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**Marc J. Ackerman**

**Alan S. Kaufman & Nadeen L. Kaufman, *Series Editors***



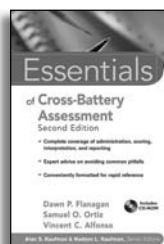
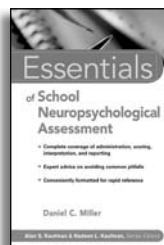
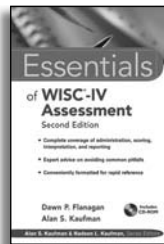
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## of Forensic Psychological Assessment Second Edition

Marc J. Ackerman



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## Series Preface

In the *Essentials of Psychological Assessment* series, we have attempted to provide the reader with books that will deliver key practical information in the most efficient and accessible style. The series features instruments in a variety of domains, such as cognition, personality, education, and neuropsychology. For the experienced clinician, books in the series will offer a concise yet thorough way to master utilization of the continuously evolving supply of new and revised instruments, as well as a convenient method for keeping up to date on the tried-and-true measures. The novice will find here a prioritized assembly of all the information and techniques that must be at one's fingertips to begin the complicated process of individual psychological diagnosis.

Wherever feasible, visual shortcuts to highlight key points are utilized alongside systematic, step-by-step guidelines. Chapters are focused and succinct. Topics are targeted for an easy understanding of the essentials of administration, scoring, interpretation, and clinical application. Theory and research are continually woven into the fabric of each book, but always to enhance clinical inference, never to sidetrack or overwhelm. We have long been advocates of “intelligent” testing—the notion that a profile of test scores is meaningless unless it is brought to life by the clinical observations and astute detective work of knowledgeable examiners. Test profiles must be used to make a difference in the child's or adult's life, or why bother to test? We want this series to help our readers become the best intelligent testers they can be.

There has been a tremendous amount of growth in the field of forensic assessment since the publication of Marc Ackerman's popular and influential first edition of *Essentials of Forensic Psychological Assessment* more than a decade ago, necessitating an updated edition on the topic. Due to the major changes in the field since the publication of the first edition, every chapter in this volume has been substantially revised, and an entirely new chapter on “dangerousness” and risk assessment has also been added. Like the first edition, this volume provides

a summary of the parameters of assessing individuals in divorce, child custody, personal injury, sexual abuse, and substance abuse evaluations. In addition, areas of civil commitment, competency to stand trial, and juvenile circumstances are addressed. Each chapter provides the reader with the ability to pursue additional sources of information to enhance knowledge of these specific areas.

*Alan S. Kaufman, Ph.D., and Nadeen L. Kaufman, Ed.D., Series Editors*  
Yale University School of Medicine

## Acknowledgments

Counting all of the editions of all of the books that I have written, this is the fifteenth time in the last 19 years that I have undertaken such a task. Not to be political, but I fully understand the concept of “it takes a village” to make the process of this task as easy as possible. Unfortunately, the past year has been fraught with difficulties that have interfered significantly with completing the second edition. It is only because of the people around me that I was able to accomplish this task.

I would first like to acknowledge the authors who contributed chapters to this book. Andrew W. Kane, Ph.D. not only authored two chapters for this volume, but has co-authored many other texts with me over the past 20 years. He has always added a dimension to my work that has been appreciated. Ned Rubin, Psy.D. has been a friend and colleague for my entire professional career. His diligence in authoring the substance abuse chapter was much appreciated. Melissa Westendorf, J.D., Ph.D. has once again demonstrated her skills in her chapter on competency to stand trial assessment. Sheryl Dolezal, Psy.D. was my practice partner for 10 years and stepped in at a late date to competently help me co-author the chapter on juvenile assessment. Elizabeth Waisanen co-authored the new chapter to the second edition about dangerousness and risk assessment. Her clear and concise writing style is definitely a significant contribution to this text.

Throughout the production of this second edition, I have consulted with many colleagues who have provided valuable information. They include Yosef Ben-Porath, Ph.D.; Donald Bersoff, J.D., Ph.D.; James Bow, Ph.D.; Jay Flens, Psy.D.; Jonathan Gould, Ph.D.; Roger Greene, Ph.D., Randy Kamphaus, Ph.D.; Kathryn Kuehnle, Ph.D.; Leslie Morey, Ph.D.; and Randy Otto, Ph.D. I would also like to thank Susan Madden of Western Psychological Services, Julie Alexander of Psychological Assessment Resources, and Krista Isakson of Pearson Assessment.

Needless to say, a book of this nature could not be successful without the support and encouragement of publishers and editors. Including the various

editions of books, this is the seventh time that I have worked with John Wiley & Sons. Over much of that period of time, I have watched Isabel Pratt grow to her current role of editor. She is a genuine pleasure to work with and one who has mastered the art of being supportive, encouraging, and appropriately assertive when necessary. It is clear that without her help, this book would not have been completed. In addition, I would like to thank Kara Borbely and Susan Moran for help in the final stages of the text.

Not only did Elizabeth Waisanen co-author one of the chapters of this book, but she served as my director of this project. She spent countless hours researching, chasing after sources, and assembling the manuscript. I believe she now has a full understanding of what writing a book is all about. However, just as was true with Isabel Pratt, it is very clear to me that without Liz's support, this task would not have been completed. Finally, I continually thank my wife Stephanie for her understanding of my drive to continue performing research and writing books, even though at times it is disruptive to her life and the piles of materials exceed her comfort level.

To all of the above people who make up my "village," my sincere deep gratitude for their support during this project and hopefully in the future.

## INTRODUCTION TO ESSENTIALS OF FORENSIC ASSESSMENT

Marc J. Ackerman

The psychologist's role in forensic assessment has been present for decades. However, it is only in recent years that the psychologist's involvement in court cases has become as prominent as it is. Psychologists have become involved in all aspects of the courts, including divorce, personal injury, criminal, children's court, and even in some cases, probate court.

For years expert psychological testimony was considered to be admissible based on the *Frye* test from the Supreme Court case *Frye v. United States* (1923). The point at which a scientific principle or discovery crosses the line between the experimental and demonstrable stages is difficult to define. Somewhere in this twilight zone the evidential force of the principle must be recognized, and while courts will go a long way toward admitting expert testimony deduced from a well-recognized scientific principle or discovery, the principle from which the deduction is made must be sufficiently established to have gained *general acceptance* in the particular field in which it belongs (Ackerman & Kane, 2005).

In June 1993 the United States Supreme Court decided *Daubert v. Merrell Dow Pharmaceuticals*. The Court declared that the *Frye* "standard, absent from and incompatible with the Federal Rules of Evidence should not be applied in federal trials." Although the *Daubert* ruling has not been accepted by all states (Arizona, California, Florida, Nebraska, and New York have explicitly rejected that model), and other states have not adopted the model, psychologists must be aware of whether the state in which they practice is a "*Daubert state*." If the *Daubert* criteria must be met, certain requirements should be adhered to with regard to use of specific instruments. (See Rapid Reference 1.1.)

Two Supreme Court cases followed *Daubert* and clarified some of the *Daubert* ruling. In *General Electric Company v. Joiner* (1997), the U.S. Supreme Court reaffirmed the conclusions in *Daubert* and stated, "Nothing in either *Daubert* or the Federal rules of Evidence requires a district court to admit opinion evidence which is connected to existing data only by the *ipse dixit* (he said it himself) of the expert (139L.Ed.2d@520). The trilogy of cases concluded