

Criminal Justice Capstone

hi everyone my name is Brenna and I do an internship at the local sheriff's office but the whole year I've also been doing a research project to go along with it and today I'm presenting that to some psychology research and mock trial students so my research question is how does the implementation of psychological evaluations of the accused affect the prosecution of criminal cases and the later rehabilitation so basically what a psychological evaluation is is it's not it's just a valuing someone's mental state currently or at a previous time and you can use them to diagnose certain mental health conditions if you want to and it's not as simple it's usually shown on TV where if someone just wants to get out of criminal charges they can fake being insane and then they won't get any prison time it's much more complex than that and that's kind of what I explored in this research and it's mainly used in criminal cases (in order to do research, you need to be literate, to become literate will help frequent [criminal justice dissertation](#) writing) but it's also used in civil divorce cases or custody cases so while the research I'm talking about applies to both so I did do a lot of research and different articles and journals but I also did three interviews locally one of them was judge Abernathy Maddox who works at the courthouse when is dr. Ashley Baker who works at pavilion psychological services and then lastly I talked to a lawyer Melissa Baker who works at the accountability court and they just kind of gave me information that wasn't available online and specific information that place luckily okay so these sets are really controversial for a couple of reasons first of all there's not a standard test given you can do standardized tests but every evaluation is different depending on the nature of the charges and what the courts trying to find out about that client so a lot of us up for interpretation by the psychological professional and that people believe that can we need a lot of room for errors and if the psychologist is improperly trains gonna have really dangerous effects because they can come to their own outcome like for example I'm sure cap is a licensed psychologist that works at Vanderbilt did a study and he talked about how there was a civil case and the dad didn't have any custody of the son but after psychological evaluation they decided to grant him custody because they said you see he's sustainable but then once he got custody handed up murdering the son because he was unstable so there can be extremely dangerous consequences if the evaluation is inaccurate it can be there mainly given for two reasons first of all if there's a court about if there's a court recommendation because people in the courtroom are noticing behavior the clients very disorganized stuff like that they may recommend to the clients a little later that they need an evaluation but usually the defendants lawyer is they noticed a behavior lack of memory or if they're trying to figure out competency for the trial and there's two types of competencies are where they competent at the time of the crime or are they now incompetent to stand trial and over there I just put some information about the American Bar Association and they discuss the information that's given to the psychologists from the lawyer and they just basically give them background information on the case that would be relevant to the evaluation so what it what goes into all mental health evaluations even though they're different psychologists usually do a history they ask the client another childhood any trauma they might have had but they also get collateral history from families friends teachers to see if the information is accurate because only getting information from the client they could be lying and the information could be biased and then if they're trying to determine competency things they can look at if you were confident at the time of the crime where you high on drugs not in the right mental state or where you stick at the type of primary having something like episode

where you're not you weren't truly yourself or now are you not competent to stand trial and that just means you don't understand the charges against you and you can't aid in your own defense okay give the winner information that would help you and that can happen if you're intellectually delayed you can't understand the language that they're using the Chinese managed to do something like that and then if the psychologist decides to use a standardized test they can compare to other people in your age group or the population and but these have a memory standardized since the 70s / 90s depending on which test to do so some people say they're not accurate anymore and that but it's hard to restate I said because was for these evaluations have so much strength so one reason that people don't like psychological evaluations is because so much of it is up for interpretation but if the psychologist is willing trained they can recognize issues that may come up in the evaluations such as first of all if the clients trying to appear good if they don't custody of their child and they don't want to seem like they have any issues they might only answer answers that make them seem good like do you feel stressed is a question that most people would answer yes to but they might need certain no to questions like this are they trying to appear bad like they they're trying to themselves seem like they had so much trauma that they're not truly guilty for what they did they didn't make it seem like everything bad relationships childhood stuff like that if you're having inconsistent answers you can't keep your live straight or if you have inconsistent function which basically you could be like if you're a lawyer you're well educated you have an expansive vocabulary but then you're acting like you can't understand the simple words in the target Spanish so what can the outcomes be after the evaluation so the psychologist does write a detailed report but what the two outcomes mainly are that they give the lawyer in the courtroom argue they're competent they're incompetent so as you're incompetent if they said you were incompetent at the time of the crime then you're not guilty because you're in the right mindset they might recommend other treatment but you're not guilty for the crime and then if you're incompetent twisting a trial they just postpone the trial until you are confident so we'll try and get you mental health help until you're stable enough and then if you are found to be competent your lawyer can still argue that you're not guilty but that's when they would start getting other psychologists other professional opinions that might disagree and say oh they still weren't incompetent but if it does end up being a guilty verdict they are giving jail or alternative treatment and basically how Judge Abernathy described it is for people with mental health issues in our County they mainly do less restrictive measurements first such as just counseling taking taking your medicine but then if the person can't comply with these then things start getting more extreme and they may end up in jail so some problems that they are all kind of addressed locally are that the tests are very expensive which means they aren't done as optimized as we probably should eat and there's a lack of psychologists that are trained in dispute in this area specifically so I'm going to take a long time for the results of an evaluation to come back and also if the client is in rehabilitation if they're in their alternative treatment there's also really rarely evaluations given them to assess their progress which can harm the client over time and there's also a lack of collaboration between the lawyers and the psychologists because either are very well educated on the fields of each other lawyers aren't required to actually learn anything about the psychological evaluations in law school so they might unnecessarily understand the purpose goal and some solutions to this there can be more funding professionals there can be less like bread stateless paperwork that makes it very difficult to get these done get these finalized and they can be more collaboration between

the psychologists and lawyers so they truly understand the situation the clients in and that they know more about the situation and they can specialize lawyer education so that lawyers that do choose to take on cases where psychological evaluations needed they truly understand what it is how psychologists counteract things like lying and what their evaluation can mean for the case