F. and Ginet, M. (2010). **Variations of the cognitive interview: Which one is the most effective in enhancing children's testimonies?** *Applied Cognitive Psychology*, 24, 1279-1296. doi: 10.1002/acp.1631. In the first experiment, 229 children (ages 4-5 and 8-9) participated in a painting session. They were then interviewed with one of six interview protocols: A full CI, four of its variations, or a Structured Interview (SI). The children were then asked misleading questions. All variations of the CI elicited more correct details than the SI, without a

concomitant in errors or confabulations. Moreover, the CI with the *change order* instruction omitted reduced the children's suggestibility level. This variation of the CI was subsequently tested on 57 children and results confirmed its effectiveness.

Wade, K. A., Green, S. L., & Nash, R. A. (2010). **Can fabricated evidence induce false eyewitness testimony?** *Applied Cognitive Psychology, 24*, 899-908. doi:10.1002/acp.1607 Examined whether exposure to a fabricated video could produce false eyewitness testimony. Subjects (n = 66) completed a gambling task alongside a confederate and later falsely told their partner had cheated. Some subjects viewed a digitally manipulated video of their partner cheating; some were told that video evidence of the cheating exists; and others were not told anything. See-video subjects were three times more likely to sign a statement confirming that they witnessed the incident and that their corroboration could be used in disciplinary action than Told-video and Control subjects.

Wilson, J., & Hugenberg, K. (2010). **When under threat, we all look the same: Distinctiveness threat induces ingroup homogeneity in face memory.** *Journal of Experimental Social Psychology, 46*, 1004-1010. doi:10.1016/j.jesp.2010.07.005. Across two studies, it was found that threatening White American participants' ethnic distinctiveness led to a reduction in recognition. Distinctiveness threat created ingroup homogeneity in face memory. In both studies, distinctiveness threat led Whites' same-race recognition to drop to cross-race levels.

Wise, R. A., Gong, X., Safer, M. A. & Lee, Y. T. (2010). **A com-**

**parison of Chinese judges' and US judges' knowledge and beliefs about eyewitness testimony.** *Psychology, Crime, & Law, 16*, 695-713. doi:10.1080/10683160903153893. Chinese judges' (n = 170) knowledge and beliefs regarding eyewitness testimony were compared to responses from a previous survey of U.S. judges (n = 160). Both groups had limited eyewitness knowledge, with Chinese judges having slightly worse knowledge. Chinese judges were more likely to believe they did not need training in regards to eyewitness issues and that laypeople have as much eyewitness knowledge as judges.

Zarkadi, T., Wade, K. A., & Stewart, N. (2009). **Creating fair lineups for suspects with distinctive features.** *Psychological Science, 20*, 1448-1453. doi:10.1111/j.1467-9280.2009.02463.x. Eyewitnesses often refer to a culprit's distinctive facial features, but placing only one person with the described distinctive feature in a lineup is unfair to the suspect and provides the police with little further information. The study tested whether the distinctive feature should be either replicated across foils or concealed. Replication produced more correct identifications in target-present lineups—without increasing the incorrect identification of foils in target-absent lineups—than did concealment.

Zhu, B., Chen, C., F. Loftus, E. F., Lin, C. and Dong, Q. (2010). **Treat and trick: A new way to increase false memory.** *Applied Cognitive Psychology, 24*, 1199-1208. doi: 10.1002/acp.1637. Using a three-stage misinformation paradigm (original event, misinformation, and test), subjects were first given a color-slide presentation of two events, then given an *accurate* account (instead of misinformation) of the

events in narrations, then tested for their memory of the original events. A month later, they underwent the standard misinformation paradigm with two new events. The comparison group was given the standard misinformation tasks at both time points and reported fewer false memories in the subsequent misinformation paradigm.

## OTHER

Baralica, I., Savica, S., Alempijevica, D. M., Jecmenica, D. S., Sbutega-Milosevic, G., & Obradovica, M. (2010). **Child homicide on the territory of Belgrade.** *Child Abuse & Neglect, 34*, 935-942. doi:10.1016/j.chiabu.2010.06.003 Investigated the incidence and characteristics of child homicide in the territory of Belgrade by retrospectively analyzing autopsies performed between 1991-2005 on homicide victims aged 0 -14 years. Results indicated most victims were within 1-4 years of age and were killed at home by a close family member, usually the mother. Blunt head trauma was the most frequent cause of death, and child abuse injuries were identified among 20% of the victims.

Benitez, C. T., McNeil, D. E., & Binder, R. L. (2010). **Do protection orders protect?** *Journal of the American Academy of Psychiatry and Law, 38*, 376-385. Authors conducted a meta-analysis of empirical studies examining outcomes of protection orders and factors associated with violations of protection orders. The results indicated that protection orders can be useful in threat management, but that clinicians should consider that the risk of violations of protection orders is significant, violations typically occur shortly after the initiation of the protection order, and that the nature of the previous violence should be taken into consideration.

Bohner, G., Pina, A., Viki, T., & Siebler, F. (2010). **Use of social norms to reduce men's rape proclivity: Perceived rape myth acceptance of out-groups may be more influential than that of in-groups.** *Psychology, Crime, & Law, 16*, 671-693. doi:10.1080/1068316X.2010.492349. The effects of out-group and in-group acceptance of rape myths on men's reported acceptance of rape myth (RPA) and rape proclivity (RP) was examined. Study one participants (n = 90) had lower RPA and RP when exposed to low acceptance of rape by the out-group and in-group compared to exposure to no information. In study two (n = 189) the effect was strongest for the influence of out-group non-acceptance when it was unexpected.

Chadwick, D. L., Castillo, E. M., Kuelbsa, C., Cox, S. A., & Lindsay, S. P. (2010). **Missed and missing cases of abusive injuries: The magnitude and the measurement of the problem.** *Child Abuse & Neglect, 34*, 943-950. doi:10.1016/j.chiabu.2010.08.001 Investigated the disparity between case-fatality rates for inflicted and unintentional injuries of children to assess the efficacy of the determination of inflicted injuries of children. Results from the data from four separate databases indicated a large disparity between the case-fatality rates of inflicted and unintentional injuries existed in the databases. It is suggested that the disparity may be accounted for by incorrectly diagnosed and missed/unseen cases.

Cutajar, M. C., Mullen, P. E., Ogloff, J. R. P., Thomas, S. D., Wells, D. L., & Spataro, J. (2010). **Schizophrenia and other psychotic disorders in a cohort of sexually abused children.** *Archives of General*



*Psychiatry*, 67, 1114-1119. doi:10.1001/archgenpsychiatry.2010.147 Investigated the relationship between child sexual abuse (CSA) and later psychotic disorders among a sample of individuals sexually abused before age 16 and a community control group. Results indicated rates of psychosis, specifically schizophrenia, were higher among CSA subjects than control subjects. Risk of psychotic disorder was highest among those whose abuse involved penetration, occurred after age 12, and involved more than one perpetrator.

Effron, D. A. & Monin, B. (2010). **Letting people off the hook: When do good deeds excuse transgressions?** *Personality and Social Psychology Bulletin*, 36, 1618-1634. doi:10.1177/0146167210385922. Examined the effects of people's previous good deeds on the condemnation for their later transgressions and crimes. In a pilot study (n = 138), transgressors reported to have done good deeds were judged more favorably. In study 1 (n = 76), transgressors were judged less favorably if they committed good deeds in the same area as their crimes compared to those who did good deeds in a different area or did no good deeds. In study two (n = 113), this hypocrisy factor did not hold for crimes that were ambiguous compared to those that were blatant.

Kahan, D., Braman, D., Cohen, G., Gastil, J., & Slovic, P. (2010). **Who fears the HPV vaccine, who doesn't, and why? An experimental study of the mechanisms of cultural cognition.** *Law and Human Behavior*, 34, 501-516. doi:10.1007/s10979-009-9201-0. Participants' (n = 1538) perceptions of risk of universal

HPV vaccination were influenced by the cultural identity of an advocate (for or against the law). Risk perception differences between hierarchical individualist and egalitarian communitarian participants were greatest when exposed to expected arguments from co-aligned advocates.

Kessler, T., Neumann, J., Mummendey, A., Berthold, A., Schubert, T., & Waldzus, S. (2010). **How do we assign punishment? The impact of minimal and maximal standards on the evaluation of deviants.** *Personality and Social Psychology Bulletin*, 36, 1213-1224. doi:10.1177/0146167210380603. Four studies examined how people judge deviance, minimally (deviant or not) or maximally (degrees of deviance), is related to how such behavior is punished. Type of deviance judgment was measured in study one (n = 147) and manipulated in studies two (n = 74), three (n = 78), and four (n = 41). The type of standard by which target behavior was judged influenced the punishment (minimal: punishment or no punishment; maximal: differing degrees of punishment) assigned by participants.

Kugler, M. B. and Cooper, J. (2010). **Still an American? Mortality salience and treatment of suspected terrorists.** *Journal of Applied Social Psychology*, 40, 3130-3147. doi: 10.1111/j.1559-1816.2010.00694.x. In 2 experiments on the impact of mortality salience on people's willingness to deny procedural protections to terror suspects, reminders of mortality led participants to extend more procedural protections to an American terrorism suspect, but fewer toward a Saudi Arabian suspect. Study 2 replicated and extended the results of Study 1 by showing that support of extreme interroga-

tion measures was specific to members of enemy out-groups, compared to non-enemy out-groups.

Morgan, G. S., Mullen, E., & Skitka, L. J. (2010). **When values and attributions collide: Liberals' and conservatives' values motivate attributions for alleged misdeeds.** *Personality and Social Psychology Bulletin*, 36, 1241-1254. doi: 10.1177/0146167210380605. Examined ideals and motivations in relation to attributing situational or dispositional factors to actors' behavior. It is noted that conservatives generally tend to make more dispositional attributions. In three studies (study one n = 296; study two n = 92; and study three n = 397) conservative participants were more likely than liberal participants to make situational attributions when the actor's behavior was in line with conservative ideals.

Peterson, J., Skeem, J. L., Hart, E., Vidal, S., & Keith, F. (2010). **Analyzing offense patterns as a function of mental illness to test the criminalization hypothesis.** *Psychiatric Services*, 61, 1217-1222. The authors interviewed 220 offenders who did or did not have a history of severe mental illness. Although a small percentage of mentally ill offenders had committed offenses in direct connection with their mental illness, most (90%) offenses the product of reactive anger, impulsivity, or substance abuse. The authors argue that focusing on mental health symptoms of offenders may reduce recidivism for only a subset of mentally ill offenders, as other factors often contribute to offending.

Simon, L. M. J., Ellwanger, S. J., & Haggerty, J. (2010). **Reversing the historical tide of iatrogenic harm: A therapeutic jurisprudence analysis of**

**increases in arrests of domestic batterers and rapists.** *International Journal of Law and Psychiatry*, 33, 306-320. doi:10.1016/j.ijlp.2010.09.003 Compared arrest rates of intimate partner rape and domestic violence in jurisdictions with mandatory/presumptive arrest policies to full discretion jurisdictions in 19 states. Results indicated increased odds of arrest for domestic violence incidents and violations of orders of protection in mandatory and preferred arrest jurisdictions compared to jurisdictions with discretionary arrest policies. Intimate violence, forcible rape with assault or kidnapping, and forcible fondling accompanied by assault significantly increased odds of arrest. Results suggest pro-arrest laws have reversed negative treatment of victims of intimate partner violence.

Taft, C. T., O'Farrell, T. J., Doron-LaMarca, S., Panuzio, J., Suvak, M. K., Gagnon, D. R., & Murphy, C. M. (2010). **Longitudinal risk factors for intimate partner violence among men in treatment for alcohol use disorders.** *Journal of Consulting and Clinical Psychology*, 78, 924,935. doi:10.1037/a0021093 The authors examined changes in domestic violence over one year for men diagnosed with alcohol abuse or dependence. Over 40 percent of couples reported violence at baseline, a number that lowered slightly (36 percent) one year later. Predictors of partner violence included severity of alcohol problems at baseline, baseline beliefs on alcohol use, and antisociality. Predictors amenable to treatment included changes in substance use, relationship adjustment, and anger.



# Division News and Information

## APLS Book Series

The APLS book series is published by Oxford University Press. The series publishes scholarly work that advances the field of psychology and law by contributing to its theoretical and empirical knowledge base. The latest book in the series, by Larry Wrightsman, is entitled *Oral arguments before the Supreme Court: An empirical approach*. Larry traces the history of oral arguments from John Jay and the beginning of the Supreme Court to the present day Roberts Court. Challenging the notion that oral arguments play an insignificant role in decisions, Wrightsman provides a careful and detailed analysis of the transcripts of oral arguments and shows that oral arguments are central to the decision making process.

Forthcoming are books by:

Brian Cutler (*Eyewitness Identification*)  
Brian Bornstein and Monica Miller (*God in the Courtroom*).

The editor is interested in proposals for new books. Inquiries and proposals from potential authors should be sent to Dr. Patricia Zapf, Series Editor (E-mail: pzapf@jjay.cuny.edu or phone: 212-866-0608).

Four proposals were received and reviewed over the past year: two of which are currently being revised for resubmission; one was passed on by Oxford; and a final is in contract with Oxford for publication in the series. This book is entitled, *Juveniles at risk: A plea for preventive justice* by Chris Slobogin and Mark Fondacaro. The most recently published book in the series is entitled, *The Miranda ruling: Its past, present, and future* by Larry Wrightsman and Mary Pitman. Congratulations to these authors on great additions to this series!

The following is an updated list on the status of the books that are still pending under the previous editor, Ron Roesch.

Arrigo, B. (in preparation). *Ethics, culture, and mental health*. NY: Oxford University Press.

Dvoskin, J., Skeem, J., Novaco, R., & Douglas, K. S. (in preparation). *Applying social science to reduce violent offending*. NY: Oxford University Press.

Mechanic, M. B. (in preparation). *Criminal cases involving battered women defendants and witnesses: Expert evidence on intimate partner battering and its effects*. NY: Oxford University Press.

Perlin, M. L. (in preparation). "The chimes of freedom flashing": Exploring the intersection between international human rights and mental disability law. NY: Oxford University Press.

Wrightsman, L. S. (in preparation). *What's the matter with Miranda? How America's best-known right went wrong*. NY: Oxford University Press.

## Now Updated: Resource Directory of Forensic Psychology Pre-Doctoral Internship Training Programs

The APLS Teaching, Training, and Careers Committee is pleased to announce that the newly updated "Resource Directory of Forensic Psychology Pre-Doctoral Internship Training Programs" is now available on-line at the APLS website [www.ap-ls.org](http://www.ap-ls.org). This directory includes a listing of U.S and Canadian pre-doctoral internships with forensic rotations including: setting, population, type of forensic assessment and treatment experiences, as well as time spent at each training experience. Email and website addresses have been included to facilitate contact with internship programs. This directory is a must-have for students interested in forensic psychology.

The TCC is indebted to Professor Alvin Malesky and Allison Croysdale for all their efforts spent in updating this directory.

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## Call for Psychology and Law Syllabi

The AP-LS Teaching, Training, and Careers Committee (TTC) is continuing its efforts to collect syllabi for courses in Psychology and Law or closely related topics. There are already a number of syllabi that have been collected over the years on the AP-LS website (<http://ap-ls.org/academics/downloadIndex.html>). However, we would like to routinely post new syllabi. We would appreciate your assistance in providing us with a copy of your syllabi. If you have not already provided one, please do so in the following way:

Send a copy of your syllabi to Matthew Huss ([mhuss@creighton.edu](mailto:mhuss@creighton.edu)). Soft copies may be submitted as e-mail attachments (Word Perfect, Word, or ASCII files are preferred).

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## Handbook of Teaching Materials

The recently-revised "**Handbook of Teaching Materials for Undergraduate Legal Psychology Courses**" (by Edie Greene and Erica Drew) is available on the AP-LS website ([www.ap-ls.org](http://www.ap-ls.org)) under the Academics link. The handbook provides models for integrating psychology and law into the undergraduate curriculum, course descriptions, relevant textbooks, sources for lecture material, suggested writing assignments and active learning exercises, and video and on-line resources.

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## New Online! Directory of Post Doctoral Forensic Training Sites

The TCC brings you a new directory of post doc forensic training sites. The directory can be found on the AP-LS website at the following link: <http://www.ap-ls.org/education/PostDoc.php>



## EXECUTIVE COMMITTEE AND COMMITTEE CHAIRS

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• Early Career Psychologists Committee	Lora Levett	<a href="mailto:llevett@ufl.edu">llevett@ufl.edu</a>
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	Sam Sommers	sam.sommers@tufts.edu
	Matt Scullin	mhscullin@utep.edu
• 2010 APA Conference Chairs	Nancy Ryba	nryba@fullerton.edu
	Lora Levett	<a href="mailto:llevett@ufl.edu">llevett@ufl.edu</a>
	Margaret Bull Kovera	mkovera@jjay.cuny.edu
• 2011 APLS Conference Chairs	Patricia Zapf	pzapf@jjay.cuny.edu

### AP-LS Web Site

If you have information you would like to be posted to the AP-LS website, please email the Web Site Editor, Dr. Kevin

O'Neil at [koneil@fgcu.edu](mailto:koneil@fgcu.edu). Content that should be added to, or corrected on, the Web site is especially desired.

# Division News and Information

## AP-LS Mentorship Committee

### Top 5 Tips for Success in Psychology and Law

The Mentorship Committee's session topic for AP-LS 2010 was "Top 5 Tips." This session was set up differently than our previous sessions, with mentors providing their top 5 tips for success in various areas of psychology to attendees. The attendees spent approximately 20 minutes with mentors of interest, allowing them to hear from at least 3 mentors during the session. This format was well received and will also be used during the AP-LS 2011 Conference. During the AP-LS 2011 Conference, mentors will also discuss their top 5 tips for success in a variety of topics. There will also be "general" mentors who will be available to answer attendee questions about various topics.

This top 5 tips format will also be used in the next several columns, as mentors provide information about their suggestions for being successful in certain areas of psychology and law. The following column discusses the top 5 tips for combining academic training and field training.

#### The Ivory Tower and the Trenches: Five Mentoring Suggestions for the Novice in Clinical Forensic Psychology

Stanley L. Brodsky and Tess M.S. Neal  
The University of Alabama

Students studying clinical and forensic psychology have a rich variety of sources from which to learn. We suggest that in the process of obtaining clinical training, students should look for ways to integrate science into clinical consultation. Here are five suggestions that seek to synthesize academic training with field applications in psychology and law.

**1) Look for opportunities to shadow, observe, or participate in forensic assessments:** Every time I (SB) do a forensic assessment, I invite a graduate student to join me. Something nice happens. I find myself being on my toes more than before, because I am being observed and because I am presenting myself as an example. The student sees the translation of classroom theory into practice. The student often joins in on the evaluation and will take over for a while at plateaus in the clinical-forensic interview. There are psychology-law faculty mentors who prefer not to have students with them, and the present approach is far from a mandate. However, for faculty with forensic practices, this opportunity for mentoring can be a practical learning experience for students.

**2) Consider clinical experiences as sources of research ideas:** On the trip back from assessments in which a graduate student and faculty member have worked together, the immediacy of the issues often makes us bubble up with questions, hypotheses, and research ideas.

**3) Value Uncertainty:** The best sources of research ideas are often times of uncertainty, puzzlement, and difficulty in clinical as-

essment. After times in which we have worked together on an evaluation, we have found ourselves thinking about and discussing what we do not know. At their best, these post-assessment talks are seminal moments for thinking about ideas or topics about which the literature should be examined. Sometimes we write a paper that explores otherwise undeveloped issues.

**4) Follow-up:** Read more in the literature after the assessment. This helps student and faculty member alike reconsider the issues of the evaluation. It takes systematic discipline to go to the literature to learn more about what was just done.

**5) Seek to apply research knowledge to clinical-forensic assessments:** A peculiar kind of myopia can easily infect forensic practitioners. They sometimes fiercely and loyally stay with what they have learned in their graduate and internship training, to the exclusion of new findings and research issues. The pull to complete their daily work tasks can be compelling. The antidote is to commit oneself to a regular and systematic examination of research knowledge. This preventive step of focused periodic attention to emerging research will serve students well in future work.

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### American Academy of Forensic Psychology Workshop Schedule: 2010

The American Academy of Forensic Psychology, the membership of ABPP board certified forensic psychologists, presents an ongoing series of workshops and training seminars led by leaders in the field of forensic psychology. Workshops focus on contemporary psycho-legal issues relevant to forensic, child, clinical and neuropsychologists and are designed for those interested in pursuing psycho-legal topics in depth. The schedule for 2010-2011 can be found at [www.abfp.com](http://www.abfp.com), along with a listing of the specific topics covered in each workshop. More information also appears in Conference and Workshop planner on page 35. 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.

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### Membership in EAPL

Join the EUROPEAN ASSOCIATION OF PSYCHOLOGY AND LAW and receive a subscription to *Psychology, Crime and Law* for about \$50 (45 Euros). Information about EAPL can be obtained at the Association website: [www.law.kuleuven.ac.be/eapl/](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 a joint conference held July 3-8, 2007, in Adelaide, Australia. Further details are available through the Association website.



## Division News and Information

### AP-LS Committee on Early Career Psychologists: ECP Conference Workshop

The AP-LS ECP Committee has also been busy planning our conference workshop and social for this March. On Thursday, March 3 from 8:00 -8:50 am, the ECP Committee will have collaborated with the AP-LS Student Section present a workshop on grant-getting, given by Chris Meissner, Ph.D. Dr. Meissner is currently one of the program officers at the National Science Foundation in the Law and Social Sciences Division. The workshop is open to all membership and is free of charge.

In addition to our workshop, we also will be hosting a social for ECPs and soon-to-be ECPs at the AP-LS Conference on Friday, March 19 from 9:00 – 11:00 pm in Hyatt Regency Miami/Ibis Room. Please feel free to stop by and say hello to the ECPs!

If you have input for the committee on how to best support ECPs, if you would like to make a suggestion for a newsletter column or workshop topic or would like to join the ad hoc AP-LS Committee on ECPs, please contact the committee chair, Lora Levett, at [llevett@ufl.edu](mailto:llevett@ufl.edu).

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### Psychology, Public Policy, & Law

by, Ron Roesch, Editor

I am pleased to report that submissions have been increasing each year since I took over as editor of *Psychology, Public Policy, & Law*. This is in part due to the changes I made to the editorial policy and also due to the improved lag time for both initial review and for publication. We had 86 submissions in 2010, an increase of about 26% over the 68 submissions in 2009. The rejection rate has remained constant, at about 73%, but the increase in submissions has allowed me to increase the number of articles published. This past year, we published 17 articles and a total of 450 pages, compared to 13 articles and 334 pages in 2009, for a 35% increase in pages published.

I encourage you to consider PPP&L as a possible outlet for your work. Please see the journal's webpage for more details about editorial policy and submission procedures (<http://www.apa.org/pubs/journals/law/index.aspx>) or contact the editor, Ronald Roesch ([roesch@sfu.ca](mailto:roesch@sfu.ca)), if you have questions about the suitability of a manuscript you are considering for submission to PPP&L.

### New Journal from SARMAC: Journal of Applied Research in Memory and Cognition

The Society of Applied Research in Memory and Cognition (SARMAC) is pleased to announce the launch of its flagship journal, conveniently and aptly named, *Journal of Applied Research in Memory and Cognition* (JARMAC). The journal will publish empirical research studies and reviews or discussions (debates and target articles plus commentaries) that address applying cognitive theory to real-world issues. Topics of interest will reflect a wide gamut of cognitive functions (e.g., attention, learning, metacognition, memory retrieval, mental representation, decision-making, perception, language, reasoning, etc.) and real-world realms (e.g., education, autobiographical memory, legal, security, medical, business, military, health, compliance, aging, consumer, athletics, etc.). Our goals are to (a) extend the scientific knowledge underlying cognitive processes, (b) apply this knowledge to real-world concerns, and (c) bridge the gap between theoreticians and practitioners. The journal will be issued quarterly, beginning January, 2012, and, as of August, 2011, will make accepted articles available immediately online. We are now “open for business” and invite your (interesting, creative) submissions. For the next several weeks, until our official web site is available, submit your papers to the editor (Ron Fisher) at [fisherr@fiu.edu](mailto:fisherr@fiu.edu) or at: Dr. Ronald P. Fisher, Department of Psychology, Florida International University, 3000 N.E. 151st Street, North Miami, FL 33181-3600, U.S.A., tel: 305 919 5853, fax: 305 919 5964

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### Description of Law and Human Behavior

Law and Human Behavior, the official journal of the American Psychology-Law Society/Division 41 of the American Psychological Association, is a multidisciplinary forum for the publication of articles and discussions of issues arising out of the relationships between human behavior and the law, our legal system, and the legal process. This journal publishes original research, reviews of past research, and theoretical studies from professionals in criminal justice, law, psychology, sociology, psychiatry, political science, education, communication, and other areas germane to the field.

AP-LS/Division 41 members receive Law and Human Behavior as part of their membership. To join the American Psychology-Law Society and receive Law and Human Behavior, please visit [www.ap-ls.org](http://www.ap-ls.org).

# Nominations, Awards, and Announcements

## AP-LS Dissertation Awards Winners

The AP-LS Dissertation Awards Committee would like to congratulate the winners of the 2010 Dissertation Awards.

Samantha Schwartz took 1<sup>st</sup>-place honors. Her dissertation, "Who should've known better? Judgments of negligent sexual transmission of an STD as a function of STD type, litigant sexual orientation, and commitment," examined whether mock juror decision making about negligent transmission of an STD varied as a function of case factors and individual decision-maker characteristics. The committee reviewers described Samantha's dissertation as a "novel study" that "pushes the field forward in a unique way," and they noted that her study was "performed with a high degree of elegance." Samantha completed her dissertation at the University of Nebraska-Lincoln under the supervision of Brian Bornstein. She will receive \$1000 for winning 1<sup>st</sup> place.

Caroline Crocker is our 2<sup>nd</sup>-place dissertation winner. Her dissertation, "An investigation of the psychological processes involved in juror rehabilitation," examined whether judges can rehabilitate jurors who express bias during jury selection so they are rendered fit to serve as jurors. The committee reviewers stated that Caroline's study expands "the frontiers of knowledge in the area of jury selection and decision-making," and that her dissertation has "potentially far-reaching implications for the judicial system." Caroline completed her dissertation at John Jay College of Criminal Justice under the supervision of Margaret Bull Kovera. She will receive \$750 for winning 2<sup>nd</sup> place.

Ashley Christiansen won 3<sup>rd</sup>-place. Her dissertation, "Characterization and prediction of sexual and nonsexual recidivism among adjudicated juvenile sex offenders," utilized archival data to evaluate and characterize risk factors for juveniles who have been charged with an offense that is sexual in nature, determine the predictive utility of these factors for subsequent offending, and evaluate risk factors for nonsexual offenders who have committed crimes of various severities. The committee reviewers described Ashley's study as "a creative and ambitious attempt to contribute to the research literature," and they concluded that her study "should make a significant and substantial contribution to the clinical and policy literatures." Ashley completed her dissertation at the University of Houston under the supervision of John Vincent. She will receive \$500 for winning 3<sup>rd</sup> place.

Each award winner will have the opportunity to present her dissertation in a poster session at the 2011 AP-LS International Conference in Miami.

*AP-LS NEWS, Winter 2011*

## AP-LS Committee on Early Career Psychologists Grant Award Winners

The AP-LS Committee of Early Career Psychologists and Professionals (ECPs) is excited to announce the grant award recipients for the 2010-2011 grants-in-aid cycle. Each grantee was awarded between \$3,475 and \$4,175 to assist with the costs of conducting their research. The projects funded this cycle are as follows:

Project Title: "Eyewitnesses' memory for lineup fillers: Testing the robustness of a novel postdictor of a witness's identification accuracy"

Investigator: Steve Charman, Ph.D., Department of Psychology, Florida International University

Project Title: "Attitudes toward the Not Criminally Responsible on Account of Mental Disorder Defence in Canada: Effects of Gender and Focused Education"

Investigator: Evelyn Maeder, Ph.D., M.L.S., Institute of Criminology and Criminal Justice/Department of Psychology, Carleton University

Project Title: "The experience of litigation among survivors with TBI - Are there perceived barriers to recovery?"

Investigator: Yuka Matsuzawa, Psy.D., Department of Rehabilitation Medicine, Mount Sinai School of Medicine

Project Title: "Assessing dynamic risk factors for violence and victimization among psychiatric patients: A prospective, repeated-measures study"

Investigator: Stephanie R. Penney, Ph.D., C.Psych, Law and Mental Health Program, Centre for Addiction and Mental Health

Project Title: "Overreporting of posttraumatic stress disorder: Refining detection strategies in a new measure"

Investigator: Christopher M. Weaver, Ph.D., Forensic Psychology Program, Palo Alto University

Congratulations to this year's awardees. ECP Grant-in-Aid applications are due annually on December 15. For more information on the APLS ECP Grants-in-Aid, please visit <http://www.ap-ls.org/grantsfunding/ECPGrantsInAid.php?t=5>



# Nominations, Awards, and Announcements

## Minority Affairs Committee Diversity Research Award Winners

The Minority Affairs Committee (MAC) is pleased to announce that it has awarded two Diversity in Psychology and Law Research Awards. These competitive awards support student research that investigates issues related to race, ethnicity, gender, sexual orientation, and other forms of diversity in psychology and law. In addition, it supports research on other issues in psychology and law that is being conducted by students from underrepresented groups. In this cycle, MAC is funding two impressive proposals:

H. Lyssette Chavez, graduate student at the University of Nevada-Reno, for her **project**, *The Inclusion of Non-English Speaking Jurors*

Holly Ellingwood, graduate student at Carleton University, for her **project**, *A Multidimensional Scaling Analysis of the Psychopathy Checklist - Youth Version: Examining the Structure of Psychopathy in Female Juveniles*

These students will be formally recognized at a luncheon at the AP-LS / International Congress of Psychology and Law conference in Miami. The winners of MAC's Diversity Travel Awards also will be honored at the luncheon.

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## Fellow Status in the American Psychological Association

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

The minimum standards for Fellow Status are:

Doctoral degree based in part upon a psychological dissertation, or from a program primarily psychological in nature and conferred by a regionally accredited graduate or professional school.

- Prior status as an APA Member for at least one year.
- Active engagement at the time of nomination in the advancement of psychology in any of its aspects.
- Five years of acceptable professional experience subsequent to the granting of the doctoral degree.
- Evidence of unusual and outstanding contribution or performance in the field of psychology.

**Members nominated for Fellow Status through AP-LS must provide evidence of unusual and outstanding contributions in the area of psychology and law.** Please send all supporting materials in paper form (via post/express delivery) to Kathy Gaskey, APLS Administrative Officer, P.O. Box 11488, Southport, NC 28461-3936. The deadline for receipt of all application materials (nominee's materials and endorsers' materials) is December 15, 2010. For application materials, please go to <http://www.apa.org/membership/fellows/index.aspx>. For further information about the application process, please contact Margaret Bull Kovera ([mkovera@jjay.cuny.edu](mailto:mkovera@jjay.cuny.edu)), Chair of the Fellows Committee.

## 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 \$750) to support empirical graduate research that addresses psycholegal issues (the award is limited to graduate students who are student affiliate members of AP-LS). Note: AP-LS does not pay indirect costs to the institution or the University.

Interested individuals should submit a short proposal (a maximum of 1500 words excluding references) in electronic format (preferably Word or PDF) 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 detailed budget and (f) references. Applicants should include a discussion of the feasibility of the research (e.g., if budget is for more than \$750, indicate source of remaining funds). 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.

Applicants should submit proof that IRB approval has been obtained for the project and the appropriate tax form W-9 for US citizens and W-8BEN for international students. Dr. Robert Cochrane (committee chair): [RCochrane@bop.gov](mailto:RCochrane@bop.gov). Tax forms and IRB approval can be FAXed to Dr. Robert Cochrane (committee chair): 919-575-4866. Please include a cover sheet with your FAX.

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



# Funding Opportunities

## Call for Applications: Spring 2011 Diversity in Psychology and Law Research Awards Sponsored by the Minority Affairs Committee

### Description of the Award:

The purpose of the Diversity in Psychology and Law Research Awards is to promote diversity within the American Psychology-Law Society by supporting student research on psycholegal issues related to diversity as well as research by students from underrepresented groups. Projects are eligible for consideration for this award if 1) they investigate topics related to psychology, law, diversity, and/or multiculturalism (i.e., research pertaining to psycholegal issues on race, gender, culture, sexual orientation, etc.) or 2) if the principal investigator is a member of an underrepresented group, including racial and ethnic minorities, first-generation college students, LGBT individuals, and physically disabled students. Consistent with the mission of the Minority Affairs Committee (MAC), these awards are intended to facilitate the research of individuals from groups that are underrepresented in AP-LS, as well as research about issues of potential interest and importance to such groups.

### Award Amounts

Three mini-grants in the amount of \$500.00 will be given.

### Eligibility for Awards

Students who are current student members of AP-LS may apply. Both graduate and undergraduate students are eligible, and students from underrepresented groups are strongly encouraged to apply. Underrepresented groups include but are not limited to racial and ethnic minorities, first-generation college students, LGBT individuals, and physically disabled students. The proposed research must primarily be the original work of the student applicant. In their proposal, students should describe any relationship between the proposed project and their advisors' research, as well as any other funding for the project (students' or advisors'). Applicants should request funding only for expenses not covered by their own or advisors' existing funding.

### Applications

Applications will be awarded on a competitive basis and selected based on the quality of the proposed research, the impact of the project for promoting diversity and multiculturalism in psychology and law, and the ability for the project to be completed within one year of the project start date. All proposals will be reviewed by members of the MAC. Preference will be given to proposals from students who have not previously received MAC funding.

Award applications should contain the following:

1. A cover letter on letterhead which provides all contact information and specifies how the project is eligibility for this award.

2. A 5-page minimum and 10-page maximum (double-spaced; not including references) project description. Project descriptions should *not* include any identifying information. They need to contain the following information:

- **Specific Aims:** A clear, concise statement of the research problem and the relevance of the project to the goals of the award. Applicants should describe the specific objectives to be accomplished during the award period.
  - **Background and Significance:** An overview of relevant empirical literature related to the project. Applicants should discuss the project's likely impact on the field of psychology and law broadly, as well as with respect to understanding and promoting diversity and/or multiculturalism. They also should address how receiving this award will benefit the research, including its potential to generate ongoing future research.
  - **Project Design:** A detailed description of the expected course of the project including detailed information related to methodology (e.g., participants, procedures, measures) and analytic strategy.
  - **Budget:** A detailed project budget with expected dollar amounts for expenses, and justification of those expenses.
  - **Curriculum Vitae** of applicant.
3. A letter of support from the applicant's research advisor discussing the applicant's ability to complete the project and his or her willing to supervise the research. If the applicant's proposal is related to the advisor's research, the letter should discuss how the project reflects the student's original work.

### Applicant Responsibilities

Award recipients will need to maintain financial receipts for all project expenses. They also are required to submit a project summary to the MAC Chair within one month of the project completion date.

### Submission Instructions and Deadline

Proposals for this award must be submitted electronically in either Microsoft Word or PDF format to Jenn Hunt, MAC Chair, by email, [huntjs@buffalostate.edu](mailto:huntjs@buffalostate.edu). Please send the cover letter and project description as two separate attachments. Letters of support should be sent as separate attachments, either by the student or directly by the advisor. The deadline for submitting proposals is March 31, 2011.

### Inquiries

Please direct all inquiries about the Diversity in Psychology and Law Research Award and/or specific projects to Jenn Hunt, MAC Chair, [huntjs@buffalostate.edu](mailto:huntjs@buffalostate.edu).



# Funding Opportunities

## Call for Applications:

### 2011 Access Path to Psychology and Law Experience (APPLE) Program

#### Sponsored by the Minority Affairs Committee

Do you know a promising student from an underrepresented group who is interested in psychology and law, but not currently involved in research? Recruit him or her into AP-LS's new APPLE program!

#### Description of the APPLE Program:

The purpose of the Access Path to Psychology and Law Experience (APPLE) program is to increase diversity within psychology and law by increasing the pipeline of competitive graduate school applicants from groups that currently are underrepresented in the field, including racial and ethnic minorities, first-generation college students, LGBT individuals, and physically disabled students. APPLE is designed to encourage faculty members to recruit students from underrepresented groups into their research labs. It provides financial support for the students to obtain meaningful research experience and attend the AP-LS conference as well as other opportunities for mentoring and development. It is the intention of the Minority Affairs Committee (MAC) that many of the students in the APPLE program will apply for graduate training related to psychology and law and ultimately become professionals in the field.

#### Program Eligibility

Faculty are encouraged to identify promising undergraduate students from underrepresented groups who are interested in psychology and law and have the potential to become competitive graduate applicants. Underrepresented groups include but are not limited to racial and ethnic minorities, first-generation college students, LGBT individuals, and physically disabled students. Because the APPLE program is intended to expand the pipeline of qualified students from underrepresented groups, students *should not be working with the faculty member in the proposed capacity prior to initiating the application process*. Student in the APPLE program must be primarily supervised by a faculty member, not graduate students or other lab members.

#### Program Requirements

**Students in the APPLE program are required to:** Work on research for approximately 10 hours per week for the duration of their research experience, participate in GRE classes and/or other development opportunities, attend an AP-LS conference, submit a proposal to present their research at an AP-LS conference or in the Division 41 program of an APA conference, submit a summary of their research experience to the MAC Chair within one month of its completion, correspond with a secondary mentor from the MAC, and participate in the ongoing assessment of the APPLE program. **Faculty mentors in the APPLE program are required to:** Closely supervise their students to ensure that they have a meaningful research experience that will make them more competitive for graduate school, help identify and facilitate opportunities for their students to participate in GRE classes and/or other development programs offered on their campuses (e.g., through the McNair program), assist their students in making a conference presentation about their research, and participate in the ongoing assessment of the APPLE program.

#### Award Amounts

The APPLE program will award up to \$3000 per student, depending on the length of the research experience. Recipients will be given a stipend of \$1500 per semester or \$800 per quarter or summer for up to one year. In addition, they will receive \$100 for research expenses and up to \$500 to attend the AP-LS conference. Five awards of \$3000 (i.e., for year-long experiences) or a larger number of smaller awards (i.e., for part-year experiences) will be given.

#### Applications

Applications will be awarded on a competitive basis and selected based on the quality of the proposed research and mentoring experience as well as the potential for the student to become a successful graduate applicant. All proposals will be reviewed by members of the Minority Affairs Committee (MAC). Award applications should contain the following:

1. A cover letter which provides contact information for both the student and the mentor.
2. A 3-5 page statement written by the student that addresses the following issues:
  - The student's interest in the field of psychology and law, either in general or with respect to a particular issue in the field.
  - The student's anticipated educational and career goals.
  - An assessment of the student's current qualifications and experiences for achieving those goals. All students should provide their current overall and psychology-specific GPAs. In addition, they should discuss coursework, research experiences, volunteer experiences, internships, and other experiences would help them to be admitted to and succeed in graduate school. Students also may discuss any personal characteristics or life experiences that are relevant to this issue.
  - Description of the proposed research experience. Students should discuss the research activities they will engage in with their mentors. Please describe the topic of the proposed research, providing as much detail about specific hypotheses and methods as currently known. In addition, please discuss the specific research tasks in which the student will engage. It is not necessary for students to complete an independent project, but they need to obtain meaningful experience that will help them be competitive for graduate school.
3. A letter of support from the faculty member discussing the applicant's potential for graduate work, interest in psychology and law, and ability to complete the proposed research experience. In addition, the faculty member should discuss his or her anticipated strategy for mentoring the student (e.g., amount of contact, training methods, plans for monitoring progress).

#### Submission Instructions and Deadline

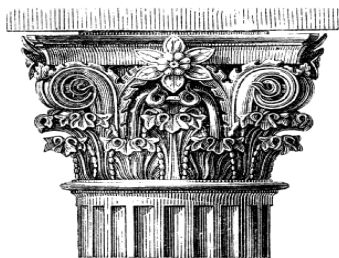
Proposals for this award must be submitted electronically in either Microsoft Word or PDF format to Jenn Hunt, MAC Chair, by email, [huntjs@buffalostate.edu](mailto:huntjs@buffalostate.edu). Please send the cover letter, student statement, and letter of support as three separate attachments. The deadline for submitting proposals for this funding cycle is **April 10, 2011**.

#### Inquiries

Please direct all inquiries about the APPLE program and/or specific proposals to Jenn Hunt, MAC Chair, [huntjs@buffalostate.edu](mailto:huntjs@buffalostate.edu).



# Notes From The Student Chair



## AP-LS

### Student Officers E-mail Addresses

Chair, Sarah Manchak  
smanchak@uci.edu

Past Chair, Gianni Pirelli  
GPirelli@gc.cuny.edu

Chair Elect, Ryan Montes  
rmones@nova.edu

Secretary/Treasurer, Tess Neal  
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Web Editor, Shannon Maney  
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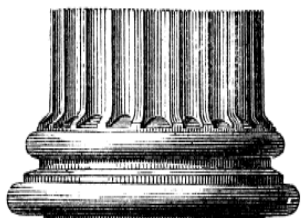
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AP-LS Student Homepage  
[www.aplsstudentsection.com/](http://www.aplsstudentsection.com/)

AP-LS Student E-mail  
[aplsstudents@gmail.com](mailto:aplsstudents@gmail.com)



Dear Fellow Students:

We hope that everyone had a wonderful holiday and are eager for a fantastic conference in Miami. The Student Section officers have been working on several exciting projects, which will help achieve our goal of greater accessibility and engagement.

The Student Section has now integrated our website with the main AP-LS website. For the past several years, we have attempted to develop the Student Section with feedback from our fellow students. Although having a separate website has been helpful, we believe incorporation with the main website will increase accessibility. To directly access our page, please visit <https://www.ap-ls.org/students/>.

For 2010-2011, we have planned several ongoing projects to move toward achieving our goals of accessibility and engagement. The Student Section has begun conducting interviews with professional psychologists, which not only will be in written format, but also will include audio and video presentations. After review of the materials on website, we have created an initiative to update our listing of internships and postdocs.

In preparation for the conference, a roomshare program has been created to decrease hotel costs. Students who wish to have a roommate or would like to share a room can send their information to [aplsstudents@gmail.com](mailto:aplsstudents@gmail.com).

At the conference, the Student Section will be hosting two events. On Thursday March 3 at 5:30-6:30 we will be hosting a "How to Get the Most Out of the Conference" program and on Saturday March 5 we will be hosting a student social, where we will have food, drinks, and a raffle for prizes. Also, we are seeking nominations for student poster and paper presentations. Nominees will be judged and could receive a prize of \$150. We will be awarding three poster and presentation prizes and one prize for research in corrections.

The Student Section greatly appreciates your feedback to better serve you, our fellow students. Please contact us with any concerns or points of interests at [aplsstudents@gmail.com](mailto:aplsstudents@gmail.com).

Warm Regards,

Ryan J. Montes  
Chair- Student Section

Lauren Kois  
Chair-Elect- Student Section





