

American College of Forensic Psychology

28th Annual Symposium

April 19-22, 2012

San Francisco • Stanford Court Hotel

The American College of Forensic Psychology is approved by the American Psychological Association to sponsor continuing education for psychologists. ACFP maintains responsibility for this program and its content. This program will offer a maximum of 23 hours of Continuing Education credits.

PRELIMINARY PROGRAM

Wednesday, April 18

4:00-5:30 Early Registration

Thursday, April 19

7:00-7:45 Registration and Continental Breakfast

7:45-8:00 Opening Remarks and Announcements

8:00-12:15 Expert Witness/Evaluation/Criminal Issues (4 CE credits)

8:00-8:40

The practical impact of psychological research on the regulation of video game violence

Lorna Veraldi, J.D. and Donna Veraldi, Ph.D.

In 2011, the United States Supreme Court struck down a California statute regulating sales to minors of video games depicting violence. Both the majority opinion and a dissent discussed research presented by the parties about the effects of playing such games, but reached different conclusions about what that research shows. This presentation will assess the research on the effects of video games discussed in the decision and will consider the ways in which professional organizations can better assist the courts and the public in understanding and evaluating such effects research.

Lorna Veraldi, J.D. is Associate Professor, School of Journalism and Mass Communication, Florida International University, Miami, Florida. Donna M. Veraldi, Ph.D. has a private clinical and forensic practice in Billings, Montana.

8:40-9:20

Trial planning with the attorney — what forensic psychology brings to the picnic

Demosthenes Lorandos, Ph.D., J.D.

This presentation builds on Dr. Lorandos' 2009 presentation: New Evidence Standards for Experts in the Behavioral Sciences and 2011 presentation: Integration of Law and Science—Saving Tonya Craft. Dr. Lorandos will use video of actual trials and cross examinations to illustrate how forensic psychologists can aid legal professionals in case planning. Language and thinking style differences between behavioral scientists and legal professionals will be illustrated with a “translation” matrix. Participants will be able to discuss 1) the differences between the thinking style of legal professionals and those of behavioral scientists; 2) the burdens of production and persuasion with video case illustrations; and 3) how to aid legal professionals in the development of their witness examinations.

Dr. Lorandos is a clinical psychologist with over 40 years of experience. He is an attorney, licensed to practice in New York, California and Michigan, and a member of the Bar of the U.S. Supreme Court.

9:20-10:00

Psychological evaluations in stalking cases

Kristine M. Jacquin, Ph.D.

Stalking is repeated intentional malevolent behavior that causes the target to feel threatened. Anti-stalking legislation in the U.S. is relatively

new, starting with the first state law in California in the 1990s. Since then, states have struggled to determine the role of psychological evaluations in a crime that is clearly psychological. Issues related to psychological evaluations in stalking cases will be discussed. At the conclusion of this presentation, attendees will be able to: 1) understand the definition of stalking, and understand the role of psychological evaluations in stalking cases, 2) describe the psychological facets of stalking for the perpetrator and victim, and 3) describe the challenges of determining the fear or threat element in stalking cases.

Kristine Jacquin, Ph.D. is a professor and associate dean at Fielding Graduate University in Santa Barbara, California. She is a licensed clinical psychologist. In addition to conducting research in the area, she has consulted on several stalking cases.

10:00-10:15 Coffee Break

10:15-10:55

Cross-examining SVP evaluations

Terence W. Campbell, Ph.D., ABPP

This presentation will address the predictive accuracy of actuarial instruments such as the Static-99R and Static-2002R. Additionally, the presentation will examine whether adjusted actuarial assessment can increase the level of accuracy obtained by actuarial instruments alone. Actual questions that could be used for cross-examining a SVP evaluator will be featured. Participants will learn 1) how to apply the concepts of True Positive, False Positive, True Negative, and False Negative to the normative data for the Static-99R and Static-2002R; 2) how to compute Positive Predictive Values, and Negative Predictive Values, for identifying the accuracy with which recidivism can be ruled in and ruled out; 3) why adjusted actuarial assessment does not currently increase the PPV values obtained via actuarial instruments.

Terence W. Campbell, Ph.D. is a clinical and forensic psychologist in Sterling Heights, Michigan. He is the author of *Assessing Sex Offenders: Problems and Pitfalls*, first edition (2004), second edition (2007).

10:55-11:35

Violence During Sleep

Maurice M. Ohayon, M.D., DSc, Ph.D.

Violent behaviors during sleep (VBS) are consequences of several sleep disorders. They can be part of other parasomnias such as sleepwalking, sleep terrors and confusional arousals or be the main symptom of a REM sleep behavior disorder. Undetected parasomnias, including VBS, can result in tragic consequences, including “parasomnia pseudo-suicide” and unintentional injury or death to a family member or roommate, with far-reaching consequences. Important medical and legal issues are pendant in VBS. These different issues will be examined in a large community based sample of 15,929 American adults.

Maurice M. Ohayon, M.D., DSc, Ph.D. is Professor of Psychiatry and Behavioral Sciences, and Director of the Stanford Sleep Epidemiology Research Center at Stanford University.

11:35-12:15

Women who embezzle: motivations, family history and DSM-IV diagnoses

Linda M. Grounds, Ph.D. and Lynette Hamilton, M.A.

Women are being charged at increasing rates with the crime of embezzlement, but there is very little research in this area. In this presentation we describe the structured psychological evaluations that we conducted with 23 women charged with embezzlement in either state or federal court. We also describe the different patterns of motivations that we observed among the women in our sample, including historical factors, e.g., childhood abuse and domestic violence, results of personality and intelligence testing and patterns of DSM-IV diagnoses. We will report sentencing outcomes and tie these to the motivations and psychological features of these women.

Linda M. Grounds, Ph.D. has a clinical and forensic practice in Portland, Oregon. She specializes in psychological evaluations of complex

cases involving defendants, especially women, facing serious criminal charges. Lynette Hamilton, M.A. is a doctoral candidate at Pacific University. She has participated in clinical training at the U.S. Probation Office and the Oregon Department of Corrections and is a member of the forensic evaluation and research team supervised by Dr. Grounds.

12:15-1:45 Lunch Break (on your own)

1:45-4:45 Two Rooms

Room 1—Criminal Issues (3 CE credits)

1:45-2:30

Forensic applications of the neurotoxicity syndrome **Raymond Singer Ph.D.**

The neurotoxicity syndrome describes common nervous system effects of many neurotoxic substances, including deterioration of learning, memory, emotion, personality, and executive function, along with headache, sleep disorder, fatigue, irritability, chemical sensitivity, and sexual dysfunction. It is likely that most neurotoxic substances will activate the core symptoms of neurotoxicity. Mental illness and the capacity to commit a crime can be affected by neurotoxicity, so it is often valuable to assess cases for this cause. An example of a defendant who went on a killing rampage resulting in multiple homicides will be presented. Learning objectives include identification of the core symptoms of neurotoxicity and common neurotoxic substances, and understanding how neurotoxicity could impair competence to commit a crime.

Dr. Raymond Singer is a neuropsychologist and a neurobehavioral toxicologist (neurotoxicologist) specializing in research, evaluation and consultation regarding the effects of toxic substances, processes and agents on neurobehavioral function.

2:30-3:15

Forensic evaluations and clinical judgment **Ines Monguio, Ph.D.**

Forensic psychologists are routinely asked to answer questions and offer an opinion in cases of high complexity. The results of our conclusions can have life-changing effects on the people we evaluate. Often the amount of information we must review and integrate can be daunting. In this presentation, issues that may interfere with clinical judgment and effective decision making will be specified, and corrective techniques will be proposed. Participants will be able to 1) identify various factors that can bias clinical judgment in forensic evaluations; 2) list correction mechanisms for potential biases/errors in decision making in forensic evaluations; 3) plan strategy for applying corrective techniques in data integration in forensic evaluations.

Ines Monguio, Ph.D. is in private practice in Ventura, California. She has been performing forensic evaluations in criminal and civil areas since 1989.

3:15-4:00

Global cyber crimes and autism: **Is there a role for forensic psychology?** **David Larson Holmes, Ed.D.**

Computer espionage, cyberhacking and cyberwarfare are global concerns. Many groups and individuals, sometimes referring to themselves as “hacktivists,” engage in computer hacking because they find it entertaining, others have more sinister reasons. The research in education, medicine, psychology and related fields strongly supports the use of evidence based recording and reporting in their clinical/applied methodologies with those on the autism spectrum. With current data supporting the fact that autism can be found as a precipitating factor in cybercrimes, the treatments that have proven effective with mitigating maladaptive behaviors in such individuals and promoting pro-social behaviors can be utilized in preventing cybercrimes. This presentation will address the emerging profile of some computer hackers as being on

the autism spectrum and how forensic psychology can be helpful in mitigating this global threat.

Dr. David Holmes is Chairman and CEO of Lifespan Services, LLC, helping families and individuals with autism and related disabilities.

4:00-4:45

Autism spectrum disorders and forensic psychology: **understanding youth with ASD as potential** **perpetrators and/or victims** **Vanessa K. Jensen, Psy.D.**

This presentation will review ASD characteristics and symptoms that may be potential predisposing factors to involvement in criminal behavior, particularly ASD-related patterns of thinking, fixations/obsessions, social naïveté and/or misinterpretation of social and environmental cues. Case examples will be used to demonstrate how these factors may facilitate youth to engage in or go along with acts that most would consider unacceptable, often without the individual’s awareness of the inappropriateness or illegality of the behavior (potentially becoming both perpetrator and victim).

Vanessa K. Jensen, Psy.D. is a pediatric psychologist and has been on the medical staff at the Cleveland Clinic Children’s Hospital for more than 20 years.

Room 2—Child/Family Issues (3 CE credits)

1:45-2:30

Psychologist/attorney collaboration in family law practice **Daniel S. Lobel, Ph.D. and Lawrence Jay Braunstein, Esq.**

Family law practice relies significantly on collaboration with mental health professionals on matters involving divorce, child custody and visitation, domestic violence, etc. Courts are increasingly encouraging families to settle their matters out of court. Successful resolution of high conflict cases can be supported by collaboration between attorneys and psychologists. A framework for interdisciplinary collaboration will be presented. Psychologist roles in facilitating negotiations and trials, and as forensic evaluator will be presented. Attorney roles as advocate will also be described. Attendees will become more informed about interdisciplinary collaboration while learning techniques and limitations in the context of case studies as well as relevant ethical considerations.

Daniel S. Lobel, Ph.D. is an assistant clinical professor of psychiatry at Mount Sinai School of Medicine in New York City, and in private practice. Lawrence Jay Braunstein is an attorney in White Plains, New York.

2:30-3:15

Homeland Security versus alien deportation: **expert psychologist testimony in federal courtrooms** **Mark Burdick, Ph.D. and Alisa Thomas, J.D.**

The present day theatre played out in Immigration Courts with Homeland Security provides opportunity for forensic experts willing to testify on behalf of individuals and family members with significant psychological profiles. If the profile is substantial and significant as to place “extreme hardship” on the U.S. citizen or naturalized family members per the report of the forensic psychologist, then a waiver can be granted allowing the court to stop the deportation of the individual in question who is in the U.S. “illegally.” The presenters will detail specific legal case terms, timelines, and how expert testimony works in these cases involving immigrant families. These proceedings are watched by the international community, and impact American society. Immediate and extended family members, including school-aged individuals and elders, suffer as they persevere despite the delayed actions of the complex immigration legal system.

Dr. Burdick has spent decades working on behalf of families with children and adults in need of both educational and clinical services while facing court action. Alisa Thomas is an immigration attorney practicing in Santa Cruz county who has fought successfully for the rights of immigrant families and children.

3:15-4:00

An optimal custody assessment procedure for South Africa: an empirical evaluation

Henk Swanepoel, Msc

Decisions concerning custody placement are best made based on a comprehensive evaluation conducted by the forensic psychologist. In South Africa, post-apartheid changes gave rise to the dawn of the new Children's Act, 2005 which gave rise to changes in custody allocation. In determining the best interests of the child in the course of a divorce dispute, the forensic psychologist advises the family courts via an assessment process, but no sovereign approach to conducting custody evaluations exists. This study aimed to develop an optimal psychological assessment procedure for determining primary residency allocation of children in South Africa. The study will assist the learner to understand custody evaluations in the South African context as well as the process and principles of such assessments.

Henk Swanepoel is a registered clinical psychologist in private practice in South Africa.

4:00-4:45

The voice of the child in child custody assessments

Michael Elterman Ph.D, MBA

It is common practice to evaluate the views of the child in custody assessments. The wishes of older children are given greater weight but regardless of their ages, children are put in a difficult position to truly express their wishes as they know that the parents will find out and there may be repercussions. This paper will describe the different circumstances where children's views should be canvassed and those situations when they shouldn't. The presenter will show how one can determine the child's wishes and what will be the healthiest alternative without asking the child in an interview.

Michael F. Elterman, MBA, Ph.D. is in private practice in Vancouver, British Columbia. He has conducted over 2500 court assessments in 28 years.

5:30-6:45 Welcome Reception

Friday, April 20

7:15-8:00 Registration and Continental Breakfast

8:00-12:00 Ethics and Practice Issues (4 CE credits)

Note: Presentations on this day are designed to meet the California ethics and the law continuing education requirement, and will include discussion of laws, ethics and ethical issues as they apply to the practice of psychology.

8:00-8:45

The pros and cons of the new specialty guidelines for forensic psychology

Martin H. Williams, Ph.D.

The APA, and, in particular the American Psychology Law Society (Division 41 of the APA), have adopted a new set of specialty guidelines for forensic practice effective in 2011. It is unclear whether these guidelines do anything more than restate the implications of the Ethical Principles for Psychologists and Code of Conduct in the forensic arena. What is the benefit of publishing these guidelines? This talk will raise the question of whether such guidelines do more harm than good, especially in view of the fact that the previous (1991) guidelines were routinely used as a weapon in cross examination of psychologists. Opposing attorneys would find ways that the testifying psychologist may have deviated from the guidelines and would bludgeon him or her, in open court, using the Guidelines as a weapon, in an attempt to humiliate the psychologist in the eyes of the jury. It is ironic that the Guide-

lines, which purportedly describe best practices, are routinely used to define the standard of care.

Martin H. Williams, Ph.D. is the co-founder of Williams Psychological Services. He has over 35 years experience in clinical and forensic psychology. Dr. Williams was an official observer of the Ethics Code Task Force that produced APA's 2002 Ethics Code.

8:45-9:30

Understanding the law and standards used in courts that may raise issues for forensic psychologists adhering to best practices in forensic psychology

John T. Philipsborn, J.D.

John Philipsborn has been a criminal defense lawyer for more than 30 years, during which he has been involved in the defense of numerous serious cases, including more than 30 cases in which there was a potential death penalty. He will be reviewing instances in which court rulings in criminal cases and lawyer strategies may undermine, or at least may be at cross purposes with the professional standards related to the professional practices of psychologists. Specific statutes and case law will be analyzed, as will scenarios that may serve as a basis for discussions of the issues by conference participants.

John Philipsborn is a criminal defense lawyer in San Francisco. His work has figured in more than 70 published opinions, including rulings of the United States Supreme Court. Mr. Philipsborn has published extensively on matters covering mental health and the law.

9:30-12:00

Forensic skills workshop: the role of the psychologist in civil and criminal litigation

Dr. Elliot Atkins, Michael Pancer, Esq., John T. Philipsborn, J.D., Martin H. Williams, Ph.D.

A forensic skills forum will focus on issues in civil and criminal law that interface with psychology and expert testimony by psychologists. This is an interactive session involving moderator, panelists and audience on advanced ethical and practice issues confronting the forensic psychologist. Vignettes submitted to the panel by practicing forensic psychologists will be read aloud and discussed. The vignettes describe problems and experiences that forensic psychologists often confront in their practices and in court. Attendees will be exposed to a wide variety of forensic cases and problems in civil and criminal areas.

Dr. Elliot Atkins (Moderator) is in private practice in Pennsylvania and New Jersey. Panelists: Michael Pancer has been a criminal defense lawyer in San Diego since 1972. John Philipsborn is a criminal defense lawyer in San Francisco. Martin H. Williams, Ph.D. is a clinical and forensic psychologist who consults and testifies nationwide before psychotherapy and healthcare regulatory boards regarding ethics matters.

10:15-10:30 Coffee Break

12:00-1:30 Lunch Break (on your own)

1:30-4:30 Ethics and Practice Issues (3 CE credits)

1:30-2:15

Professional and ethical issues in outside forensic psychological evaluations of police officers

Ronn Johnson, PhD, ABPP and William Marek, Ph. D.

The International Association of Chiefs of Police (IACP) provides two sets of guidelines for conducting pre-employment and fitness for duty evaluations (PEPE and FFDE) of police officers. However, the IACP documents offer no concrete directions for responding to the ethical issues inherent in conducting these types of forensic evaluations. This observation is particularly relevant for examiners called upon to conduct outside evaluations (OE reports) on police applicants who have already been disqualified or found unfit. As a result, outside examiners are often left to grapple with a variety of professional and ethical decision making issues without sufficient guidance. The risk-benefit as-

assessments of examiners performing these types of evaluations are further complicated by a combination of competence, financial and other professional factors. This presentation will address this situation by outlining the first comprehensive framework for crafting OE reports which is based on recognized ethical-professional guidelines, standards of practice, as well as the relevant literature.

Ronn Johnson, Ph.D., ABPP is an associate professor in the Clinical Mental Health Program at the University of San Diego. He has conducted thousands of psychological interviews for law enforcement applicants for a variety of large law enforcement agencies across the country. William K. Marek, Ph.D. is retired from the Federal Bureau of Prisons. He is in private practice and teaches at Alliant University/California School of Forensic Studies.

2:15-3:00

Strategies in handling and overcoming judicial bias

Mark L. Goldstein, Ph.D., Ph.D., Barry Bricklin, Ph.D. and Gail Elliott, Ph.D.

Biased judges are often encountered, both before and during actual hearings. The judge may be friends with the opposing expert, guardian ad litem or child representative. The judge may appoint you to do a custody evaluation, and tell you off the record that he favors one parent over the other. The judge may always award primary residential custody to one gender. The judge is distracted or makes obvious negative facial expressions during your testimony. How does a forensic evaluator handle these situations? What are the ethical considerations? How does an evaluator maintain integrity in the face of judicial bias? This presentation will attempt to address these issues through actual cases. In addition, the audience will be encouraged to present their own experiences with judicial bias.

Mark L. Goldstein, Ph.D. is a licensed clinical psychologist in the Chicago area, who has conducted over 1100 child custody evaluations. Dr. Barry Bricklin is a licensed clinical psychologist in Pennsylvania, a world-renowned expert in child custody, and author of numerous psychological test instruments. Dr. Gail Elliott is a clinical psychologist in Pennsylvania and has collaborated with Dr. Bricklin in developing several of the mostly widely used instruments in custody evaluations.

3:00-3:45

The significance of the new UN Convention on the Rights of Persons with Disabilities for the practice of institutional psychiatry and psychology

Michael L. Perlin, J.D.

This paper will discuss the implications of the new UN Convention on the Rights of Persons with Disabilities and its meaning for psychiatrists and psychologists, especially those who work in institutional settings. Among the questions to be raised are these: 1) Will the Articles of this Convention be interpreted broadly or narrowly? 2) Will the interpreting courts rely on the already-existing bodies of caselaw based variously on the UN Mental Illness Principles of 1991, the European Convention on Human Rights and/or American constitutional caselaw in deciding such cases? 3) How will legal representation be provided in such cases? 4) What will (or what should) the role of organized psychiatry and psychology be (if any) in such cases?

Michael Perlin is a professor of law at New York Law School where he is director of the online mental disability law program and the international mental disability law reform project. He has done advocacy work on behalf of persons with disabilities on all continents, and has published 21 books and 250 articles on all aspects of mental disability law.

3:45-4:30

Effectiveness of court oaths and affirmations

Allan Posthuma, PhD, ABPP, Rabbi Michael Nadata and Judge Daniel Steinberg

The law of evidence is assumed to be dedicated to the pursuit of truth. Holding a Bible in your hand and swearing "to tell the truth the whole

truth and nothing but the truth" is assumed to be a covenant with not only the Court but with God, thus assuring the truth. This assumes the witness is "God-fearing," a concept that may have had relevance in the past in Judeo-Christian societies but is unlikely to apply in the 21st century. The goal of cross-examination is not to seek the truth but to discredit the witness. The panel of a rabbi, a judge and a psychologist will explore the legal, psychological and theological issues involved in oath taking and its effectiveness. Participants will gain an understanding of psychological research, legal statutes and the theological underpinnings of legal oaths.

Allan Posthuma, Ph.D. is in private practice in Vancouver, B.C., Canada and specializes in both personal injury and family court evidence. Judge Steinberg has served on the bench for many years and will speak on the judicial function of the oath and what he sees on the legal horizon. Rabbi Nadata completed his undergraduate degree in psychology concurrently with his rabbinic and cantorial education and continues his involvement in all three.

Saturday, April 21

7:15-8:00 Registration and Continental Breakfast

8:00-1:00 Police/Correctional Issues (5 CE credits)

8:00-8:45

Posttraumatic stress disorder and police officer involved shootings: a plea for rationality

Joyce H. Vesper, Ph.D., Robert E. Wisniewski, J.D. and Stephanie DeVore

Though police officers carry guns, they seldom have to fire them. Consequently, those who fire weapons in which suspects are maimed or killed are exposed to unusual and exceptional circumstances that cause conflicting and confusing emotions that may manifest as addictive and acting out behaviors. Some of these officers suffer from posttraumatic stress disorder (PTSD). The types of mental injuries as determined by case law that are used in determining workers' compensation for PTSD, the legal and psychological opposition attorneys and forensic psychologists face when mounting and delivering the claim to court, and the management of PTSD symptoms in officers whose cases go to court are discussed. Finally, the rationale for defining how officer shooting is "unusual and extraordinary" is summarized and explained.

Joyce H. Vesper, Ph.D. has been in private practice in Scottsdale, Arizona for over 30 years. Robert E. Wisniewski, J.D. is an attorney in Arizona. Stephanie DeVore is a 2013 J.D. Candidate at the Phoenix School of Law.

8:45-9:30

Training law enforcement about false confessions: a model curriculum

Michael T. Wiltsey, Ph.D. and Elliot L. Atkins, Ed.D.

There are many psychological factors that can influence the reliability of witness statements and suspect confessions. Police officers should be trained to understand the increased risks associated with individuals who are young, immature, intellectually deficient, psychologically disordered, or otherwise vulnerable to persuasive interrogation methods. This presentation will describe a model curriculum for in-service training for police officers on this issue and will provide attendees with a basic overview of the content of such a training. As a result, attendees will be able to describe the various psychological factors that influence the reliability of witness statements and false confessions. In addition, attendees will be able to identify vulnerable populations susceptible to being persuaded to provide false and/or self-inculpatory information. Lastly, attendees will be able to list the main components that should be included in law enforcement training on the issue of false confessions.

Dr. Michael Wiltsey is a post-doctoral fellow with Elliot Atkins, Ed.D. & Psychological Associates in Marlton, New Jersey. In addition to his

clinical and forensic work, Dr. Wiltsey has over 12 years of experience as a crime scene investigator. Dr. Elliot Atkins is a clinical, forensic and consulting psychologist with offices in Philadelphia, Pennsylvania and Marlton, New Jersey.

9:30-10:15

Mental health, the Supreme Court and the California prison system

Randall L. Solomon, M.D., David Silbaugh, Ph.D. and Alan Abrams, M.D., J.D.

On May 23, 2011, the Supreme Court ruled in *Brown v. Plata* that the only viable method for the State of California to provide constitutionally sanctioned medical and mental health care was to order a release of thousands of prisoners from the prisons. How is it that the Supreme Court ruled this way? How has the State been managing these prisoners up till now and what effect does this ruling have on the functioning of the prison mental health system? We will explore the case from its inception including the State's three judge panel and the Supreme Court decision. We will also look closely at what the State has done to improve mental health care in its prisons.

Randall L. Solomon, M.D. has been practicing psychiatry for over 25 years in both the private and the public sector. He is currently working for the State of California Department of Corrections and Rehabilitation in the Department of Psychiatry and has a private forensic practice. David Silbaugh, Ph.D. is Chief Psychologist at the California Medical Facility in Vacaville, California. Alan A. Abrams, M.D., J.D. is the Chief Psychiatrist at the California Medical Facility in Vacaville.

10:15-10:30 Coffee Break

10:30-11:15

The militarization of prisons

Adam Weiner, Ph.D., and Michelle Adams, M.A.

Since the inception of the modern prison system over 230 years ago, the United States has relied on a model of imprisoning offenders that mirrors the culture, structure, and operation of military institutions. This presentation will explore conceptual parallels between the military and prisons, the prison system's fundamental reliance on the military model, and the effects of such reliance on a steadily increasing prison population and environments. The effects of political, legal, and cultural influences on the modern corrections system—a system with the highest incarceration rate among developed nations—will also be explored.

Adam Weiner, Ph.D. is a staff psychologist at a psychiatric services program located within a maximum security prison that serves prisoners throughout the California State Department of Corrections and Rehabilitation. Michelle Adams, M.A., R-DMT, is a therapist at the same facility.

11:15-12:00

Methodological problems in assessment of malingering with defendants with intellectual disability in capital cases

Daniel W. Close, Ph.D. and Alma Chapa

The context of the presentation will be the hearing process when a defendant has an intellectual disability and may be eligible for exclusion from the death penalty due to the Supreme Court decision of *Atkins v. Virginia*. The presentation will focus on the fact that none of the major scales for assessing malingering were normed on a population of defendants with intellectual disability. Utilizing a case example, a rationale will be provided that discusses why traditional malingering scales need to be avoided in cases where the defendant has a measured IQ below 75 on a standardized intelligence scale. A recommendation for alternative assessment procedures will be proposed.

Daniel W. Close, Ph.D. is an associate professor in the Department of Counseling Psychology and Human Services at the University of Oregon. Alma Chapa is a student at the University of Oregon and research assistant to Professor Close.

12:00-1:00

Citizen and expert witness: the role of psychologists in laws they are asked to address

Robert Halon, Ph.D., Paul Good, Ph.D., Jules Burstein, Ph.D. and Brian Abbott, Ph.D.

Arguments surrounding sexually violent predator laws can be divided into issues related to the strictly legal elements, the balancing of individual liberties against the need to protect society from mentally disordered sex offenders, and the qualifications and authority of mental health professionals who are asked to assist in the application of the laws. In "A Modern Day Witch Hunt: The Troubling Role of Psychologists in Sexual Predator Laws" (Am J Forensic Psychology, 2010), Good and Burstein assailed these laws by addressing a bit of each of these issues. Duthie and Saari (2011) responded, and Good and Burstein replied. Following the presentation, participants should be able to: 1) describe significant limits expert witnesses have for addressing legal, social/philosophical issues and 2) differentiate between laws and the mental health concepts they create.

Robert L. Halon, Ph.D. (Moderator) has been in independent practice as a clinical and forensic psychologist for the past 34 years. Panelists: Jules Burstein, Ph.D. is a clinical and forensic psychologist in private practice in Berkeley. Paul Good, Ph.D. is a clinical and forensic psychologist in private practice in San Francisco. Brian Abbott, Ph.D. is in private practice in San Jose, California.

Sunday, April 22

7:15-8:00 Registration and Continental Breakfast

8:00-12:00 Evaluations/Disability (4 CE credits)

8:00-8:45

Conducting forensic psychological evaluations in immigration cases

Baljit Atwal, Ph.D. and Karl Krooth, J.D.

Immigration attorneys are increasingly turning to psychological experts for assistance. This presentation will provide an overview of applying forensic psychological expertise to these cases. A broad overview of the key types of evaluations and immigration regulations will be presented. Attendees will become familiar with the four major types of immigration situations where forensic psychological evaluations are utilized, understand and summarize The Asylum Standard Relief Act defining "exceptional and extreme hardship," and discuss assessment and cultural issues involved in selecting appropriate instruments for this population. Comparisons, where appropriate, will be made regarding the differing roles of the forensic psychologist in immigration versus criminal legal proceedings. Case material will be used to illustrate key points in this emerging forensic psychological specialty area.

Dr. Atwal is a forensic psychologist specializing in immigration and criminal evaluations. She has been conducting immigration evaluations for the last 10 years for political asylum, hardship, and cancellation of deportation. Karl Krooth, J.D. conducts post-conviction relief before California courts and represents foreign nationals with criminal records in furtherance of victim visas and naturalization.

8:45-9:30

Current trends in PTSD litigation

John W. Podboy, Ph.D. and Albert J. Kastl, Ph.D.

Posttraumatic stress disorder (PTSD) and similar labels have been identified for more than a century. These labels include "shell shock," battle fatigue and combat neuroses. Posttraumatic stress disorder was first placed into the DSM-III in 1980; it specified "the existence of a recognizable stressor that would evoke significant symptoms of distress in almost everyone." By the time of DSM-III-R and DSM-IV-R, the criteria required the direct experience or witness of events that involved actual or threatened death or serious injury, or a threat to the physical integrity

of self or others. As DSM-V is being formulated, should the criteria remain stringent? Can stresses of the workplace engender PTSD? In wartime, can non-combatants in secure areas sustain PTSD? Can “cumulative trauma” bring about PTSD? Drs. Podboy and Kastl will discuss such issues in current forensic psychological practice.

John W. Podboy, Ph.D. served as a consultant to the Veterans Administration during the 1970s and currently consults to the renamed Department of Veterans Affairs. Albert J. Kastl, Ph.D. is a clinical psychologist who served as a psychologist in Vietnam.

9:30-10:15

Rating psychological disability within the California workers' compensation system

Joshua Kirz, Ph.D.

This presentation will review the issues related to the finding of an industrial psychiatric/psychological condition and how such a condition is rated in California (hopefully with relevance to other states). The presentation will review changes in the law, best practices for evaluating injured workers, and specific disability evaluation paradigms. Following the presentation, participants should be able to 1) discuss presuppositions for finding of an industrial injury to the psyche; explain disability rating schemas, such as the GAF and the AMA Guides to Evaluating Disability; 3) discuss subtleties in evaluating injured workers (e.g., separating psychological disability from physical).

Joshua Kirz, Ph.D. is an assistant clinical professor at Stanford University School of Medicine. He has been the Chief Psychologist of the Stanford Pain Center for over a dozen years and evaluates injured workers as part of the multidisciplinary pain team at Stanford.

10:15-10:30 Coffee Break

10:30-11:15

Forensic strategies for analyzing alleged false confessions

Paul Good, Ph.D.

DNA exonerations have made it clear that innocent people are wrongly convicted at a rate far higher than most of us thought. A two pronged approach for analyzing alleged false confessions is described: first, the interrogation is content analyzed and the coercive tactics of detectives are exposed; and second, the defendant's intellect and personality are assessed to highlight characteristics that would make him/her vulnerable to confessing, including low IQ, intoxication, withdrawal, suggestibility, obedience to authority, etc. Psychological testing considerations will be presented with American norms.

Paul Good, Ph.D. is a clinical and forensic psychologist who has evaluated and testified in many cases of alleged false confessions.

11:15-12:00

The three faces of polygraph

Ken Blackstone and Robert L. Halon, Ph.D.

Polygraph test is a catch-all term that encompasses a spectrum of applications of the polygraph instrument—forensic, utility, and recognition—and within these are different methods and levels of accuracy. The forensic psychologist will often meet these applications while in the field and needs to be familiar with them. This presentation will review an actual case which included all three faces of polygraph and resulted in a dramatic outcome.

Ken Blackstone, a polygraph examiner since 1979, has conducted well over 15,000 examinations, consulted on a thousand more, and testified as an expert witness over 100 times. Robert L. Halon, Ph.D. has been in independent practice for the past 34 years.

The foregoing program is a “preliminary program” and additions/deletions are to be expected in the presentations and scheduling of talks. The final program will be distributed to all registrants just prior to the meeting.

Goal: The goal of this symposium is to keep forensic psychologists abreast of important issues which lie within the interface of psychology and law, recent developments in psychology that require new knowledge for expert witnesses, and new case law affecting forensic practice. **Target Audience:** The program is intended to benefit practicing forensic psychologists, psychologists in other subspecialties, and attorneys who litigate civil and criminal cases involving psychological evaluations and expert testimony. **Objectives:** Participants should improve their knowledge and skills in the following areas: (a) evaluation or treatment of forensic litigants and individuals with other forensic psychological issues; (b) new and ongoing research and developments in the field of forensic psychology; (c) relevant concepts useful in testifying and educating the court on mental health issues, and in working within the legal system; (d) changes in the law that affect clinical and forensic practice; (e) legal and psychological aspects involving the mentally disordered inmate in correctional facilities.

San Francisco and the Renaissance Stanford Court Hotel: The College is once again meeting at one of the finest hotels in San Francisco. The hotel is perched atop Nob Hill, overlooking the dramatic San Francisco skyline and central to the business, shopping, theater and tourist areas of the city. The hotel is three blocks from the fine shops and restaurants of Union Square, five minutes from Fisherman's Wharf and two blocks up the hill from Chinatown.

Hotel Reservations: We have secured a block of rooms for the College at the Renaissance Stanford Court Hotel at a very special rate of \$169 per night. You may call the hotel's reservation department toll-free at 1-800-468-3571. The hotel's direct telephone number is 415-989-3500. You must identify yourself as part of the College to secure the preferred rate. You may also go to our web site: forensicpsychology.org for a link to make your hotel reservation online. The hotel fax number is 415-391-0513. The hotel is located at 905 California Street (at Powell), Nob Hill, San Francisco, CA 94108. **Room reservations must be received by March 21, 2012.** Reservations made after March 21, 2012 are subject to availability at the prevailing hotel rate which will be considerably higher than the group rate.

See next page for Symposium Registration Information and Registration Form.

SYMPOSIUM REGISTRATION INFORMATION

Please complete and return the registration form below with your credit card information or a check for the appropriate amount, payable to American College of Forensic Psychology.

\$475 College Member (by March 23) \$525 College Member (after March 23)
\$525 NonCollege Member (by March 23) \$575 NonCollege Member (after March 23)

Student Fee: \$215 (Please provide proof of full-time student status)

Two-Day Registration: \$390 Please circle days: Thurs. Fri. Sat. Sun.

College Membership: If you wish to join the College at this time and attend the meeting, please add \$225 to the appropriate College member registration amount. Registration fees cover the meetings each day, continental breakfast each morning, coffee breaks, Thursday night's Welcome Reception, and conference materials. **Spouses/Guests:** A spouse or guest who wishes to attend the meetings may register by paying the appropriate fee, less \$100 discount. This discount applies only to the four-day registration fees, not to two-day registrations. **Cancellations:** Requests for registration refunds must be sent in writing to the College by March 23, 2012 and are subject to a \$35 service charge. No other refunds are permitted. **CE: 23 hours**

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AMERICAN COLLEGE OF FORENSIC PSYCHOLOGY • PO BOX 130458 • CARLSBAD, CALIFORNIA 92013
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