

PSY 546: Forensic Psychology

Fall 2019 | M & W 10:45am – 12:00pm | West Campus, FAB 170A

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Office Hours: M 9:45am – 10:45am & by appointment

Required Materials: There is no required textbook for this course, but there are required readings. You are expected to retrieve the readings from the ASU Library, GoogleScholar, or Canvas (I'll post on Canvas those that aren't available through the library or GoogleScholar). See Canvas for specific reading assignments. These two books are recommended for those of you particularly interested in the content of this course. Note that the ASU Library has both of these available to you as e-books, though I'd encourage you to purchase them if you'd like a copy.

Melton, G.B., Petrila, J., Poythress, N.G., Slobogin, C., Otto, R.K., Mossman, D., & Condie, L.O. (2017). *Psychological evaluations for the courts: A handbook for mental health professionals and lawyers (4th Edition)*. NY: Guilford Publications.

Ewing, C.P. & McCann, J.T. (2006). *Minds on Trial: Great Cases in Law and Psychology*. Oxford University Press. ISBN: 0-19-518176-x

Course Description: This course will provide you with an advanced introduction to forensic psychology – a subfield of psychology in which basic and applied psychological science or scientifically-oriented professional practice is applied to the law to help resolve legal, contractual, or administrative matters ([Neal, 2018 article in American Psychologist](#)). “Forensic” comes from the Latin word for “court,” and “forensic psychologists” are psychologists who help courts make decisions about people when some question related to psychology is involved. Thus, forensic psychologists typically are involved in cases “pre-adjudication,” which means before the legal decision is made, and they help courts make informed decisions about cases.

Forensic psychologists provide services (e.g., assessment, treatment, presentation of research) explicitly for the purposes of informing a legal decision (e.g., performing a child custody evaluation to inform the court's upcoming decisions about parenting time and rights in a divorce decree, conducting competency restoration treatment services in an attempt to restore trial competency so that the defendant can be adjudicated “competent” and move forward with their ongoing legal case, providing a summary of the research data about factors that contribute to a false confessions or mistaken eyewitness identifications while the case is ongoing).

In this course, we will learn in-depth about some of the major ways in which psychologists are involved in the criminal court system (e.g., when legal questions arise about a defendant's competency to stand trial, his/her mental state at the time of offense). We will teach each other about some of the other criminal and civil competencies that psychologists help the courts assess (e.g., when questions arise about a defendant's competency to confess, to plead guilty, to be sentenced and executed, to make a will, to consent to research). And we will cover in less detail some of the other common questions forensic psychologists help answer (e.g., risk of future violence, risk of future sex offenses, ability to safely live in the community, juvenile delinquency). Finally, we will learn about the paths toward careers in forensic psychology. To learn the substance of these issues, we will read and discuss landmark legal cases, discover real cases and articles in which these issues were raised, critique these issues from both legal and scientific perspectives, and share what we learn with others.

Learning Objectives

- Demonstrate independent, articulate, creative thinking about the legal system's use of science generally, and psychology in particular, to help resolve legal, contractual, and administrative matters
- Teach classmates by designing and delivering organized, clear, fluid, and engaging presentations

- Identify and discuss landmark cases in forensic psychology (such as the mental capacities defendants must have to stand trial in *Dusky v. U.S.* and the capacities people must have to represent themselves at trial in *Godinez v. Moran* and *Indiana v. Edwards*)
- Describe and analyze the ethical challenges forensic psychologists face, such as the “double agent” issue
- Write an organized, clear, fluid, and original paper on a selected forensic psychology topic

Class Format: Class periods will involve us meeting as a group to discuss course topics. Sometimes it will involve presentations of material prior to discussions, but not always. It will usually involve seminar-style discussions. This course also requires teaching a section to the class on an assigned competency-related topic, as well as synthesis and sharing of the knowledge you gain in this course through independent scholarship in the form of written and oral presentations of a final project in a course-related area of interest to the student.

Grading System: Final grades consist of in-class participation (30%), teaching of a competency-related topic in class (20%), Midterm outline, title, abstract draft, and references for your final paper (15%), Final paper presentation in class (15%), and Final paper (20%).

Course Requirements

1. **Attendance and Participation (30%):** Seminars rely heavily on collaboration and participation. Therefore, 30% of your final grade is derived from in-class participation. Your participation points are derived from your engagement and effectiveness in seminar discussions. I’d like for you to be thinking actively as you read the assigned content about connections to other materials. Bring those connections and observations to class. Share real-world examples or cases you discover that illustrate the topic at hand (e.g., articles in the news, Netflix shows, podcasts, etc.). Bring research ideas to class to discuss. Generate discussion questions to pose to your classmates to open up the discussions, and help facilitate discussions when there are “lulls” in conversation. If you find videos, news articles, podcasts, etc. that you want to share with the class, post them on the class Slack page – we can pull it up during class meetings as desired. I’ll assign your attendance and participation points for each module according to a rubric in Canvas. These attendance and participation points cannot be made up (except for excused absences related to religious observances/practices ([ACD 304–04](#)) or university sanctioned events/activities ([ACD 304–02](#))).
2. **Teaching an assigned competency-related topic in class and facilitating discussion (20%):** You will be assigned one criminal or civil competency to teach your classmates. Your task will be to create an engaging and informative 10-12 minute presentation to teach the topic, find a media source (e.g., video, news article, podcast) or case study that nicely illustrates your topic, generate a research idea on the topic as a potential future direction in that area of the field, and generate and facilitate class discussion of the topic you teach (total time ~20-25 minutes). You will also be evaluating the quality of your peers’ presentations.
3. **Midterm Outline, Title, Abstract draft, and references for your Final Paper (15%):** Due 10/16. You will be writing a paper for this class (see #5 below for more details about the paper). To do well on this graded outline of the paper, you basically need to have the complete idea of the paper – and its organization – formulated. The outline should be thorough and organized. I expect to see a title and abstract in APA style (6th or 7th ed.), and an outline based on all of the APA-style headings that you plan to have in your final paper. In addition to this heading-level outline, on the next pages after the heading-level outline, I’d like to see a more fleshed-out version of the outline with notes, citations, and ideas under the headings to give me a good sense of how your thinking is developing for the paper. The abstract should also give me a clear understanding of your idea or proposal as well as the underpinnings of your argument. This midterm assignment is worth almost as much as the final paper itself – so take it seriously and work hard on it. Note that your title and headings can evolve as you write the final paper.
4. **Presentation of final paper in class (15%):** You will “teach” your final paper to the class in a 15 minute timeslot, followed by discussion (~30 minutes total). You are to present your unique contribution to the literature (see below) and explain how your ideas, hypotheses, or etc. extend what is already known in the literature. In doing so, you’ll need to provide a summary of the existing literature and then make the case for why you went the direction you did. Think of this presentation as an opportunity to practice your professional public speaking skills. Thus, you should

present a polished, formal presentation that informs your audience about your topic and does so in a way that engages them.

5. **Final paper (20%):** You are required to prepare a major paper of roughly 10 pages. The paper can take the form of a conceptual analysis, a literature review, a [short] law review article, or a grant proposal, written with scholarly care. Regardless of what type of paper you choose to write, your contribution must add something new beyond the existing literature. You might write an original summary of an issue or the literature regarding one of the topics we read about or discuss in class, analyze a policy issue, propose a particular “call to action,” design and propose a study you’d like to conduct, etc. This paper cannot overlap significantly with your ongoing lab projects or any papers you’ve written for other courses. If it does overlap somewhat, you need to discuss with me how your idea for this paper will depart from or augment your existing knowledge base *before you start*. The goal is for you to learn new things and think in new directions. The paper should be in APA style (or Bluebook, if you’re planning to write in the style of a law review article). Your goal should be to treat this paper as an actual draft of what you might submit for publication or a grant proposal – I hope you do submit, and I will help you reach that goal. Further details on the paper will be presented separately.

Grading Scale

A+.....97-100	B+87-89	C+.....77-79	E ≤59
A93-96	B83-86	C70-76	<i>For graduate students, grades below 70% are not considered passing.</i>
A-90-92	B-80-82	D60-69	

Policy against Threatening Behavior: Don’t do it - <http://www.asu.edu/aad/manuals/ssm/ssm104-02.html>

Reasonable Accommodations for Students with Disabilities: The Disability Resource Center (DRC) provides information and services to students with any documented disability who are attending ASU West (www.west.asu.edu/drc/ UCB Room 130; 602-543-8145). Individualized program strategies and recommendations are available for each student as well as current information regarding community resources. Students also may have access to specialized equipment and supportive services and should contact the instructor for accommodations that are necessary for course completion.

Academic Integrity and Code of Conduct: *Academic Integrity Policy:* <http://provost.asu.edu/academicintegrity>. *Code of Conduct:* <http://students.asu.edu/srr/code> Scholastic dishonesty is uncommon and will be dealt with harshly by the University. Each student has an obligation to act with honesty and integrity, and to respect the rights of others in carrying out all academic assignments. Violations of the policy will not be ignored. Penalties include reduced or no credit for submitted work, a failing grade in the class, a note on your official transcript that shows you were punished for cheating, suspension, expulsion and revocation of already awarded degrees.

Useful Websites

Canvas: For easy access to announcements, assignments, handouts, grades, and the syllabus. <https://canvas.asu.edu>

ASU Slack Workspace: A collaboration hub that enables real-time interaction between students in this course, helps us stay engaged, and enables teamwork on assignments as desired. Students can pin, star, or search content for later reference. For helpful tips including about how to access your account and a general overview of how to use Slack, see [ASU Slack Enterprise Overview](#), [How to Access Your ASU Enterprise Slack Account](#), [ASU Enterprise Slack Etiquette Guide](#)

ASU Tutorials: great resources for General Research Skills, Citing Sources, Finding Articles, and Using Databases. See <https://lib.asu.edu/tutorials>

ASU Writing Center and Academic Success Programs

ASU provides an amazing number of free services to help students succeed, including writing support, tutoring, and more for your courses. ASU’s writing centers offer free tutoring for all enrolled students to hone your writing skills and gain confidence at any stage of the writing process. There are writing centers at all of ASU’s campuses (including here at West), as well as online tutoring. The writing center can help you explore, plan, and develop ideas; organize and structure a paper; integrate and cite sources; engage in writing and revision; discuss editing

and proofreading strategies; and find a place to write. See <https://tutoring.asu.edu/> for more info or call (602) 543-6169 to schedule a 30-minute in person appointment right here at ASU West's Writing Center.

ASU Counseling Services: Offers confidential, personal counseling and crisis services for students experiencing emotional concerns, problems in adjusting, and other factors that affect their ability to achieve their academic and personal goals. <https://eoss.asu.edu/counseling>

Psychology as a major and/or career: <http://www.apa.org/topics/psychologycareer.html>

Psychology-Law Graduate Programs and Careers – explore the American Psychology-Law Society website: <http://www.apadivisions.org/division-41/>

Classroom Expectations

- **Your Email:** ASU email is an official means of communication among students, faculty, and staff. I will email you and I expect you to read and act upon email in a timely fashion. You bear the responsibility of missed messages and should check your ASU-assigned email regularly.
- **Electronic Devices:** Please turn off or silence cell phones and electronic devices for class. Do not send texts or check email, Facebook page, etc. during class.
- **Sexual Violence and Harassment:** Title IX is a federal law that provides that no person be excluded on the basis of sex from participation in, be denied benefits of, or be subjected to discrimination under any education program or activity. Both Title IX and university policy make clear that sexual violence and harassment is prohibited. You can seek support, including counseling and academic support, from the university. If you or someone you know has been harassed or sexually assaulted, info and resources are at <https://sexualviolenceprevention.asu.edu/faqs>. As a mandated reporter, I am obligated to report any information I become aware of regarding alleged acts of sexual discrimination, including sexual violence and dating violence. ASU Counseling Services are available if you wish discuss any concerns confidentially and privately: <https://eoss.asu.edu/counseling>.

Tentative Course Schedule

The course schedule may change (with reasonable advance notice).

Class Periods	Topic(s)	Reading(s) to be completed
8/26 - 9/4	<i>Module 1: What is Forensic Psychology?</i>	<ul style="list-style-type: none"> • 8/26 – Intro to class & syllabus, assignments & field trips overview. Please also complete 4 ASU tutorials – specifically: <i>Developing a Research Question, Topic Identification and Selection, APA Citation Style</i>, and the <i>Google Scholar</i> tutorial. https://lib.asu.edu/tutorials. See Canvas for readings to complete in advance of 8/28. • 8/28 – What is forensic psychology? General overview, discussion, and preparation for 8/30's field trip. • 8/30 – Field Trip #1 – to Arizona's Psychiatric Security Review Board open public meeting. This field trip will take the place of 9/4's class meeting (we'll cancel class on 9/4 to substitute for this time to be able to attend the field trip to AZ State Hospital). Estimated we'll observe 5-7 review board hearings for insanity acquittees trying to get out of commitment at the state hospital. <ul style="list-style-type: none"> ○ 8/30, 12:30pm ~ 3:30pm, 2500 E. Van Buren St., Phoenix AZ 85008 (in the PSRB Hearing Room – forensic hospital building at the Arizona State Hospital). Enter AZ State Hospital from Van Buren St. At the guard booth at the vehicle entrance, let them know you're coming for the PSRB meeting, and they will direct you to the forensic hospital building (it's on the east side of the hospital campus). When you part at the forensic building, leave everything you can in your car (no cell phone, bags, etc). You can bring your keys, but you'll have to lock them up in a locker at the entrance of the building. The hearing starts

at 1, so I'm suggesting we get there by 12:30 to try to make it through security and get in place before the hearing.

- 9/2 – No class – ASU closed for Labor Day holiday
- 9/4 – No class meeting – our 8/30 field trip #1 is substituted for today's meeting. Please engage in some discussion in the Slack class channel about your experiences on the field trip, or ask questions and engage in conversation with those who went on the trip if you can't make it due to other scheduled obligations. Please talk with me beforehand if you cannot make it, so we can arrange an alternative assignment.

9/9 – 9/30

*Module 2:
Sundry Legal
Competencies –
Including
Student
Presentations*

- 9/9 & 9/11 – Competence to Stand Trial – see Canvas for reading assignments in advance of class
- 9/16 (and 9/25) – No class – we'll substitute these class meeting times for Field Trip #2
- 9/24 – Field Trip #2 – to Rule 11 Court afternoon hearings (the Criminal Mental Health Court of Maricopa County Superior Court). Estimated we'll observe 20-35 hearings (most of them competence-related). 12:45pm ~ 4:00pm
 - 9/24, 12:45pm ~ 4:00pm, Courtroom 2B, 175 W. Madison St., Phoenix AZ 85003. When you park at the court complex, leave everything you can in your car. You can bring your bag/keys, but you'll have to go through security to enter the building and the less you have, the easier it is to get through. The court session starts at 1:30, but Commissioner Morton is planning to meet with us at 1 before the hearing to give us an idea of what we will be observing. I suggesting we get there by 12:45 to make it through security to meet with the Commissioner before the session.
- 9/18, 9/23, & 9/30 – student presentations on sundry legal competencies
 - 9/18 – 1) Competence to Consent to a Search and Seizure; 2) Competence to Exercise the Right to Remain Silent; 3) Competence to Plead Guilty; 4) Competence to Waive the Right to Counsel to Represent Oneself
 - 9/23 – 5) Competence to Refuse an Insanity Defense and Other Mental State Defenses; 6) Competence to Testify; 7) Competence to be Executed and to Participate in and Waive Appeals; 8) Guardianship
 - (9/25 – No Class - we're substituting this time for the 9/24 "field trip")
 - 9/30 – 9) Competence to Make Treatment Decisions; 10) Competence to Consent to Research; 11) Testamentary Capacity

10/2

*Tales of an
Australian
Forensic
Psychology
Professor*

- Professor Kristy Martire from University of New South Wales, Sydney, Australia will be here at ASU visiting us faculty and students in the Law and Behavioral Science group. She will be attending our class on 10/2 to talk with us about her background and career and Forensic Psychology in Australia – we will compare similarities and differences (in the field in our programs). <https://www.psy.unsw.edu.au/contacts-people/academic-staff/associate-professor-kristy-martire>. Her PhD student Bethany Growns (who is now our NSF postdoc here at ASU) will also join in. Readings as applicable will be available on Canvas.

10/7 – 10/16	<i>Module 3: Insanity / Mental State at Time of Offense</i>	<ul style="list-style-type: none"> • 10/7, 10/9 – Insanity – see Canvas for readings assignments in advance of class • 10/14 – No class – ASU Fall Break • 10/16 – Insanity, continued. Midterm Outline Due. Turn your paper electronically through Canvas no later than noon on Wednesday, 10/16. (You can turn it in earlier – in fact, please do if you can!)
10/21 – 10/28	<i>Module 4: Risk Assessment</i>	<ul style="list-style-type: none"> • 10/21, 10/23, & 10/28 –Risk Assessment (e.g., for civil commitment, pre-trial risk, criminal sentencing, red-flag laws) – see Canvas for reading assignments in advance of class. We'll do an in-class activity re: civil commitment to apply some of what we learn.
10/30 - 11/11	<i>Module 5: Sexual Offender Proceedings & Distinguished Guest Ira Ellman</i>	<ul style="list-style-type: none"> • 10/30 & 11/4 – Sexual Offender Proceedings (& in-class activity “assessing” sexual offender risk) – see Canvas for reading assignments in advance of class • 11/6 – Virtual Guest: Ira Ellman, ASU Distinguished Emeritus Professor of Law and Affiliate Professor of Psychology, Distinguished Affiliate Scholar at UC Berkeley’s Center for the Study of Law and Society, http://homepages.law.asu.edu/~ira01/. He’s joining us via Zoom. We’ll discuss some of his work in this area – scholarly work and ongoing policy work. Readings on Canvas. • 11/11 – No Class – ASU closed for Veteran’s Day holiday
11/13 – 12/2	<i>Module 6: Student Project Presentations</i>	<ul style="list-style-type: none"> • 11/13, 11/18, 11/20, 11/25, 11/27, 12/2 – student presentations of projects (~two presentations per day) <ul style="list-style-type: none"> ○ You will have ~30 minutes to present your final paper/ project in class. See specific details in Canvas in separate handout/rubric.
12/4	<i>Last Day of Class – and Final Paper Due</i>	<ul style="list-style-type: none"> • Read/discuss Neal, Slobogin, Saks, Faigman, & Geisinger (in progress, commissioned at APS journal <i>Psychological Science in the Public Interest</i>). “Psychological Assessments in Legal Contexts: Are Courts Keeping ‘Junk Science’ Out of the Courtroom?” • Celebrate the end of the term! • Final Paper Due. Turn your paper electronically through Canvas no later than noon on Monday, 12/4. (You can turn it in earlier – in fact, please do if you can!)