



2024-25 FALL

**FORENSIC
PSYCHOLOGY**

WEEK 1

Forensic Psychology: Crime, Justice, Law Interventions

INTRODUCTION TO FORENSIC
PSYCHOLOGY

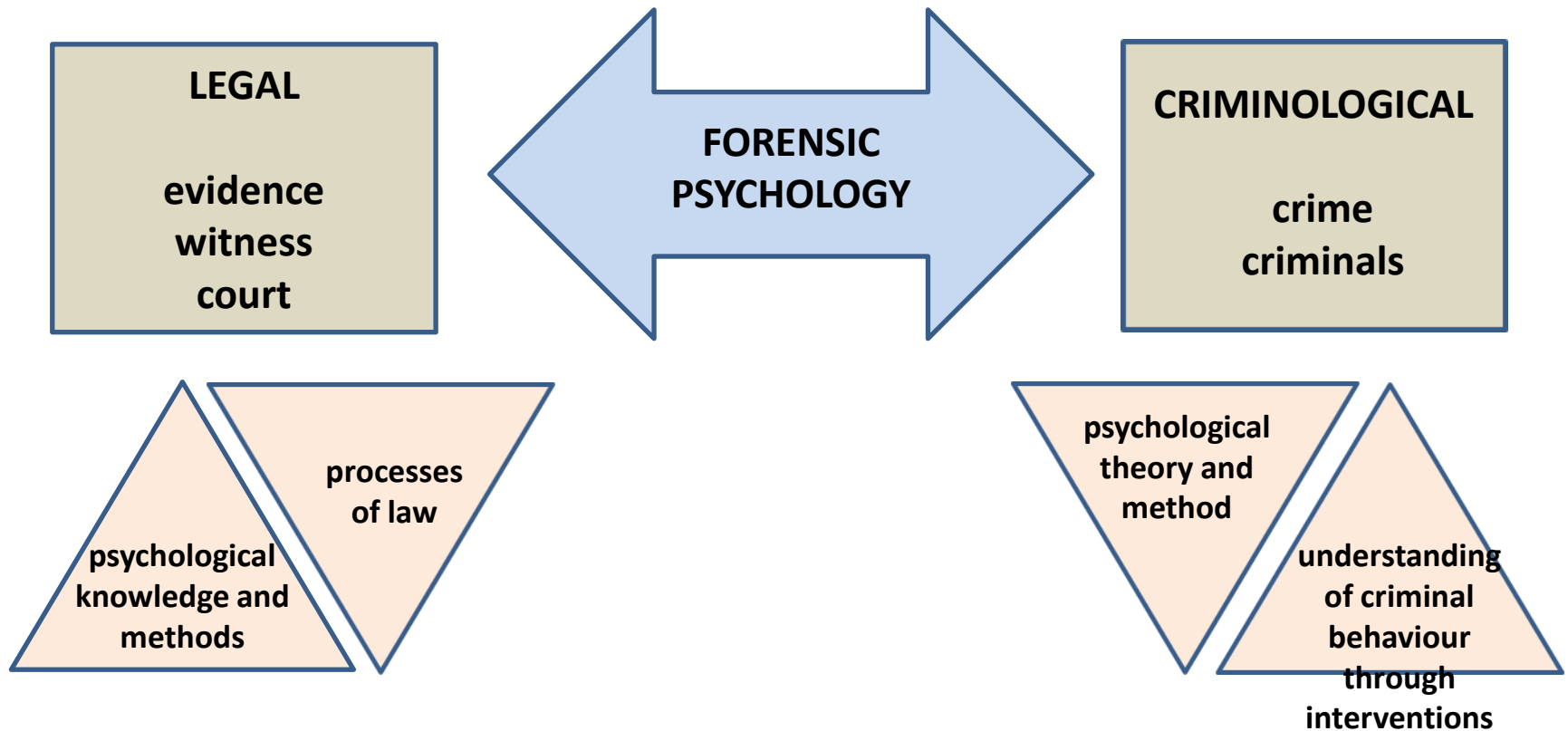
FORENSIC PSYCHOLOGY

- **Forensic psychology** continues to be a popular option at undergraduate and higher degree level: **interest in the interface between psychology and law** continues to grow.
- It embraces a variety of studies, **spanning both legal and criminological issues.**

FORENSIC PSYCHOLOGY

- The *legal aspect* of forensic psychology concerns the **application of psychological knowledge and methods to the processes of law.**
- The *criminological aspect* deals with the **application of psychological theory and method to the understanding (and reduction) of criminal behaviour through interventions.**

FORENSIC PSYCHOLOGY



FORENSIC PSYCHOLOGY

- The *legal aspect* deals with **evidence, witnesses and the courts.**
- The *criminological aspect* focuses on **crime and criminals.**

forensic psychologists

- Pilot and implement treatment programmes for offenders
- Generate research evidence to support penal policy and practice
- Undertake assessments of risk for violent and sexual offenders
- Undertake assessments of risk for domestic violence and family issues
- Treat offenders with drug or alcohol problems
- Write reports and give evidence in court

forensic psychologists

- Advise parole boards and mental health tribunals
- Crime analysis and offender profiling
- Conduct experimental and field studies on the reliability of witnesses
- Advise on interview techniques with suspects and vulnerable witnesses
- Advise on counter-terrorism policy and hostage negotiation

FORENSIC PSYCHOLOGY

- As the issue of **crime and offending continues to grow** in importance **in society**, it seems inevitable that policy makers will **turn increasingly to psychology in general and forensic psychology** in particular for answers to such questions as
 - **“What makes a person offend?”**
 - **“How can crime be reduced?”**

Legal Psychology

- Began in Europe around the turn of the twentieth century.
- Prominent among these pioneers was the **Austrian Hans Gross (1847–1915)** who in his career claimed to have performed more than 45,000 pre-trial **examinations of witnesses**.
- The **French psychologist, Alfred Binet (1857–1911)**, had conducted some of the earliest studies on **suggestibility and conformity effects in children**, described in his book *La Suggestibilité* (1900).

Legal Psychology

- The **German psychologist Louis William Stern** (1871–1938) started the **first journal** devoted to **witness psychology** and introduced new methods such as the **“event test”**. (a strategy commonly used in direct observation that involves noting and recording the occurrence of a carefully specified behavior whenever it is seen. For example, a researcher may record each episode of apnea that occurs within a 9-hour period overnight while a person sleeps.)
- Stern’s friend, **Hugo Münsterberg** (1863–1916) published a book in 1908, aimed at **publicising and promoting the value of psychology to law enforcement in general and the courts in particular**.

Legal Psychology

- Among the topics discussed by Münsterberg were:
 - **the accuracy of witness testimony**
 - **the detection of deception**
 - **false confessions**
 - **suggestive questioning at court**
 - **effective interviewing procedures**

Legal Psychology

- The **American jurist, John H. Wigmore (1863–1943)**, conceded that while **psychology had little to offer** to the law at present, there might come a time when psychology would have matured sufficiently to make a significant contribution.
- This **rejection of Münsterberg's ideas** was followed by his death in 1916, which effectively snuffed out the study of legal psychology in the United States.
- **In the 1970s, most of the topics Münsterberg identified remained central to contemporary research**, together with new themes arising from the stresses of contemporary society.

Legal Psychology

- In the UK, **Lord Justice Devlin** published a report in 1976 that described a series of cases involving **mistaken identity**, sometimes by more than one witness. (**involvement of psychologists in legal matters around mistaken identification**)
- In the United States, **Elizabeth Loftus** (1944–) and **Robert Buckhout** (1935–1990) were among the **first psychologists permitted to testify as experts at trials** regarding the **reliability of eyewitness testimony** in general and **identification** in particular.

Legal Psychology

- An important distinction emerged between estimator and system variables (Wells, 1978):
 - **Estimator variables** concerned the haphazard circumstances surrounding an initial observation of a perpetrator, such as lighting and distance from the witness.
 - **System variables** covered those factors in control of law enforcement officials, such as how many persons were present on an identification parade and their degree of similarity to the suspect.

Legal Psychology

- In the 1980s, universities in the United States launched the first **joint doctoral programmes** involving the study of both **psychology and law** (“JD/PhD programs”), which in turn led to research with a much wider focus on **psychological aspects of legal procedure.**

Münsterberg's concerns

- One of the earliest concerns of forensic psychologists was the **reliability of child witnesses** in the 1980s.
- In the UK and the United States, **children's evidence** had traditionally been **excluded or restricted** by the courts because of concerns over **suggestibility**.
- **U.S. psychologist Gail Goodman** demonstrated that **under appropriate circumstances, children were capable of providing reliable testimony** and this increased the pressure for reform of the law and the introduction of such **child-friendly measures at court as remote or video testimony and the use of intermediaries**.

Münsterberg's concerns

- Another concern dating from Münsterberg is the **detection of deception**.
- Psychologists have carefully researched the many assumptions surrounding so-called “**lie-signs**” and have cast a critical eye over the various devices, from the **polygraph** or “**lie detector**” (Wilcox, 2009) to **fMRI** (functional magnetic resonance imaging) brain scanning, which have claimed **infallibility in spotting lies**.

detection of deception

- The **suggestibility and reliability of adult witnesses** has been raised by the acrimonious debate over the status of **recovered memories**:
 - **memories of trauma often recovered during the course of therapy of which the person was previously unaware.**
 - This issue, too, came into prominence as a result of a murder trial in which there was a clash of expert testimony.

detection of deception

- In California, George Franklin **stood trial for the murder of a young girl**, Susan Nason, some 20 years previously. The principal evidence against him was **the eyewitness account of his daughter who had recently recovered a vivid memory of her father carrying out the murder when she was a young child.**
- The prosecution expert, **psychiatrist Lenore Terr**, **argued that the repression of memories** was commonplace among clinical patients and that Ms Franklin's memories fitted this pattern.

detection of deception

- For the defence, **Elizabeth Loftus argued that Ms Franklin's testimony contained significant errors** and that there was nothing in it that could not have been **gleaned from local newspaper reports of the time:**
- **Ms Franklin was confusing real events with self-generated imagery, perhaps fuelled by suggestion in therapy.**
- The jury found George Franklin guilty, but the **sentence was reversed on appeal** (Maclean, 1993).

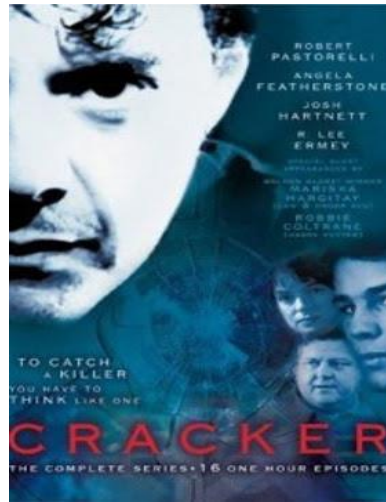
false memories

- This reversal was due in part to the research evidence accumulated in the interim that **recovered memories are often unreliable and false memories can be readily generated by established experimental techniques in the psychological laboratory.**
- **Cognitive and clinical psychologists** continue to debate the circumstances in which recovered memories may be reliable or false (Patihis, Ho, Tingen, Lilienfeld, & Loftus, 2014).

[https://www.youtube.com/
watch?v=PB2Oegl6wvI](https://www.youtube.com/watch?v=PB2Oegl6wvI)



Filmloverss.com



www.amazon.com



<https://www.snopes.com/fact-check/mindhunter-season-3/>

Movies such as *Silence of the Lambs* and television series like *Cracker* have glamorised the **role of psychologists as offender profilers.**

Legal Psychology

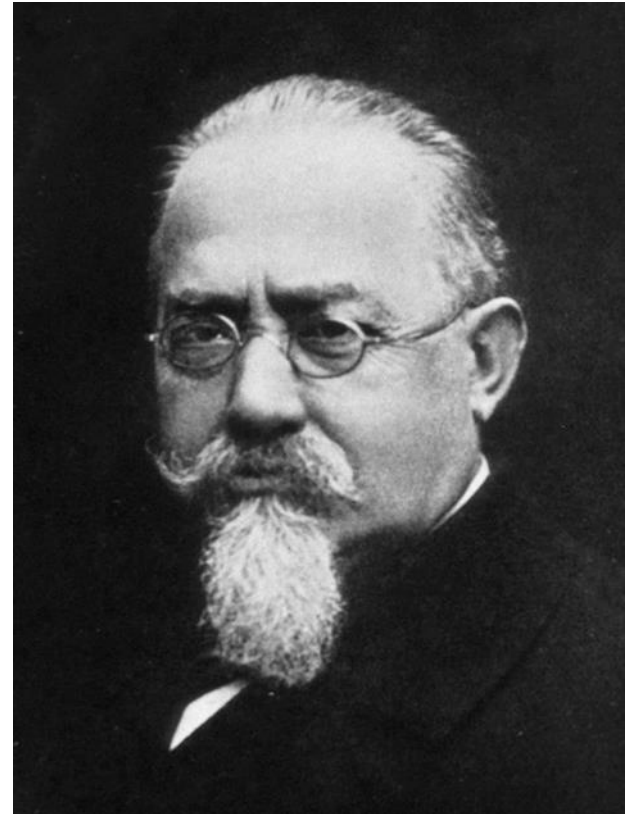
- **Stalking is another crime** that is rarely out of the public eye, generally in the context of the **obsessive following of celebrities by “fans”** (Meloy, Sheridan & Hoffman, 2008). However, it is also seen by the courts as a **feature of intimate partner violence**.
- **Terrorism is never too far from the news pages** and **psychologists are increasingly called upon by the state to understand the motivation of terrorists** and thus ways of **mitigating the risk and consequences of terrorist acts** (Horgan, 2014).

Criminological Psychology

- Common law has long recognised the **important link between psychology and criminal behaviour.**
- It is embodied in the legal principle of *mens rea* or “**guilty mind**”, meaning that an **individual cannot be guilty of a crime unless he or she carries out the act both wilfully and intentionally.**

Criminological Psychology

- Early theories of **criminal behaviour** emphasised the **heritability of criminal behaviour**, reflected in the work of the **Italian criminologist Cesare Lombroso (1835–1909)**.
- He was known as the «**father of criminology**».



https://en.wikipedia.org/wiki/Cesare_Lombroso

Cesare Lombroso

- Argued that the **criminal is a separate species**, a species that is between modern and primitive humans.
- He argued that the **physical shape of the head and face determined the "born criminal"**.
- Lombroso studied and measured the **bodies of executed and deceased offenders** as well as examining living inmates to locate physical differences or abnormalities.
- Claimed to have found a variety of **bodily features predictive of criminal behavior**.
- **Long arms, large teeth, ears lacking lobes, lots of body hair**.
- Also identified characteristics of particular types of offenders.

*Illustrations from Lombroso's L'uomo
Delinquente, showing some of the 'physical
defects' that the author believed to be
distinguishing marks of criminals.*





<http://www.mamurio.it/cultura/la-faccia-del-delinquente-8949.html>013



Fig. 31. Donne omicide - Omicida.



Fig. 34. Tipo infantile (comune) - Omicida (d'anni 14).

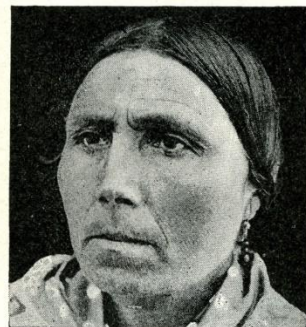


Fig. 32. Donne omicide - Parricida.



Fig. 35. Tipo infantile (imbecille) - Assassino (d'anni 18).



Fig. 33. Donne omicide - Coniugicida.

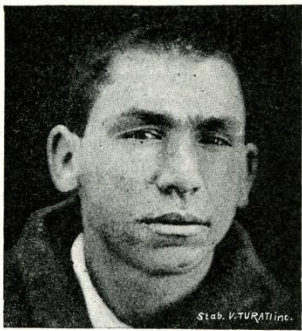


Fig. 36. Tipo infantile (arr. di sviluppo) - Assassino (d'anni 26).

<https://www.ultimavoce.it/la-concezione-della-donna-in-cesare-lombroso-e-sua-figliana/>

Criminological Psychology

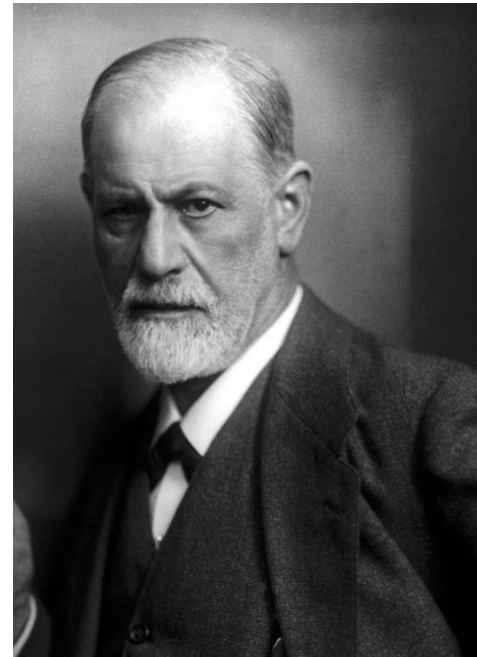
- As early as 1913, the **English physician Charles Goring (1880–1917) found no systematic differences in physiognomy, and other physical characteristics, between a large sample of criminals and a comparison group of soldiers.**



<https://www.google.com/search?q=English+physician+Charles+Goring+The+English+Convict>

Criminological Psychology

- The application of psychological theories, starting with the **psychodynamic ideas of Sigmund Freud** and his successors, has had a significant influence on conceptions of many aspects of everyday life, including crime.



www.wikipedia.com

Criminological Psychology

- **The psychologist, psychiatrist and psychoanalyst John Bowlby (1907–1990), argued that separation of mother and child during the second sixth months of life had permanent, damaging consequences for a child's later development and wellbeing (in terms of **attachment** to others and self); and could in a number of cases lead the individual to becoming a criminal in later life.**



www.psiconline.it

Criminological Psychology

- **The behaviourist school** has also had an important influence on criminological psychology, in terms of both **understanding and changing antisocial behaviours through treatment**.
- **Behaviourism** places a general emphasis upon the **role of learning in shaping all human behaviour**, whether normal or abnormal, through the **mechanism of conditioning**.
- two broad lines of thought: **Pavlovian/classical conditioning**, and **operant learning** (this approach has largely mutated into Bandura's (1977) social learning theory).

Criminological Psychology

- **Hans Eysenck (1916–1997)** used the principles of conditioning described by Ivan Pavlov (1849–1936) to **develop a general theory linking crime with personality.**
- Eysenck (1977) **incorporated biological and social factors** into his theory.



www.psychology.wikia.org

Criminological Psychology

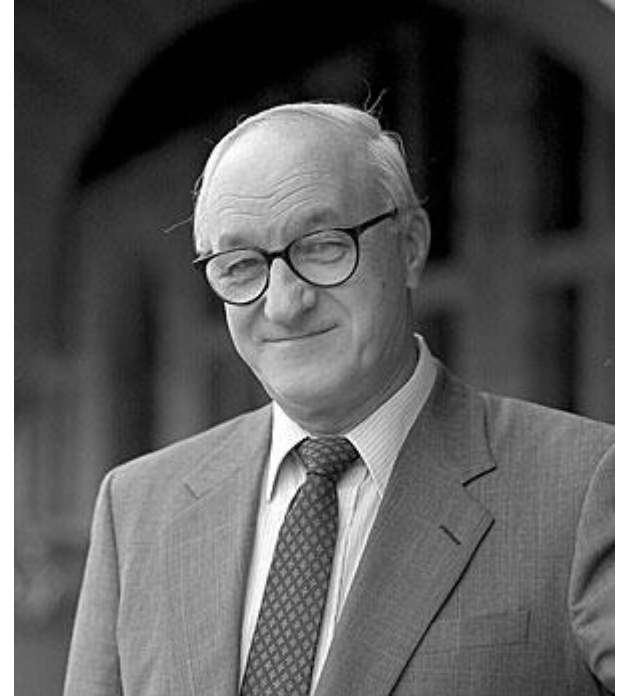
- **The American psychologist, B. F. Skinner, (1904–1990)** suggested that an individual's behaviour acts (or operates) on the environment, so producing consequences for the individual.
- If the person finds **rewarding** is likely to be repeated (**the behaviour is being reinforced**); if the person finds **aversive** then they are less likely to repeat that behaviour (**the behaviour is being punished**).



tr.wikipedia.org

Criminological Psychology

- In the late twentieth century, the emergence of **cognitive psychology** encouraged the **integration of internal processes**, such as thoughts and emotions, into behaviourist learning theory. This integration is most clearly seen in the development of **social learning theory (SLT)** by the **psychologist Albert Bandura** (Bandura, 1977, 1986).



sites. google.com

Criminological Psychology

- **Cognitive-behavioural treatment (CBT)** interventions have become increasingly popular for use with offenders.
- The **social psychologist Raymond Novaco (2012)** emphasises the **central importance of anger in understanding some forms of violence**.
- Hence, the **use of anger control treatments** has become widespread with violent offenders.



researchgate.net

Criminological Psychology

- The **American psychologist Lawrence Kohlberg** (1927–1987) argued that in order to achieve full moral maturity it was necessary for children to pass through **six distinct stages of moral development**.
- This model remains **influential in both understanding and working with offenders**.



[pinterest.com](https://www.pinterest.com)

Are criminals born or made?

- In the 1970s to 1980s, the popular view was that “**nothing works**” in offender rehabilitation.
- In the 1990s to 2000s, psychologists argued that employing **cognitive-behavioural** methods, **produce lower rates of recidivism** compared to controls.
- However, it is still observed that there is a **hard core of individuals** who would seem very **intractable** in treatment.
- What is happening in the brains of those with **antisocial personality disorder** and/or identified as being **psychopaths**?