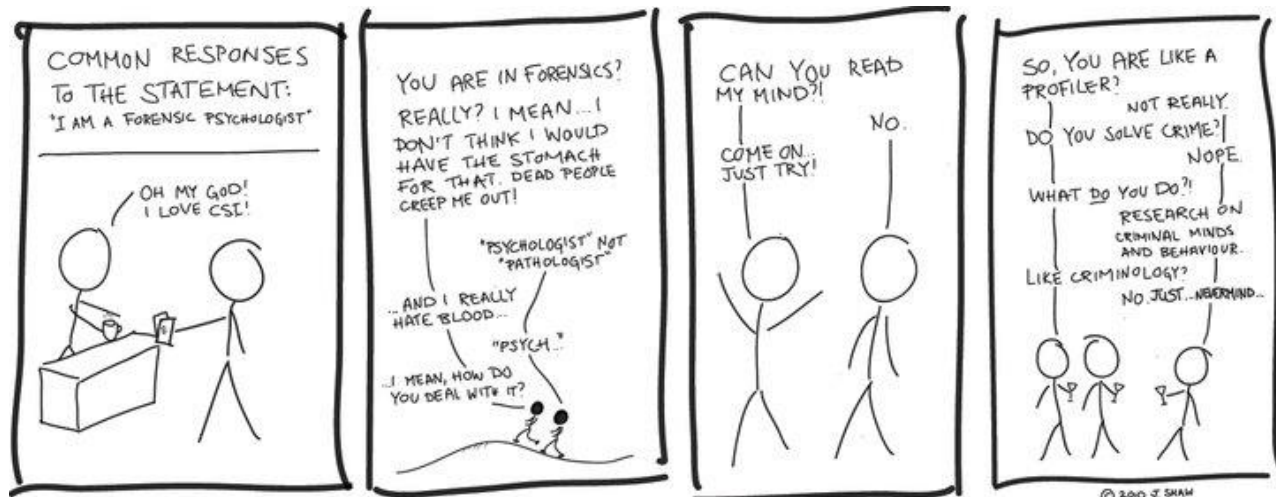


Psychology and Law

SSC2050



2017/2018
Period 5

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General Information

Introduction

The area of psychology and law deals with all issues that lie at the intersection of human behavior and the law. Such issues range from, for example, how reliable eyewitness identifications are to whether some criminals have a brain dysfunction making them permanently dangerous to society and not responsible for their actions, to the role of experts in court and procedures of police interrogations. The role of psychologists within these themes is to ask questions that have a direct relevance to the legal arena and to conduct research to address these questions.

For example, consider the following case: Donald Thomson, an Australian psychologist, was working with the police and one day when he walked into the police station, a police officer recognized him from a facial composite from a suspect. Donald Thomson was informed that he was the suspect in a rape case and placed into a lineup. A rape victim identified him as her rapist. The woman gave a vivid and detailed description of his face. The only problem was that during the time of her rape, Thomson was on live television presenting his research about the fallibility of memory. What happened in this case? Why was the victim so convinced that Thomson was her rapist? Later it turned out that the victim was watching him on television right before she was raped. She had seen part of the show and unknowingly (and unintentionally) transferred her memory of Thomson's face onto the rapist. This is called 'unconscious transference'. In this case Thomson can consider himself lucky since he had a waterproof alibi. But this raises the question of what we can do about eyewitness memory. Is it really that unreliable? Should it be excluded all together without any other kind of evidence? This case illustrates the need of (psychological) research in the field of eyewitness testimonies/identification. The research is essential to show that eyewitness memory is fallible.

Aims of the course

The aim of the course is to provide students with knowledge about the application of psychology to the legal system. By the end of the course, students should

- be able to identify current issues and controversies in the field of Psychology and Law;
- be able to describe methods and tools typically used in this field and experiments that have been conducted;
- be able to list ethical dilemmas that occur when collecting data and running experiments with human participants;
- be able to provide reasons why raising awareness about the problems that arise when psychology is applied to law in practice are crucial;
- be able to describe and analyze cases by applying various tools and methods.

The course starts with a short introduction to the history and development of the psychology and law field. Different case studies, tools and experiments are discussed in order to allow the students to get acquainted with the methods used in this discipline.

Attendance requirement

The attendance requirement for the 12 tutorial meetings is 85%. You are allowed to miss two regular tutorials without further consequences. If you miss more meetings, you will have to apply for an additional assignment. In order to qualify for an additional assignment you have to have valid reasons for **all** missed sessions.

Tutorial groups are scheduled on Mondays and on Thursdays. The group discussions are supported by several lectures. You are strongly encouraged to attend **all** lectures because they may hold information that is not (fully) treated in the literature. Importantly, the exam questions are based on the information of the lectures *and* the readings.

Assessment

This course contains two elements of assessment:

1. a written exam consisting of open questions (60%) – for more information, see below;
2. a 2500-3000 word paper (40%) – for more information, see below;

Readings

A list of pdf-files/e-readers is offered on Reference List (<http://referencelist.library.maastrichtuniversity.nl/>). Some of these readings provide a theoretical background for the problems discussed; others readings are a selection of examples of experiments and cases in the field of psychology and law. Browse smartly through the example-readings offered and concentrate on those that help you answer the learning goals.

Make sure to check the Student Portal and your email account on a regular basis, any changes and announcements will be communicated via the Student Portal and email. **It is your responsibility to stay informed about any changes that might occur.**

Course coordinator

Dr. Jenny Schell-Leugers
UCM room 0.018
Phone: 0031 43 38 85 499
Email: jenny.schell@maastrichtuniversity.nl

Written Exam

Format of the exam

The Psychology and Law exam exists of 6 essay questions of which you must answer 5 questions. The questions will be a mix of reproduction, definitions, experiment descriptions/designs and a case analysis based on lecture material and in class discussions.

Writing Assignment

Topic of the paper

The writing assignment in this course gives you an opportunity to develop and elaborate on one of the discussed topics or even a topic within the field of psychology and law that has not been discussed in the course. You are free to choose a topic for your paper, but you are encouraged to use a case example to illustrate the importance of research (and practice) in the field of psychology and law. For example, take the case of Marty Tankleff (www.martytankleff.org). Marty spent 17 years in prison because he falsely confessed to killing his parents. Without research in field of (false) confessions and police interrogations, it would be rather difficult to understand his case (and his motivation to confess even though he was/is innocent). Make sure to use a case for the paper that has not been discussed extensively in class.

You have to declare your paper topic on **Thursday April 26** in class.

Format of the paper

The paper should be 2500 to 3000 words (in-text references count toward the word count, while the reference list does not). As it is a rather short paper, do not make too many subdivisions and use the common structure: an introduction, **including a clear claim (thesis statement)**, a main section outlining and explaining the case and the application of the existing research (alternatively a research proposal) and its importance and, finally, a conclusion where you wrap up what you have done. Use headings for the main sections. Make sure to use proper APA style 6 for referencing and at least 5 articles written after 2000, published in well-established academic journals. At least 3 of these have to be (new) articles which are not part of the course reading.

When you use information from a scientific article, university textbook or internet source, make sure you include the reference. Not doing so, is a form of plagiarism. Do not take this lightly. Copying and pasting pieces of text from the internet is as much a form of plagiarism as is copying from a book!

In addition to scientific articles or university textbooks, there is nothing against using the internet as a source. However, if you use an internet site, always put a reference to it in your paper; omitting to do so and being caught in doing it, results in an annulment of the whole paper.

The paper deadline is on **Wednesday May 9 at 4 PM**. A hardcopy of the paper has to be handed in via OSA and a softcopy via safe assignment. You are encouraged to consult the UCM Writing Centre with your paper (see description at the end of this page).

Resit

If your overall grade for the course is below 5.5 you are given the chance to redo the assignment that received the lower grade. The resit will replace the grade for the assignment. For example, if you received a 5 for the exam and a 4 for the paper, you can redo the paper. The resit exam will consist of 5 essay questions. In order to be eligible for a resit you have to have handed in the paper with a genuine attempt and you have to have attended the exam with a genuine effort.

Inspection hour

After the grades have been published, the coordinator will organize an inspection hour. The coordinator will inform all students via email and via announcement on the student portal about the specific date and time of this inspection hour. You are required to sign up for the inspection hour.

UCM Writing Centre

The UCM Writing Centre is a place for you to receive help with any aspect of your writing. This can begin with a discussion of ideas for your paper, prewriting and outlining techniques, and helping you overcome writer's block. As your paper develops, we can give you feedback on your structure, paragraphs, grammar, and help you ensure your argument is coherent. It does not matter at which point in the writing process you come and see us, we can usually help. You can even bring a past paper along at the beginning of a period to get some feedback on your writing before starting a new paper!

As with most things in life, writing is a process, and good writing comes through practice and guidance. The Writing Centre is not a quick-fix solution (though we can help you improve some aspects of your paper on short notice), and we cannot proofread your writing. Rather, writing is a long-term process of personal development, and the best results are achieved through multiple appointments. Even experienced writers can still improve!

You can find us in room 2.018 and on Facebook. If you would like to come and see us, we recommend you book an appointment via the scheduling tool:
https://fhs.maastrichtuniversity.nl/web/m_edit_entry_gui_wc.php?m_area=5&width=1920&height=1080

The UCM Writing Centre

Schedule of meetings and lectures (preliminary)

week	date	Lecture (Mondays)	Post-discussion	Pre-discussion	additional information & deadlines
1	09/4 – 13/4	Free Will & Legal Responsibility By Peter Vermeer		Task 1. A Clash of Cultures?	
			Task 1. A Clash of Cultures?	Task 2. How Free is your Will?	
2	16/4 – 20/4	Brain Scans in the Courtroom By Marko Jelicic	Task 2. How Free is your Will?	Task 3. Legal Insanity	
			Task 3. Legal Insanity	Task 4. Once a Psychopath – always a Psychopath?	
3	23/4 – 27/4	False Memories By Henry Otgaar	Task 4. Once a Psychopath – always a Psychopath?	Task 5. Children's Memory	
			Task 5. Children's Memory	Task 6: Sex Offenders	Declare topic paper: April 26 in class
4	30/4 – 4/5	Eyewitness Identification By Nina Tupper	Task 6: Sex Offenders	Task 7. What Jennifer saw	
			Task 7. What Jennifer saw	Task 8. The Power of Confessions	
5	7/5 – 11/5	Deception Detection By Glynis Bogaard	Task 8. The Power of Confessions	Task 9. Deception Detection	
			No class	No class	Paper deadline: May 9 at 16 hrs via OSA & SA
6	14/5 – 18/5	Biases in Forensic Speech Analysis By Maartje Schreuder	Task 9. Deception Detection	Task 10. Unus testis nullus testis	
			Task 10. Unus testis nullus testis	Task 11. Profiling	
7	21/5- 25/5	NO LECTURE	No class	No class	
			Task 11. Profiling		
8	28/5 - 1/6	EXAM WEEK			Final exam

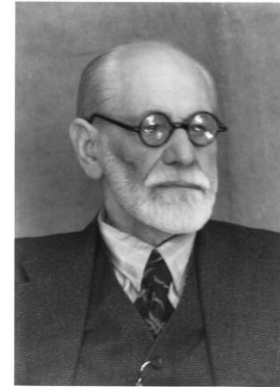
Note that this is a preliminary schedule. Please check the announcements on the Student Portal on a regular basis.

Tasks

Task 1: A Clash of Cultures?

“The development of the synthesis of law and psychology will be a long and perhaps a tedious process; but it is a process, however much patience it may require, which for the law will yield a fruitful harvest.” (Cairns, 1935)

It is hard to define an exact starting point of the psychology and law domain but going back in time one can start with Sigmund Freud’s speech in 1906: he claimed that Austrian judges were influenced by unconscious processes. Two other (important) events were the publication of Hugo Munsterberg’s book *On the witness stand* and the case of *Muller v. Oregon*. In the following years the psychlaw domain only developed slowly, only in 1954 the next milestone in the relationship was set with the case of *Brown v. Board of Education*. But the more the relationship developed, the more problems emerged.



Today the PsychLaw domain is not as far developed as it should be.

On the one hand, these two domains clash, on the other hand, they are dependent on each other. Constanzo (2004) clearly describes this as *A clash of cultures*. Costanzo states that “psychology tells us how people actually behave; the law tells us how people ought to behave” (p. 9). But one has to realize that although both aim at different goals, they can be helpful to each other as well. In order to control behaviour, one has to understand why certain behaviours occur. And in order to explain behaviour, one has to find causes for this behaviour.

Today psychologists play an important role in the criminal justice system but what exactly do they do? And in which domains is their expertise necessary?

Task 2: How Free is your Will?

Killer's note: "You caused me to do this!" "The decision was yours!" "I didn't want to do this!"

On April 16, 2007, Seung-Hui Cho, a 23-year old student shot and killed himself after killing 32 people. According to law enforcement sources, he left a long and disturbing letter in his dorm room at Virginia Tech. He also wrote at least two violent plays for an English course that worried his professor and several classmates. Sources described the several pages long letter as beginning in the present tense and then shifting to the past. According to ABC News, it contains rhetoric explaining Cho's actions and says, "You caused me to do this." Allegedly Cho killed two people in a dorm room, returned to his own dorm room where he re-armed and left the letter. He killed 30 more people in four classrooms before shooting himself in the head. Witnesses say he was stone-faced as he opened fire.



Read the violent play Cho wrote, entitled "Richard McBeef":

<http://investigation.blog.lemonde.fr/files/2007/04/cho-seung-hui-richard-mc-beef.1176883245.pdf>

Video: Virginia Tech Killer speaks:

<http://www.youtube.com/watch?v=KElyLrrTLB0&feature=related>

Cho was not prosecuted for the heinous massacre because he shot himself. But what if he hadn't died and was led before justice? Imagine that you are his defense lawyer, the public prosecutor or the judge in his case. Can you come up with arguments that defend your stance in the case? Is he responsible for the massacre? Should he be punished? Or do you think he did not act out of free will?

Task 3: Legal Insanity

On a summer morning in 2001, Andrea Yates filled the bathtub in her home and called her children to the bathroom one by one. Her 3-year-old son Paul was the first to be called. She forced Paul in to the bathtub and held his head underwater until he stopped breathing. She carried his soaked body to the bedroom, laid him down, and covered him with a sheet. Then her sons Luke, age 2, and John, age 5, were killed in the same way. Yate's 6-month-old daughter Mary – who was on the bathroom floor crying while her three brothers were killed – was next to be held underwater. Just as Yates was lifting her daughter's lifeless body from the tub, her oldest child Noah (age 7) walked in and asked what was wrong with his little sister. When Yates tried to grab Noah, he ran away. She chased him down a hallway, dragged him to the bathroom, and drowned him next to his sister.

After killing all five of her children, Andrea Yates called 911 and told the operator that she was ill and that she needed an ambulance. She also called her husband Russell and told him to come home. When police arrived at the scene, Noah was found floating face down the tub; his brothers and sister were found laid out in the same bed. Mary's head was resting on the shoulder of her brother John. His mother had placed his arms around the body of his sister. She told police that she had been thinking about killing her children ever since she realized that she had not been a good mother to them. She said that the children 'weren't developing correctly.' To the surprise of many, the grieving husband refused to condemn his wife. He argued that she should have received the right medical treatment.

When Andrea Yates went on trial in 2002, two key facts were undisputed: She had killed her five children, and she was mentally ill. Before the trial, a hearing was held to consider whether Yates was competent to stand trial on murder charges. She was deemed competent to stand trial. As the trial began, she entered a plea of not guilty by reason of insanity. Because Yates had confessed to the murders and because of the physical evidence against her was overwhelming, the trial focused on whether she was legally insane. After listening to weeks of complex expert testimony, a jury found Andrea Yates guilty. Her defense attorney reacted bitterly to the verdict, 'If this woman doesn't meet the standard for insanity, nobody does. We might as well wipe it off the books'. When asked to choose between life in prison or the death penalty, jurors took less than an hour to decide to send Andrea Yates to prison.



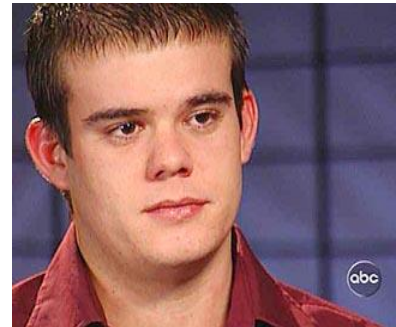
On July 22, 2011 Anders Behring Breivik killed 77 Norwegians in a bombing and shooting attack. There was no doubt that he was guilty. But the question was whether he could be held responsible or not. Two court-ordered psychiatric reports came to opposite conclusions: one stating that he could be held responsible and the other one stating the contrary. In the end it was concluded that Breivik could be held responsible and he was sentenced with the maximum of 21 years in prison.

In the trials of Yates, Breivik and many others, decisions about ‘competence’ and ‘insanity’ are at the heart of legal proceedings. Because these decisions require judgments about the psychological functioning of a defendant, clinical psychologists – those who study and treat various forms of psychological dysfunction and mental illness – are often crucial to the legal process in such cases. But when clinical psychologists are called upon to evaluate competence or insanity, they must force their psychological diagnoses to fit into the specific categories provided by the law.

Andrea Yates’ mental illness was well documented, but what happens if someone pretends to be mentally ill in order to avoid punishment?

Task 4: Once a Psychopath – always a Psychopath?

Most people recognize the name of Joran van der Sloot, the prime suspect in the disappearance of 18-year-old Natalee Holloway in Aruba on May 30, 2005. Her body was never found, but it is widely suspected that she was killed. Ms. Flores was murdered five years to the day after Natalee Holloway disappeared.

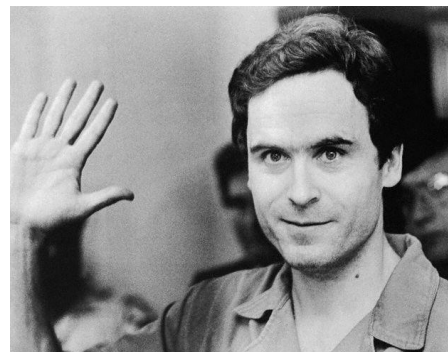


There was overwhelming evidence connecting him to the Flores murder. The hotel video showed him and Ms. Flores entering his hotel room together and him leaving alone. Her body was found and he was arrested on June 3 in Chile. He was brought back to Lima and interrogated for two days before he gave a full confession.

It was shocking to read excerpts of Van der Sloot's confession. He actually seemed to blame Ms. Flores for his violent attack. "I did not want to do it," La Republica quoted him as saying. "The girl intruded into my private life...she didn't have any right. I went to her and I hit her. She was scared, we argued and she tried to escape. I grabbed her by the neck and hit her". In 2012, he was sentenced to 28 years in prison for the murder of Ms. Flores.

Van der Sloot's remarks reflect a lack of guilt, the central trait of a psychopath. These individuals can be charming and engaging, but underneath they are callous, deceitful and dangerous. They often break the law and rarely take responsibility for their crimes. Those that are caught are hard to treat. Often forensic psychologists are asked to evaluate how dangerous they are.

People typically imagine psychopaths to be violent, like serial killer Ted Bundy or Hannibal Lector from Silence of the Lambs. Yet several experts in the field claim that most psychopaths commit nonviolent crimes. Furthermore, the vast amount of literature available about psychopaths focuses on males; does that mean that female psychopaths do not exist?



Task 5: Children's Memory: Treasure or Treachery?

Look at this excerpt from an interview in the Wee Care preschool case:

Interviewer: When Kelly kissed you, did she ever put her tongue in your mouth?

Child: No.

Interviewer: Did she ever make you put your tongue in her mouth?

Child: No.

Interviewer: Did you have to kiss her vagina?

Child: No.

Interviewer: Which of the kids had to kiss her vagina?

Child: What's this? [Child points to tape recorder]

Interviewer: No, that's my toy, my radio box....Which kids had to kiss her vagina?

Child: Me.

Take a look at the following case that occurred in Heerle:

In April 2007, 20 children of an elementary school in Heerle, a village in the Netherlands, stated that they were sexually abused by a 6- and 7-year-old boy. Presumably, these children were forced to participate in sexual games. For example, they said that they had to put sticks and leaves into their own genital organs and that they had to perform oral sex. However, no (physical) evidence existed for the children's claims. The children's parents indicated that they had discussed these events with their children and that the children themselves spoke with other children about what supposedly had happened.

Now imagine the following experiment: school children (group 1 age 7-8, group 2 age 11-12) participated in an experiment in which they were told a true story about their first school day and a false story about their first school day. Half of the children were told a plausible event (almost choking on a candy) and the other half were told about an implausible event (being abducted by a UFO). Moreover, some children received false newspaper articles about the events while listening to the story. Afterwards the children were interviewed and asked to report everything they remembered about the events. How many children do you think remembered being abducted by an UFO? How many children do you think remembered almost choking on a candy? And more generally, do you think it is possible to implant entire fictitious events in the memory of children (and adults)?



UFO seen in Maastricht

November 23rd 1999



Photo of UFO taken in the vicinity of Maastricht

November 23rd 1999
Last Monday, a UFO was again spotted in Maastricht. Lately, it happens quite frequently that UFO's are being seen in the vicinity of Maastricht. Even photographs of the

UFO's have been taken (see photo on the left). Moreover, a lot of people claim to have been abducted by the UFO's. The local mayor warns that more persons can become victims of these abductions.

Sentence Olaf H. irreversible
The Hague/Sittard- the sentence against Olaf H. is irreversible. The Supreme Court dismissed an appeal from the lawyers of Olaf H. Olaf H. is sentenced for life for the death of this wife.

Actor Philippe Noiret deceased
Paris- the French actor Philippe passed away yesterday after being ill for a long time. The actor was 76 years old.

More money for peacekeeping force

The Hague- the government decided to give more money to the peacekeeping force in Irak and Afganistan. A spokesman of the government made an announcement

More women in parliament

The Hague- There are more women in the parliament after the last elections. This was first 39 percent, but this has increased to 45 percent.

Also, the representation of women and men from ethnic minorities has increased from 7 to 11 percent. Equality, the center of knowledge, notified that yesterday. At the last council elections, there was a decreasing trend, according to Equality.

This trend did not continue at the national elections. The results of the preferential votes have not been processed yet. The electoral council will give the official outcome on November 27th. Perhaps then the differences could come out smaller.

It is certain that the diversity is becoming larger in the parliament. The center of knowledge, Equality, does not know if this trend will continue each year. "It could go either way".

Task 6: Sex Offenders

In September 12, 2008, a former Judge and later Mayor of the Dutch city of Utrecht expressed the opinion that: “A convicted pedophile should not be allowed to return to his former neighbourhood if his victims are still living there”. He reasoned that if the 56-year old pedophile, in the case at hand, continued to live in the flat where he used to, his 5-year old victim may run into him at any time. The consequences would be devastating. The reasoning sounded solid and on September 16, 2008, the Court in Utrecht therefore ruled that the paedophile had to move to a different area. The local authorities would reimburse him 2500 euros for moving expenses.

In the aftermath of the case, two major political parties in the Netherlands went a step further. They asked the Minister of Justice to change the law so Mayors obtain the power to force a convicted pedophile to move. They also wanted to know if, in the future, a Mayor can put a convicted pedophile under supervision or under mandatory treatment.

This type of behaviour stems from the popular belief that pedophiles tend to stay at increased risk of reoffending and might therefore be regarded as untreatable.



Sign at the limits of Wapello, Iowa, USA

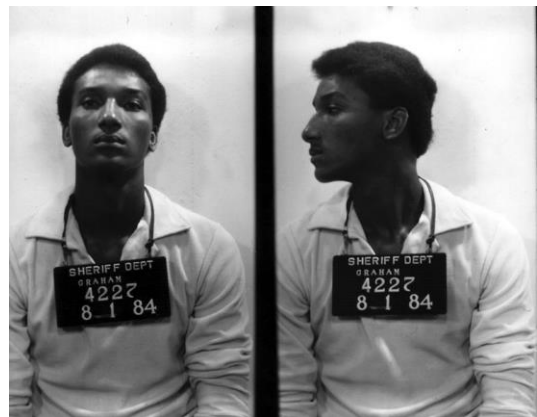
You might have noticed that pedophiles and other sexual offenders are regarded with a special hostility by the public, and apparently also by some administrators and politicians. In the US, this intolerance of the public against sex offenders has resulted in special legislation aimed at controlling (rather than just punishing) sex offenders. The American legislation includes sex offender registers, community notifications, and laws allowing the civil commitment of so-called sexual predators (sexually violent predator-SVP-laws).

Task 7: What Jennifer saw

In July 1984, Jennifer Thompson, a 22-year-old, white college student in Burlington, N.C., was raped by a black man who had broken into her apartment in the middle of the night and threatened her with a knife. During her ordeal she was allowed to get up and use the bathroom. She used the chance to turn on the light and studied his face. She managed to escape and ran to a neighbor's house and called the police. Later that night, less than a mile from her apartment, the man broke into another apartment and raped another woman.

Jennifer worked with the police sketch artist who created a drawing of the rapist: He was African American, in his 20s or 30s, with short hair and a thin mustache. After the drawing was circulated, the police received several tips and based on these tips a photo lineup of seven pictures was created. Jennifer identified her assailant in a lineup as Ronald Cotton. The detective seemed relieved when she identified him and told her “We thought this might be the one”.

When Ronald Cotton heard that the police was looking for him, he went there to explain that he was innocent but was arrested for both rapes. He was placed in a lineup with six other men and Jennifer identified him. The other rape victim identified somebody else; somebody the police knew was innocent.



Roland Cotton was put on trial for the rape of Jennifer Thompson. There was no physical evidence (DNA testing was not used yet) but a solid eyewitness identification. Jennifer told the jurors that she was certain that

he was the man who raped her. Ronald Cotton was sentenced to life in prison. He maintained his innocence from the time police approached him, but nobody except his family believed him.

Almost eleven years later Ronald Cotton was released from prison. DNA tests had shown that the semen did not match his DNA.

Quote from the innocence project New York:

“Eyewitness misidentification is the single greatest cause of wrongful convictions nationwide, playing a role in more than 75% of convictions overturned through DNA testing. While eyewitness testimony can be persuasive evidence before a judge or jury, 30 years of strong social science research has proven that eyewitness identification is often unreliable. Research shows that the human mind is not like a tape recorder; we neither record events exactly as we see them, nor recall them like a tape that has been rewound. Instead, witness memory is like any other evidence at a crime scene; it must be preserved carefully and retrieved methodically, or it can be contaminated.”

Do you think you would be a good eyewitness? Take Professor Wells eyewitness test:

<https://www.psychology.iastate.edu/~glwells/theeyewitnesstest.html>

Task 8: The Power of Confessions

An American case: On November 15th, 1989 the 15 year old Angela Correa went out after school to take pictures for one of her school projects. She never came home. Two days later police dogs found her naked body. She had been beaten, raped and strangled. Jeffrey Deskovic was in the same class as Angela and became suspicious to the police because he was late to school the day after she went missing. Furthermore, he seemed very distraught by her death and visited her wake three times.

The police talked to him eight times in the following months. Meanwhile, Deskovic had started doing his own investigation and provided the police with information about possible suspects. The police asked him whether he would be willing to participate in a polygraph session and he agreed. Deskovic hoped that the police would finally let him help find the real perpetrator after he passed the test. Deskovic participated in several polygraph sessions and was interrogated in between. Neither his lawyer nor his parents were there and he got coffee the whole day but no food. After 6 hours, 3 polygraph sessions and several intensive interrogations Deskovic finally confessed. He cried while confessing and at the end he was sobbing and lying under the table in the fetal position.

Shortly after his confession, Deskovic recanted his confession. On the body of the girl DNA (sperm & hair) was found. During the interrogation Deskovic was told by the detectives that he would be cleared if the DNA would not be his. Instead, the prosecution charged him with murder, based on his confession. In January 1991, Deskovic was convicted and sent to prison. While in prison he fought for his freedom and claimed that he was innocent (for more information about the case of Jeffrey Deskovic: www.jeffreydeskovicspeaks.org). In January 2006, the DNA was retested and the real perpetrator found. Jeffrey Deskovic's conviction was overturned and he was released from prison. In 2014, he was awarded \$40 million for being wrongful convicted and imprisoned.

Now consider the following case:

Günther Kaufman, a German actor, confessed to killing his tax consultant and was convicted in 2002 and sentenced to prison. After being in prison for several years already, it turned out that his wife (who was dying of cancer) hired someone to murder the tax consultant.

Now consider the following laboratory experiment:

Participants are recruited to participate in a reaction time experiment. One participant and one confederate are taken to a room, seated across a table from the experimenter, and instructed on the task. The confederate is



instructed to read out loud list of letters and the participant is instructed to type these letters on the keyboard. Before the session began, participants were instructed on proper use of the computer and were specifically warned not to press the ALT key positioned near the space bar because doing so would cause the program to crash and the data to be lost. After 60 seconds the computer supposedly ceased to function and a highly distressed experimenter accused the subject of having pressed the forbidden key (which the subject has not). All subjects initially denied the charge, at which point the experimenter tinkered with the keyboard, confirmed that all data has been lost and asks the confederate: "Did you see anything?" The confederate states that she saw the participant pressing the ALT key.

Out of 100 subjects who participated in this study, how many participants do you think admitted to pressing the ALT key and causing the program to crash (although they had not touched it)?

Task 9: Deception Detection – Better than flipping a coin?

Some years ago, psychology professor Aldert Vrij conducted the following experiment: fifty-two police officers were asked to judge the veracity of videotaped footage. The videotapes contained press conferences of people who were asking the general public for help in finding their missing relatives or the murderers of their relatives. Unknown to the police officers at that time, they all lied during these press conferences and were later found guilty of killing their own relatives. How accurately do you think these police officers could detect deception?

Lies and deceit are part of our daily life. Do you think you can tell whether someone is lying or not? What signs do you look for and why?

Nowadays a polygraph (or ‘lie-detector-test’) is often used to check whether somebody is lying or telling the truth. This is based upon the idea that lying is stressful. But what exactly does a polygraph do? What does it measure? Does it detect lies accurately? Today there is still an ongoing controversial debate about the reliability of the polygraph.



Imagine you would be brought into a police station, accused of a crime and asked by the police to do a polygraph test during which you would be asked about details of the crime. Would you do it?

Task 10: Unus Testis Nullus Testis



Case 1:

Unus testis nullus testis: One witness is no witness. But in this criminal case there was a forensic dentist, a handwriting examiner, a hair expert, and a forensic psychologist. The case was about a young man who was suspected of stalking a famous actress by writing her intimidating (e.g., “I will cut your throat”), anonymous letters with bite marks on them. When accused by the police of stalking, the man denied everything. When the police searched his room – he was living with his parents – they found a magazine with a photograph of the actress. There were bite marks on the magazine. The police showed the dentist the magazine and he said: “Well, well, it’s no surprise to me, because I see a dental match”. The dentist told the handwriting examiner and the hair expert about the case during lunch; they were all working on the same floor of the forensic lab. The handwriting expert concluded that the handwriting in the letters matched the suspect. And the hair expert said that the hair in one of the letters was his. The psychologist also knew about the magazine and diagnosed that the guy suffered from Asperger’s.

If you were the trial judge, what would you do?

Case 2:

In 1991, a female body was found in the restroom of a bar in Arizona. The victim had been stabbed to death. Blood at the crime scene matched the victim, and saliva on her body came from someone with the most common blood type. There was no semen and no DNA tests were performed. Investigators relied on bite marks on the victim’s breast and neck. Upon hearing that the victim had told a friend that a regular customer named Ray Krone was to help her close-up the bar the previous night, police asked Krone to make a Styrofoam

impression of his teeth for comparison. Krone was arrested and charged with murder, kidnapping, and sexual assault because of the teeth comparison.

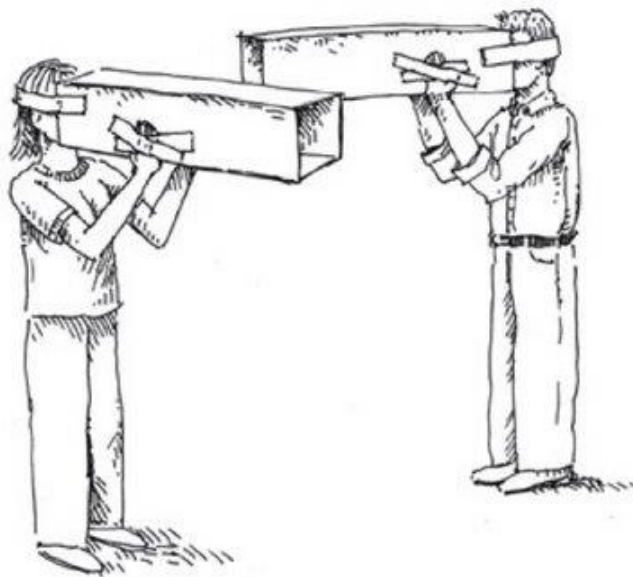
During his trial a forensic odontologist for the prosecution testified that the bite marks found on the victim matched Krone but he maintained his innocence. He was convicted and sentenced to death.

In 2002, DNA tests confirmed his innocence and he was released from prison. Since then it has been shown that expert testimonies about bite marks and various other forensic sciences are not as reliable as previously thought.

Now imagine the following study:

Expert fingerprint examiners were presented with fingerprints from real cases that they had previously judged (without knowing that these were prints from their 'old' cases). Half of them were presented with biased contextual information but the other half did not receive any information. Each expert examined eight past decisions.

How many decisions do you think were consistent with their previous decisions?



Task 11: Profiling: Art or Science?

The Mad Bomber of New York

In 1956, a bomber had been terrorizing New York for several years. James Brussel, an American psychiatrist, predicted that the suspect would be:

- Male, aged 40-50 years, single
- Living in Connecticut or Westchester, probably with a sister or a maiden aunt
- Roman Catholic and foreign-born
- And likely to wear a buttoned-up double-breasted suit

When George Metesky was arrested he turned out to be 54, Polish, living in Connecticut with two older sisters, and wearing a buttoned-up double-breasted suit.

The DC Sniper Case

In September and October 2002, Washington D.C. was terrorized by sniper shootings. Ten people were killed and three more wounded. Profiling experts from all over the US started 'profiling' the sniper. Several different profiles emerged; some of the characteristics were that the sniper was believed to be:

- Caucasian
- Male
- Had no kids
- Was not an army veteran
- Was a local resident
- Was either a firefighter or a construction worker
- Drove a white mini van
- And was younger than 40 years



Therefore, the police was looking for a male Caucasian driving a white minivan. Later it turned out that there were two snipers, both African American (one teen and one adult) and they drove a blue Chevrolet.

Reading Material

You will be informed about any updates/changes regarding the reading material in class.

Task 1: A clash of cultures?

Costanzo, M., & Krauss, D. (2012). *Forensic and legal psychology. Psychological science applied to law*. New York: Worth Publishers. (Chapter 1)

e-readers:

Brigham, J. C. (1999). What is forensic psychology, anyway? *Law and Human Behavior*, 23, 273-298.

Ogloff, J. R. P. (2000). Two steps forward and one step backward: The law and psychology movement(s) in the 20th century. *Law and Human Behavior*, 4, 457-482.

Shaw, J., Öhman, L., & van Koppen, P. (2013). Psychology and law: The past, present, and future of the discipline. *Psychology, Crime & Law*, 19(8), 643-647.

Task 2: How free is your will?

e-readers:

Burns, K., & Bechara, A. (2007). Decision making and free will: A neuroscience perspective. *Behavioral Sciences and the Law*, 25, 263-280.

Eagleman, D. M. (2008). Neuroscience and the law. *Houston Lawyer*, 16(6), 36-40.

Eagleman, D. M. (2011). The brain on trial. *The Atlantic*. July 2011.

Nahmias, E. (2015). Why we have free will. *Scientific American*, 77.

Morse, S. J. (2007). The non-problem of free will in forensic psychiatry and psychology. *Behavioral Sciences and the Law*, 25, 203-220.

Morse, S. J. (2011). Genetics and criminal responsibility. *Trends in Cognitive Sciences*, 15, 378-380.

Schleim, S. (2012). Brains in context in the neurolaw debate: The examples of free will and “dangerous” brains. *International Journal of Law and Psychiatry*, 35, 104-111.

Tancredi, L. R. (2007). The neuroscience of free will. *Behavioral Sciences and the Law*, 25, 295-308.

Task 3: Legal Insanity

Costanzo, M., & Krauss, D. (2012). *Forensic and legal psychology. Psychological science applied to law*. New York: Worth Publishers. (Chapter 8 & 9)

e-readers:

- Borum, R., & Fulero, S. M. (1999). Empirical research on the insanity defense and attempted reforms: Evidence toward informed policy. *Law and Human Behavior*, 23, 117-135.
- Green, D., & Rosenfeld, B. (2011). Evaluating the gold standard: A review and meta-analysis of the structured interview of reported symptoms. *Psychological Assessment*, 23 (1), 95-107.
- Judah, S. (2013, June 27). Ian Brady: How easy is it to fake mental illness? *BBC News Magazine*.
- Simon, R. J., & Ahn-Redding, H. (2008). *The insanity defense, the world over*. Maryland, USA: LEXINGTON BOOKS. (Chapter 7, 8 & 10)
- Zapf, P. A., & Roesch, R. (2011). Future directions in the restoration of competency to stand trial. *Current Directions in Psychological Science*, 20, 43-47.

Task 4: Once a psychopath – always a psychopath?

- Costanzo, M., & Krauss, D. (2012). *Forensic and legal psychology. Psychological science applied to law*. New York: Worth Publishers. (Chapter 14, pp 308-3022)

e-readers:

- Blair, R. J. R., Peschard, K. S., Budhani, S., Mitchell, D. G. V., & Pine, D. S. (2006). The development of psychopathy. *Journal of Child Psychology and Psychiatry*, 47, 262-275.
- Gray, N. S., MacCulloch, M. J., Smith, J., Morris, M., & Snowden, R. J. (2003). Violence viewed by psychopathic murderers: Adapting a revealing test may expose those psychopaths who are most likely to kill. *Nature*, 423, 497-498.
- Hare, R. D., Clark, D., Grann, M., & Thornton, D. (2000). Psychopathy and the predictive validity of the PCL-R: An international perspective. *Behavioral Sciences and the Law*, 18, 623-645.
- Kreis, M. K. F., & Cooke, D. J. (2011). Capturing the psychopathic female: A prototypicality analysis of the comprehensive assessment of psychopathic personality (CAPP) across gender. *Behavioral Sciences and the Law*, 29, 631-648.
- Morse, S. J. (2008). Psychopathy and criminal responsibility. *Neuroethics*, 1, 205-212. doi: 10.1007/s12152-008-9021-9
- Reid, W. H., & Thorne, S. A. (2006). Treating Antisocial Syndromes. *Journal of Psychiatric Practice*, 12, 320-323.
- Polaschek, D. L. L. (2014). Adult criminals with psychopathy: Common beliefs about treatability and change have little empirical support. *Current Directions in Psychological Science*, 23, 296-301.
- Van Wijk-Herbrink, M. F., Broers, N. J., Roelofs, J., & Bernstein, D. P. (2017). Schema Therapy in Adolescents with Disruptive Behavior Disorders. *International Journal of Forensic Mental Health*, 16(3), 261-279. doi: 10.1080/14999013.2017.1352053

Task 5: Children's memory: Treasure or treachery?

Costanzo, M., & Krauss, D. (2012). *Forensic and legal psychology. Psychological science applied to law*. New York: Worth Publishers. (Chapter 11)

e-readers:

Bruck, M., & Ceci, S. J. (1999). The suggestibility of children's memory. *Annual Review of Psychology*, 50, 419-439. (the part about historical overview of suggestibility research is not important)

Loftus, E. F. & Pickrell, J. E. (1995). The formation of false memories. *Psychiatric Annals*, 25, 720-725.

Loftus, E. F. (2005). Planting misinformation in the human mind: A 30-year investigation of the malleability of memory. *Learning & Memory*, 12, 361-366.

Otgaar, H., Candel, I., & Merckelbach, H. (2009). Abducted by a UFO: Prevalence information affects young children's false memories for an implausible event. *Applied Cognitive Psychology*, 23, 115-125.

Wade, K. A., Garry, M., Read, J. D., & Lindsay, S. (2002). A picture is worth a thousand lies: Using false photographs to create false childhood memories. *Psychonomic Bulletin & Review*, 9, 597-603.

Task 6: Sex Offenders

Costanzo, M., & Krauss, D. (2012). *Forensic and legal psychology. Psychological science applied to law*. New York: Worth Publishers. (Chapter 14, pp 308-3022)

Paraphilic disorders. (2013). In: *Diagnostic and Statistical Manual of Mental Disorders* (5th ed. pp. 685-705) Arlington, VA: American Psychiatric Publishing.

Sample, L. L., & Bray, T. M. (2003). Are sex offenders dangerous? *Criminology & Public Policy*, 3(1), 59-82. doi:10.1111/j.1745-9133.2003.tb00024.x

Detecting deviant sexual interests

Crooks, V.L., Rostill-Brookes, H., Beech, A.R., & Bickley, J.A., (2009). Applying Rapid Serial Visual Presentation to adolescent sexual offenders. Attentional bias a measure of deviant sexual interest? *Sexual Abuse: A Journal of Research and Treatment*, 21, 135- 148.

Renaud, P., Trottier, D., Rouleau, J-L., Goyette, M., Saumur, C., Boukhalfi, T., & Bouchard, S. (2014). Using immersive virtual reality and anatomically correct computer-generated characters in the forensic assessment of deviant sexual preferences. *Virtual Reality*, 18, 37-47.

Smid, W., Beek, D. van, & Toelstra, J. (2011). *Proxy measures of sexual deviancy*. In D.P. Boer, R. Eher, L.A. Craig, M.H. Miner, & F. Pfäfflin (Eds.), *International perspectives on the assessment and treatment of sexual offenders: Theory, practice, and research* (pp. 171-191). Chichester, UK: Wiley-Blackwell.

Sex offender management policies

- Burchfield, K.B., & Mingus, W. (2008). Not in my neighbourhood: Assessing registered sex offenders' experiences with local social capital and social control. *Criminal Justice and Behavior*, 35, 356-373.
- Harris, A.J., Walfield, S.M., Shields, R.T., & Letourneau, E.J. (2015). Collateral consequences of juvenile sex offender registration and notification: Results from a survey of treatment providers. *Sexual Abuse: A Journal of Research and Treatment*, 28(8), 770-790. doi: 10.1177/1079063215574004.
- Levenson, J.S., & Cotter, L.P. (2005). The impact of sex offender residence restrictions: 1000 feet from danger or one step from absurd? *International Journal of Offender Therapy and Comparative Criminology*, 49, 168-178.

Task 7: What Jennifer saw

- Costanzo, M., & Krauss, D. (2012). *Forensic and legal psychology. Psychological science applied to law*. New York: Worth Publishers. (Chapter 7)

e-readers:

- Brewer, N., & Wells, G. L. (2011). Eyewitness identification. *Current Directions in Psychological Science*, 20, 24-27.
- Frenda, S. J., Nichols, R. M., & Loftus, E. F. (2011). Current issues and advances in misinformation research. *Current Directions in Psychological Science*, 20, 20-23.
- Goodsell, C. A., Gronlund, S. D., & Neuschatz, J. S. (2015). Investigating mugshot commitment. *Psychology, Crime & Law*, 21, 219-233.
- Vredeveltdt, A., Groen, R. N., Ampt, J. E., & Van Koppen, P. J. (2016). When discussion between eyewitnesses helps memory. *Legal and Criminological Psychology*. doi: 10.1111/lcrp.12097.
- Wells, G. L., & Olson, E. A. (2003). Eyewitness testimony. *Annual Review of Psychology*, 54, 277-295.
- Wells, G. L., Olson, E. A., & Charman, S. D. (2003). Distorted retrospective eyewitness reports as functions of feedback and delay. *Journal of Experimental Psychology: Applied*, 9, 42-52.
- Young, S. G., Hugenberg, K., Bernstein, M. J., & Sacco, D. F. (2012). Perception and motivation in face recognition a critical review of theories of the cross-race effect. *Personality and Social Psychology Review*, 16, 116-142

Task 8: The power of confessions

- Howitt, D. (2011). *Introduction to forensic and criminal psychology*. Harlow, England: PEARSON. (Chapter 17)

e-readers:

- Appleby, S. C., & Kassin, S. M. (2016). When self-report trumps science: Effects of confessions, DNA, and prosecutorial theories on perceptions of guilt. *Psychology, Public Policy & Law*, 22(2), 127-140.
- Gudjonsson, G. H., & Pearse, J. (2011). Suspect interviews and false confessions. *Current Directions in Psychological Science*, 20, 33-37.
- Horselenberg, R., Merckelbach, H., Smeets, T., Franssens, D., Peters, G.-J. Y., & Zeles, G. (2006). False confessions in the lab: Do plausibility and consequences matter? *Psychology, Crime & Law*, 12, 61-75.
- Kassin, S. M. (2012). Why confession trump evidence. *American Psychologist*, 67(6), 431-445. doi: 10.1037/a0028212.
- Kassin, S. M., & Kiechel, K.L. (1996). The social psychology of false confessions: Compliance, internalization, and confabulation. *Psychological Science*, 7, 125-128.
- Kassin, S. M., & Gudjonsson, G. H. (2004). The psychology of confession evidence: A review of the literature and issues. *Psychological Science in the Public Interest*, 5, 35-69.
- Perillo, J. T., & Kassin, S. M. (2011). The lie, the bluff, and false confessions. *Law and Human Behavior*.
- Russano, M. B., Meissner, C. A., Narchet, F. M., & Kassin, S. M. (2005). Investigating true and false confessions within a novel experimental paradigm, *Psychological Science*, 16 (6), 481-486.

Task 9: Deception detection – better than flipping a coin?

- Costanzo, M., & Krauss, D. (2012). *Forensic and legal psychology. Psychological science applied to law*. New York: Worth Publishers. (Chapter 3)

e-readers:

- O'Sullivan, M., Frank, M.G., Hurley, C.M., & Tiwana, J. (2009). Police lie detection accuracy: The effect of lie scenario. *Law and Human Behavior*, 33, 530-538.
- Meijer, E. H., Smulders, F. T. Y., & Merckelbach, H. L. G. J. (2010). Extracting concealed information from groups. *Journal of Forensic Sciences*, 55, 1607-1609.
- Meissner, C. A., & Kassin, S. M. (2002). He's guilty! Investigator bias in judgments of truth and deception. *Law and Human Behavior*, 26, 469-480.
- Vrij, A., & Mann, S. (2001). Who killed my relative? Police officers' ability to detect real-life high-stake lies. *Psychology, Crime and Law*, 7, 119-132.
- Vrij, A. (2008). Nonverbal dominance versus verbal accuracy in lie detection: A plea to change police practice. *Criminal Justice and Behavior*, 35, 1323-1336.
- Vrij, A., Granhag, P. A., Mann, S., & Leal, S. (2011). Outsmarting the liars: Toward a cognitive lie detection approach. *Current Directions in Psychological Science*, 20, 28-32.

Task 10: Unus testis nullus testis

Costanzo, M., & Krauss, D. (2012). *Forensic and legal psychology. Psychological science applied to law*. New York: Worth Publishers. (Chapter 4)

e-readers:

Dror, I. E., & Charlton, D. (2006). Why experts make errors. *Journal of Forensic Sciences*, 56, 600-616.

Dror, I. E., Charlton, D., & Peron, A. E. (2005). Contextual information renders experts vulnerable to making erroneous identifications. *Forensic science international*, 156, 74-78.

Kassin, S. M., Dror, I. E., & Kukucka, J. (2013). The forensic confirmation bias: Problems, perspectives, and proposed solutions. *Journal of Applied Research in Memory and Cognition*, 2, 42-52.

Rassin, E., Eerland, A., & Kuijpers, I. (2010). Let's find the evidence: An analogue study of confirmation bias in criminal investigations. *Journal of investigative psychology and offender profiling*, 7, 231-246.

Saks, M. J., & Koehler, J. J. (2005). The coming paradigm shift in forensic identification science. *Science*, 892-895.

Task 11: Profiling: Art or science?

Costanzo, M., & Krauss, D. (2012). *Forensic and legal psychology. Psychological science applied to law*. New York: Worth Publishers. (Chapter 5)

e-readers:

Alison, L., Bennell, C., Ormerod, D., & Mokros, A. (2002). The personality paradox in offender profiling. *Psychology, Public Policy and Law*, 8, 115-135.

Alison, L., Smith, M. D., & Morgan, K. (2003). Interpreting the accuracy of offender profiles. *Psychology, Crime and Law*, 9, 185-195.

Alison, L., Goodwill, A., Almond, L., van den Heuvel, C. and Winter, J. (2010), Pragmatic solutions to offender profiling and behavioural investigative advice. *Legal and Criminological Psychology*, 15: 115–132. doi:10.1348/135532509X463347

Canter, D. V. (2011). Resolving the offender profiling equations and the emergence of an investigative psychology. *Current Directions in Psychological Science*, 20, 5-10.

Kocsis, R. N. et al. (2000). Expertise in psychological profiling: A comparative assessment. *Journal of Interpersonal Violence*, 15, 311-331.

Lilienfeld, S. O., Lynn, S. J., Ruscio, J., & Beyerstein, B. L. (2010). *50 great myths of popular psychology. Shattering widespread misconceptions about human behavior*. Chichester: Wiley-Blackwell. (pp 212-216).

Appendix A. Criteria for Paper Assessment

10-8.0 Excellent: An outstanding answer. The essay is well written, logical and clear. It contains evidence of a wide knowledge of the subject matter. It combines a good understanding of theoretical issues and empirical applications, with some originality of approach. The essay presents ideas that are logically developed and carefully formulated. Its arguments are clear and accurate. The use of concepts, theories or research findings is precise and accurate. The essay builds from current theory and empirical work to reflect originality and insight in the student's thinking and analysis.

7.9-7.0 Good: A reasonably comprehensive and well-organized answer. The argument presented is clear and logical, with evidence of having understood the issues and an ability to think about them effectively. The essay states ideas and develops its topic clearly, logically and adequately. Its ideas are supported with arguments that are clear and accurate. Its use of concepts, theories or research findings is largely precise, although there may be a few minor factual errors or inaccuracies. The essay draws on a fairly wide range of empirical research and links these accurately to theory.

6.9-6.0 Satisfactory: This mark reflects an essay that is adequately organized and a full answer to the question. It is mostly accurate, but limited in scope and does not express any real development of argument. The essay is a satisfactory response to the assignment. Its central ideas are expressed and developed clearly enough to be understood by the reader. Although the essay may seem correct, it lacks the originality and clarity of thought that would entitle it to an above average grade. The use of concepts, theories or research findings may reflect more than minor inaccuracies, such as basic factual errors or errors of omission. It shows some grasp of theory and its relation to empirical data, but with little insight or grasp of wider issues.

5.9-5.5 Pass: This essay shows evidence of course reading, but it is deficient in organization and scope. The information it contains is insufficient. The essay indicates below average achievement in the development of its ideas, which may be unclear or supported illogically or inconsistently. Its use of concepts, theories or research may contain errors, omissions and irrelevancies. It has little insight or grasp of wider issues.

5.4-0.0 Fail: This essay shows little evidence of reading, it is deficient in organization and scope. Its ideas are poorly developed and are not sufficiently supported. It may also contain numerous errors, omissions and irrelevancies.