

EDITORS ■ CURT R. BARTOL ■ ANNE M. BARTOL

Current Perspectives in
FORENSIC
PSYCHOLOGY
and
CRIMINAL
BEHAVIOR

EDITION

3



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CURT R. BARTOL ■ ANNE M. BARTOL
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PREFACE

The articles in this book are offered as supplementary readings to accompany the main text in a variety of undergraduate courses, such as Introduction to Forensic Psychology, Criminology, Psychology and Criminal Justice, Psychology and Law, and similar courses. While most articles were originally published after 2000, a few were first published in the mid-1990s but have been well cited in the forensic literature. Included in the more recent articles are some that provide a different perspective on crime victims or on common or attention-getting crimes. In preparing this third edition, we again found it necessary to delete readings that appeared in the first two editions of this book in favor of recently published articles. Fortunately, most of the deleted readings from the first (two) editions can be found on the SAGE website.

In the interest of space, we have taken the liberty of editing most of the original works.

The ellipses indicate that paragraphs, sentences, or references have been removed. When substantial portions of an article have been omitted, we have indicated that in a footnote at the beginning of the article. In addition, all abstracts, authors' notes, footnotes, and many figures and tables have been removed. References now appear in a master reference list at the end of the book. Complete citations are included for those readers who wish to review the original publication, and we strongly encourage that.

The articles are introduced and are grouped in accordance with our view of forensic psychology as a specialty that has relevance to a wide range of both criminal and civil settings. Nevertheless, due to the vast amount of research on crime-related topics and the fact that this reader is a supplement to crime-related courses, the great majority of the articles relate to criminal matters.

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UNIT 1

INTRODUCTION

EDUCATIONAL AND TRAINING MODELS IN FORENSIC PSYCHOLOGY*

DAVID DeMATTEO

GEOFFREY MARCZYK

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The field of forensic psychology has quite recently emerged as distinct subdiscipline within professional psychology. Despite a historical lineage dating back to the early 1900s and the influential publication of Hugo Munsterberg's (1908) *On the Witness Stand*, the American Psychological Association (APA) did not formally recognize forensic psychology as a discrete specialization until 2001 (Otto & Heilbrun, 2002). Although specialty recognition by APA in any area of psychology other than clinical, counseling, school, or industrial-organizational is a relatively recent development, the recent recognition of forensic psychology as a specialty area

was arguably overdue in light of the field's long history and rapid growth over the past 30 years.

One indicator of the growth of forensic psychology is the number and range of educational and training opportunities available to students and practitioners. The development of the first joint-degree law-psychology graduate training program in 1973 at the University of Nebraska marked the beginning of a paradigm shift in how forensic practitioners are educated and trained (Bersoff, 1999). A number of law-psychology and forensic psychology programs have been developed since that time, and students and practitioners interested in forensic psychology now

*Copyright © 2009 by the American Psychological Association (APA). Reproduced with permission. This article first appeared in *Training and Education in Professional Psychology* (2009), Vol. 3, No. 3, pp. 184–201. We have deleted sections on Postdoctoral Training and Credentialing.

have a range of educational and training options from which to choose.

Despite the increased availability of forensic psychology training programs, there is little consensus regarding the core educational components of these programs. Given the rapid growth of the field of forensic psychology, it is critical that training programs provide students with the necessary breadth of knowledge, skills, and experiences. Ensuring proper training takes on additional importance because of the increasingly varied roles being assumed by forensic psychologists in the areas of assessment, treatment, and consultation (Marczyk, DeMatteo, Kutinsky, & Heilbrun, 2008).

This article will first review the divergent and expanding roles assumed by forensic psychologists. We will then examine the educational and training models currently used in forensic psychology programs and consider whether these training models are adequately preparing students for forensic practice. Finally, we will offer a substantive training curriculum that emphasizes the core competencies that arguably should be included in doctoral-level forensic psychology training programs. It is important to note that a model curriculum for doctoral-level forensic psychology graduate programs has not yet been developed, and we hope that our proposed model will stimulate further discourse on this important topic. Although this article may primarily benefit training directors from doctoral-level programs that offer forensic psychology training, we believe this article will also prove useful for those who are less familiar with specialized training opportunities in forensic psychology. As student interest in forensic psychology continues to increase, it is becoming increasingly more important for nonforensic professionals to be able to educate their students about available training opportunities.

DEFINING THE ROLE OF THE MODERN FORENSIC PSYCHOLOGIST

Psychologists have a long tradition of providing services to the legal system (see Bartol &

Bartol, 2006, and Otto & Heilbrun, 2002, for comprehensive summaries). Initial interaction between psychologists and the legal system, beginning in the early 1900s, consisted of the provision of clinical services to incarcerated adult offenders and juvenile offenders in detention centers (Otto & Heilbrun, 2002). Other early activities of psychologists providing services to criminal justice and the legal system included psychological fitness testing of law enforcement personnel and the pretrial evaluation of criminal offenders (Bartol & Bartol, 2006). These early efforts helped to cement the relationship between psychologists and the legal system, and the use of psychologists for evaluating law enforcement personnel, criminal offenders, and civil litigants has now become commonplace (Melton, Pettila, Poythress, & Slobogin, 2007). The U.S. Court of Appeals for the District of Columbia Circuit decision in *Jenkins v. United States* (1962), which held that appropriately qualified psychologists could testify in court as experts in psychiatric disorders and that psychological measures could be introduced in court to support their expert opinions, further expanded psychological practitioners' interactions within the courts. Following this decision, the use of psychologists as expert witnesses in judicial proceedings has increased dramatically, with thousands of forensic evaluations conducted each year on a variety of psycholegal issues (Otto & Heilbrun, 2002).

Although forensic psychologists now assume a prominent role within the forensic mental health and criminal justice systems, there is a vigorous debate within the parent field of law and psychology regarding the definition of forensic psychology and roles that may be appropriately assumed by forensic psychologists (Brigham, 1999; Hess, 2006). It is generally understood that forensic psychology is one specialty area within the broader rubric of law and psychology research and practice (Hess, 2006), but there is less agreement regarding the precise definition and scope of forensic psychology. At its basic level, forensic psychology can be conceptualized as the application of the science and profession of psychology to questions and issues relating to the law and the legal system. This is the definition of forensic

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psychology adopted by the American Board of Forensic Psychology, or ABFP (2006). Although most practitioners would likely agree, at least in principle, with the core components of this definition, there is considerable disagreement over the scope of forensic psychology and what activities (i.e., research, assessment, and treatment) and roles should appropriately be considered the exclusive province of forensic psychology.

On the one hand, forensic psychology could be narrowly defined as only encompassing clinical psychology, counseling psychology, school psychology, or another specialty recognized by the APA, and consisting only of activities that provide clinical psychological expertise to the judicial system. This was the definition of forensic psychology endorsed by the American Psychology–Law Society, which is Division 41 of the APA, when it initially pursued formal specialty recognition for forensic psychology from the APA (Heilbrun, 2000; see Forensic Specialty Council, 2007). This definition only encompasses clinically based areas of psychology and therefore excludes practitioners without clinical degrees. Under this narrow and restrictive definition, research psychologists in the fields of social, experimental, and cognitive psychology would not be considered forensic psychologists, despite the obvious contribution that these researchers can make in certain legal contexts (e.g., reliability of eyewitness testimony, perceptions of jurors). It is important to note that this narrow definition may have been chosen for both practical and legal reasons. Practically, specialty recognition from APA is generally reserved for clinically based subspecialties, while legally many states prohibit the term *psychologist* from being used by psychological professionals who are not licensed by the state. It is rare that nonclinical practitioners would seek state licensure in such a jurisdiction and, as a result, research psychologists who study law–psychology issues could not legally refer to themselves as forensic “psychologists,” nor would they likely meet the requirements for specialty certification imposed by APA.

Dissatisfaction with narrow conceptualizations of forensic psychology soon emerged, which led to the proposal of several broader

definitions. For example, the Committee on the Revision of the Specialty Guidelines for Forensic Psychology (2006) recently adopted a broader definition of forensic psychology, which was subsequently endorsed by the American Psychology–Law Society. Under this definition, forensic psychology includes

all professional practice by any psychologist working within any subdiscipline of psychology . . . when the intended purpose of the service is to apply the scientific, technical, or specialized knowledge of psychology to the law and to use that knowledge to assist in solving legal, contractual, and administrative problems. (1.03)

This more expansive definition of forensic psychology reflects the widely varying roles that can be assumed by forensic professionals in terms of both clinical practice and research. This definition encompasses the clinically based activities of forensic psychologists, including policy psychology (i.e., application of clinical skills to law enforcement and public safety), correctional psychology (i.e., provision of assessment and treatment services in correctional settings), and forensic mental health assessment (i.e., assessment of criminal offenders and civil litigants to assist courts in answering legal questions) (Bartol & Bartol, 2006) while also recognizing that nonclinical/research psychologists are engaging in forensic psychology research if their research interfaces with some aspect of the legal system.

Several prominent researchers and commentators have also offered broader definitions of forensic psychology that include both clinical and nonclinical aspects. For example, Grisso (1987) defined a forensic psychologist as “any psychologist, experimental or clinical, who specializes in producing or communicating psychological research or assessment information intended for application to legal issues” (p. 831). Bartol and Bartol (2006) offered a similarly broad definition when they defined forensic psychology as

both (1) *the research endeavor* that examines aspects of human behavior directly related to the legal process . . . and (2) *the professional practice*

of psychology within or in consultation with a legal system that embraces both civil and criminal law and the numerous areas where they intersect. (pp. 3–4)

Finally, Goldstein (2007) recently defined forensic psychology as “the application of psychological research, theory, practice, and traditional and specialized methodology . . . to provide information relevant to a legal question” (p. 5).

EDUCATIONAL AND TRAINING OPPORTUNITIES IN FORENSIC PSYCHOLOGY

Regardless of the precise definition, it is clear that the field of forensic psychology has experienced remarkable conceptual and empirical advances in the past three decades (Grisso, 2003; Heilbrun, 2001; Melton et al., 1997). These advances have been fueled by increased attention to the law’s demands (Melton et al., 2007); the development of specialized forensic assessment instruments (e.g., Grisso, 1998; Grisso & Appelbaum, 1998; Monahan et al., 2005; Quinsey, Harris, Rice, & Cormier, 2006); the founding of interdisciplinary professional organizations and journals (Otto & Heilbrun, 2002); and substantial growth in research, scholarship, and practice-related literature (e.g., Goldstein, 2007; Heilbrun, 2001; Heilbrun, Marczyk, & DeMatteo, 2002). As a result of this growth, psychologists are being called upon with increasing frequency to conduct forensic mental health assessments, provide treatment, and serve as consultants in a variety of criminal and civil contexts. Changes in the health care reimbursement system for psychologists have also caused forensic practice to become particularly appealing to more general clinical practitioners because forensic services are often not financially constrained by managed care (Melton et al., 2007). Because of this increase in interest, it is important that forensic psychology training programs adequately prepare students to engage in high-quality forensic practice, and more general clinical training programs should also be advised to supplement their basic training with forensically oriented courses and training opportunities to more fully meet the needs of their students. The growth and

development of forensic psychology is perhaps best evidenced by looking at the number and diversity of educational and training opportunities available to students and practitioners (Krauss & Sales, 2006; Marczyk et al., 2008). These opportunities range from undergraduate survey courses examining the broad intersection of law and psychology to joint-degree graduate programs offering terminal degrees in both law (JD) and psychology (PhD or PsyD). Moreover, opportunities for continuing education and postdoctoral specialization in forensic psychology are becoming increasingly more available.

As the popularity of forensic psychology has increased in recent years, the availability of forensic psychology training programs has increased almost commensurately. Forensic psychology training programs, or more general programs that offer a forensic psychology track or concentration, have proliferated rapidly in the past two decades. As will be discussed, a variety of educational and training opportunities in forensic psychology now exist at the undergraduate, graduate, and postdoctoral levels, and they offer a wide variety of educational and training opportunities in both clinical and nonclinical (i.e., research-based) forensic psychology. Even beyond the doctoral degrees, there are opportunities for advanced credentialing (i.e., board certification) for forensic practitioners who wish to distinguish themselves as having specific expertise in forensic psychology.

Despite the remarkable growth in educational and training opportunities in forensic psychology, there is little consensus regarding appropriate training models, curricula, and training goals (see Bersoff et al., 1997, and Krauss & Sales, 2006, for discussions of this problem). The field of forensic psychology continues to broaden in scope and diversity, and it encompasses a wide range of knowledge and skills (e.g., knowledge of legal standards; research skills; assessment, intervention, and consultation skills). As such, training programs must consider the varied roles that may be assumed by forensic psychologists. Although forensic psychology training programs have increased in number, scope, and sophistication in recent years, important questions

remain regarding the structure, focus, and goals of these programs.

The following sections will examine the educational and training opportunities available to students and practitioners interested in forensic psychology. After discussing the various training models employed in these programs, we will discuss a proposed model curriculum for doctoral-level programs that would serve to adequately prepare students to become forensic practitioners. Rather than ending the debate regarding appropriate training models, we hope that our proposed curriculum will stimulate further discussion of this important topic.

Undergraduate Training in Forensic Psychology

Many colleges and universities currently offer at least one undergraduate course that covers some aspect of law–psychology, including forensic psychology. Several surveys conducted in the 1990s revealed an increase in the number of undergraduate law psychology courses being offered (Ogloff, Tomkins, & Bersoff, 1996), with many high-ranked psychology departments offering at least one law–psychology course (see Bersoff et al., 1997, for a review of this research). Anecdotally, law–psychology courses, particularly courses on forensic psychology, are among the most popular course offerings at the undergraduate level.

Recent years have witnessed an increase in the number and diversity of undergraduate law–psychology courses. Whereas most undergraduate courses offered in years past were survey courses that focused broadly on the intersection between law and psychology, newer courses offer a more detailed and sophisticated examination of circumscribed aspects of law and psychology. For example, undergraduate courses are being offered on child witnesses, the role of psychology in the legal process, and social science applications to the law (see the American Psychology–Law Society Web site [www.ap-ls.org] for a listing of available courses). A more recent development is the offering of undergraduate degrees in forensic

psychology. John Jay College of Criminal Justice now offers a bachelor of arts in forensic psychology that provides training in psychological theory, research methods, and the application of psychological principles to specific areas in the legal system. Of note, employment opportunities are somewhat restricted for those with bachelor-level training in forensic psychology. Although some graduates may find employment in various agencies or institutions, such as police departments, social service agencies, or court systems, these programs typically function to prepare students for additional education/training.

Graduate Training in Forensic Psychology

Despite recent advances in course offerings and curricula in forensic psychology at the undergraduate level, educational and training opportunities for undergraduates interested in forensic psychology are still quite limited. There are considerably more educational and training opportunities in forensic psychology for students in graduate training programs. Depending on one's academic and professional interests, various options are available at both the master's and doctoral levels, and there are also several clinical and non-clinical joint-degree programs available for those who wish to obtain formal training in both law and psychology (see Krauss & Sales, 2006).

According to the *Guide to Graduate Programs in Forensic and Legal Psychology (2007–2008)* (American Psychology–Law Society, 2008), which was created by the Teaching, Training, and Careers Committee of the American Psychology–Law Society, there are nearly 50 programs that offer graduate training in forensic psychology (see also Burl, Shah, & DeMatteo, 2008). Broadly speaking, these programs can be categorized by program focus (e.g., clinical forensic psychology, nonclinical legal psychology), training models (e.g., clinical scientist practitioner, non-clinical scientist–scholar), and degrees awarded (e.g., masters, doctorate, joint-degree) (Krauss & Sales, 2006). On a more practical level, graduate programs in law and psychology, and

forensic psychology more specifically, differ quite considerably in terms of length of training. These programs can range from 2 to 7 years postbachelor's degree, with many students taking closer to 10 years to complete joint-degree programs. As the following discussion illustrates, those interested in forensic psychology have a rich variety of graduate training programs from which to choose.

There are roughly 12 programs that offer a master's degree in forensic psychology. Identifying the exact number of programs is difficult, because some programs do not admit students on a regular basis and other programs use terminology that makes it difficult to determine the exact nature of the training. Some of these programs are clinical in nature, while others are nonclinical. In terms of program goals, some programs are designed to prepare students for research or clinical positions within various institutions and professional agencies, such as prisons, juvenile facilities, social service agencies, police departments, probation and parole departments, court systems, and community mental health centers. Other programs seek to prepare students for continued training in PhD programs, with the recognition that graduates of doctoral programs typically have more employment opportunities (see Morgan, Kuther, & Habben, 2004).

There are a variety of educational and training opportunities available in forensic psychology in doctoral programs. A review of published program descriptions and the *Guide to Graduate Programs [in Forensic and Legal Psychology (2007–2008)]* (American Psychology–Law Society, 2008) reveals that there are approximately 10 programs in which students can obtain a PhD in clinical psychology with a formal concentration (focus or specialty track) in forensic psychology, and there are roughly the same number of PsyD programs that have a formal programmatic emphasis in forensic psychology. In addition, another approximately 10 programs offer a PhD in other areas of psychology, such as social or experimental, with a formal concentration in forensic psychology, legal psychology, or psychology and law. Several of these programs offer a PhD specifically in forensic psychology or

legal psychology. Using a less formal approach, students in programs in which forensic psychology is not a core component can obtain relevant training and experience by working with faculty with forensic interests who offer relevant courses and practical experience.

Finally, there are several joint-degree programs (JD/PhD or JD/PsyD) for those students interested in obtaining formal training in both law and psychology. As of this writing, six programs offered JD/PhD (or JD/PsyD) programs in law and psychology: Drexel University, Pacific Graduate School of Psychology in cooperation with Golden Gate Law School, Simon Fraser University in cooperation with the University of British Columbia, University of Arizona, University of Nebraska, and Widener University (JD/PsyD). In some of these programs, students can pursue clinical or nonclinical psychology training. Of particular note is the University of Nebraska, which offers several joint-degree options, including JD/PhD, JD/MA, and PhD/MLS (i.e., master's of legal studies, which is a nonpractitioner degree requiring the student to complete the equivalent of 1 year of law school education). There are also several schools that permit students to pursue a JD and PhD concurrently but that offer no formal or coordinated/integrated curricula in law and psychology.

Students pursuing a PhD or PsyD in clinical psychology (or other applied areas of psychology, such as counseling and school psychology) must complete a 1-year APA-accredited predoctoral internship prior to receiving their degree. A substantial number of internships offer training and clinical/research experience in forensic psychology. . . . These internships differ greatly in terms of the range and depth of forensic experiences that are offered. A student interested in general clinical practice might benefit from completing a minor forensic rotation. This clinical experience would, at the very least, offer the beginnings of the knowledge and training necessary to pursue (if desired) later forensic practice and training. Other internships provide students with a forensic rotation with more expansive but still limited forensic activities (e.g., conducting assessments of criminal