Abnormal Psychology

Legal & Ethical Issues

Psychology 3303

Professor June Gruber
“I long ago abandoned the notion of a life without storms, or a world without dry and killing seasons. Life is too complicated, too constantly changing, to be anything but what it is. And I am, by nature, too mercurial to be anything but deeply wary of the grave unnaturalness involved in any attempt to exert too much control over essentially uncontrollable forces.”

-Kay Jamison, Unquiet Mind
Roadmap

Course Logistics

Psychopathy (Wrap-up)

Legal & Ethical Issues

Take-Away Questions
Logistics

Outreach Project Proposals Due TODAY
Must be received by 9:30AM to avoid late penalty

Receive feedback BEFORE implementing
Canvas — will receive Green Light or Feedback/Modifications before implementing (if you have not already discussed with Prof. or TA)
Exam 1 MC Questions

If you would like to review q’s in more detail, please come to office hours or meet with me before or after class.
Roadmap

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Legal Issues

Take-Away Questions
Emotions and Psychopathy

**Bottom-Up**
Emotional Response System is Broken

**Top-Down**
Attentional Dysfunction Interferes with Emotion Processing
Top-Down Mechanisms

Attentional Dysregulation
Top-Down Mechanisms

Attentional Dysregulation: Hyper-selective Attention

- t1 onset (0ms)
- t2 onset at Lag-3 (240ms)

Graph showing percentage correct in T2 identification over lag time for Psychopathy and Control groups.

- Psichopathy line:
  - Starts high, drops sharply at lag 3, then rises gradually.
- Control line:
  - Starts lower than Psychopathy, drops less sharply at lag 3, then rises gradually.

Time (80 ms/stimulus)
Top-Down Mechanisms

Fear-potentiated startle

Condition

Threat-focus

Alternative-focus

High Psychopathy

Low Psychopathy
Roadmap

- Course Logistics
- Psychopathy (Wrap-up)
- Legal Issues
- Take-Away Questions
How do Law & Psychology Intersect?
Psychology and Law

1. Psychology *and* the law
2. Psychology *in* the law
3. Forensic Psychology
Psychology and Law: Finding Balance

1. Patients rights as an individual

2. Patient’s individual safety

3. Society’s rights to safety and security
What qualifies as “insanity”?
Insanity

- Insanity is a LEGAL not a mental health term.

- A defendant must have been so impaired by a mental disease or defect at the time of the act that he or she did not know the nature or quality of the act, or, if the defendant did know the nature or quality of the act, he or she did not know that the act was wrong.
Insanity

CIVIL COMMITMENT (Before)  CRIME  CRIMINAL COMMITMENT (After)
Insanity

CIVIL COMMITMENT (Before)  

CRIME

CRIMINAL COMMITMENT (After)
Civil (Involuntary) Commitment

Involuntary hospitalization/treatment

Society: “Because this person has a mental disorder, they are not able to determine that hospitalization/treatment is needed.”

May be hospitalized against will.
1) Danger to self or others.
2) Gravely disabled.
3) In need of immediate care and treatment.
Civil (Involuntary) Commitment

Danger to Self or Others

There is an imminent and substantial risk the individual will inflict physical harm upon his own person or upon another person (includes property)

Usually based on credible threat
Suicidality, Homicidality, Aggression
EXAMPLE #1: Alex

Alex is depressed and suicidal but he does not want to go to the hospital. His psychotherapist is worried that if Alex is not committed, he will kill himself. The therapist also believes that in a month from now, when Alex’s depression lifts, Alex is going to be happy to be alive and that society intervened to prevent his suicide.
EXAMPLE #2: Charles

Charles has a history of erratic relationships. Many of the people who have been most important in his life have been alienated by his behavior and no longer want to have contact with Charles. His ex-wife is one of those people. Recently, in therapy, Charles has acknowledged that he has fantasies of killing his ex-wife.
Sarah has a history of schizophrenia. After discharge from her most recent hospitalization, Sarah did not return to her group home and instead has been living on the streets. The police have just picked her up after she has been the victim of an assault. She is badly bruised and very malnourished.
Voluntary Commitment

A person 16 years of age or older who has applied in writing and been admitted to a hospital for psychiatric disabilities.

A person under age 16 for whom a parent or guardian has obtained admission.
Insanity

**CIVIL COMMITMENT** (Before)

**CRIME**

**CRIMINAL COMMITMENT** (After)
Not Guilty by Reason of Insanity (NGRI)

At the time of the crime, defendant not responsible for their actions as a result of mental disease

Person was unable to appreciate the wrongfulness of his/her conduct.

Effective 1984

(Most) States require the defendant prove he/she was insane at the time of the crime.
Guilty but Mentally Ill (GBMI)

Verdict allowed in some states to find an individual guilty of the crime, but classify them as “mentally ill” with the presumption that they will be treated while incarcerated.

(However, adequate treatment rarely happens)
Not Guilty by Reason of Insanity (NGRI) - “Insanity Defense”
Case of Andrea Yates (2011)
Case of John Hinckley

Shot President Ronald Reagan in 1981 to impress actress Jodi Foster

Judged “not guilty by reason of insanity”

Public uproar
Case of John Hinckley
<table>
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<tr>
<th>Other Legal Terms</th>
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<tr>
<td>Irresistible Impulse Standard</td>
<td>Impulse or drive that the person could not control compelled that person to commit the criminal act.</td>
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<tr>
<td>M’Naughten Rule</td>
<td>Person could not distinguish right from wrong at the time of the crime because of the person’s mental illness</td>
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<td>American Law Institute (ALI)</td>
<td>1st: Combined M’Naughten Rule &amp; Irresistible Impulse 2nd; Repeated criminal acts are not to be deemed mentally ill b/c they keep committing crimes</td>
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<td>Competence to Stand Trial</td>
<td>Requires that the accused understand the charges against him or her and can assist his or her attorney in the defense. Someone who is judged incompetent to stand trial receives treatment to restore competence and then returns to face the charges.</td>
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Public Perceptions vs. Reality of Insanity Defense

- Freq. NGRI Used
- Freq. Success
- Freq. Set Free
- Freq. Confined

Public Perception vs. Reality
Roadmap

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Take-Away Questions
Thank You!