

THE BEATTEY GROUP ^{PLUJ SM} | FAQs : forensic psychology

What is forensic psychology?

Psychology is a behavioral science discipline that uses the scientific method to describe, explain, predict, and change behavior. Forensic psychology, specifically, is an applied branch of behavioral science that harnesses the power of the scientific method to help provide empirical data to legal decision-makers as they answer psycho-legal questions.



What kinds of psycho-legal questions are there?

There are many. In the criminal context, by far the most common type of forensic referral is for adjudicative competency evaluations.¹ Not guilty by reason of insanity (NGRI) evaluations and Diminished Capacity evaluations are also relatively common in jurisdictions that recognize those pleas. Psychosexual evaluations are also quite common and sentencing mitigation evaluations are increasingly occurring. It's important to note that there are many other types of evaluations including, just to name a few, competency to waive Miranda, competency to waive counsel, competency to plea, competency to be executed, and competency to refuse medical treatment.

On the civil side there are even more psycho-legal questions to be answered. For example, forensic psychologists are often retained in disability cases where the claimed disability involves psychiatric and mental health issues and in family law cases, where parenting evaluations are quite common. Public safety agencies also ask for forensic assessments for recruits and serving personnel.

Are all psychologists qualified for this?

No. While *Jenkins v. United States*, 307 F.2d 637 (D.C. Cir. 1962) established the inclusion of psychologists as experts on a range of mental health issues in courts, it also made the point that it was an individual determination to see if a specific psychologist had the skills, training, and experience necessary to qualify as an expert on psycho-legal questions. Forensic psychologists also consult on trial strategy, juror selection, and corporate risk

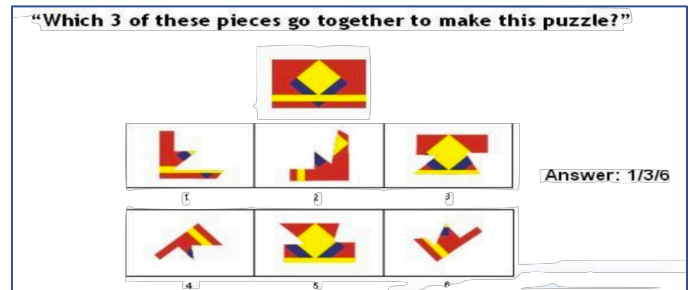


¹ Poythress, N., Bonnie, R. J., Monahan, J., Hoge, S. K., & Otto, R. (2002). *Adjudicative competence: The MacArthur studies* (Vol. 15). Springer Science & Business Media.

management, but **do not** accept multiple roles in the same case.

But what do you actually do?

A forensic psychological evaluation includes a review of an individual's developmental, educational, vocational, medical, psychiatric, relationship, and legal history. There is also a face-to-face clinical forensic interview with the examinee and interviews of collateral witnesses (teachers, treatment providers, family members, etc.). As with all psychological assessments, the objective is typically to answer a referral question, solve a problem, or arrive at a decision through the tools of evaluation. This may include the use of psychological testing. The objective of testing is typically to obtain some empirically-supported gauge, usually numerical in nature, with regard to an ability or attribute. This may involve cognitive testing with items like this:



It may also involve assessment of adaptive functioning or personality functioning. There are also specific tests for forensic settings, such as the *Fitness Interview Test-Revised*, which specifically tests for competency to stand trial. In some instances, neuropsychological testing can be helpful. Neuropsychology is an applied science that studies the behavioral expression of brain dysfunction.



Once the assessment is concluded, a forensic psychologist will contact the client (usually an attorney or the court) and describe the findings. If the client wants a written report, one is then drafted at their request.

For more information or to schedule a free consultation:

E: info@beattey.org TEL: +01 917.426.7001