

DOCUMENT SUMMARY This review article examines the profound challenges and transformative potential within child and adolescent forensic evaluations, driven by scientific and technological advancements. The authors critique systemic issues like evaluator bias and poor report quality, then explore the complex implications of teleassessment, artificial intelligence (AI), and, most critically, epigenetics. The paper advocates for an epigenetic framework that reframes behaviors often labeled "maladaptive" as context-specific, evolutionarily programmed adaptations to adverse environments, urging a shift away from a purely pathological model.

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FORMATTED CONTENT

Child and Adolescent Forensic Evaluations: Challenges Amid Scientific and Technological Advancements

Why This Matters to Enlitens

This paper is a cornerstone document for the Enlitens mission because it explicitly advocates for the paradigm shift we are championing, particularly within the high-stakes field of forensic assessment. The authors' discussion of epigenetics provides a robust, scientific framework for our core belief: that behaviors often labeled "maladaptive" or "disordered" are logical, context-specific adaptations to a person's environment. The call to move away from pathologizing labels and toward understanding behaviors as "evolutionarily 'ordered' and preprogrammed changes" in response to adversity is a direct validation of our philosophy.

Furthermore, the paper's extensive critique of systemic bias (adversarial, racial, and cognitive) and the documented poor quality and inconsistency of standardized forensic reports provides powerful, citable evidence for our whitepaper. It strengthens our argument against the flawed model of traditional testing and for the necessity of a more nuanced, scientifically grounded, and humane approach like the Enlitens Interview.

Critical Statistics for Our Work

- **Poor Quality of Forensic Reports:**
 - Evidence of poor-quality competency to stand trial reports is "replete in the literature".
 - Despite this, psychological recommendations are followed by judges in approximately 75% of cases.
 - A recent study found that less than 20% of forensic reports explained how a mental disorder actually influenced a client's competence-related abilities.
 - An analysis of reports for the American Board of Forensic Psychology found that opinions were rendered without sufficient explanation over 50% of the time.
- **Prevalence and Impact of Bias:**
 - Judges commonly cite expert bias as a problem in forensic reports.
 - Approximately one-third of surveyed magistrates identify bias as a "considerable issue" with forensic reports.
 - In cases of criminal insanity, one study found that forensic evaluators agreed on criminal responsibility only 53% of the time.
 - Psychologists conducting custody evaluations faced allegations of bias in 49% of cases.
- **Failures of Standardized Risk Assessment Tools:**
 - In one study, clinical judgments of risk made by professionals using two common tools (the SAVRY and J-SOAP-II) were "no more accurate than chance" in predicting recidivism.
 - A systematic review of various risk assessment tools for adolescents concluded that their predictive validities were "insufficient in the precise estimation of recidivism".
- **Racial Bias in Artificial Intelligence (AI):**
 - An AI algorithm used for predicting criminal reoffending was found to be racially biased against Black defendants, who were more likely than White defendants to be incorrectly classified as high risk.

Methodology We Can Learn From

- **The Daubert Standard:** The article frames the discussion around the Daubert standard, which provides five criteria for the scientific validity of expert testimony: (a) testability, (b) peer review and publication, (c) known or potential error rate, (d) existence of controlling standards, and (e) widespread acceptance in the scientific community. This provides a legal and ethical framework for critiquing existing assessment tools and developing our own.
- **Bias Mitigation Strategies:** The paper discusses the "bias blind spot," where evaluators tend to see themselves as less biased than their peers. It suggests a "hybrid model" for interviewing where the evaluator begins without case-specific information to reduce confirmation bias, then reviews details later to guide more targeted questions.
- **Life Course Health Development (LCHD) Model:** The authors recommend using the LCHD model, which emphasizes social and structural determinants of health, as a critical framework to guide interpretation of forensic evaluations.

Findings That Challenge the System

- **Behavior as Adaptation (The Epigenetic View):** The paper's most powerful challenge to the system is its reframing of behavior through an epigenetic lens. It argues that in

response to adverse environments like high-crime neighborhoods, "antisocial behaviors (aggression, callousness, impulsivity, recklessness, etc.) may serve an adaptive role". This perspective encourages "the shift from labeling certain behaviors as 'maladaptive' and categorizing personalities as 'disordered,' to understanding these personalities and behaviors as edited according to the context in which they emerge".

- **Pervasive and Unacknowledged Bias:** The article systematically dismantles the myth of the objective expert. It details multiple sources of bias, including adversarial allegiance (siding with the hiring attorney), self-selection bias (experts taking cases that align with their beliefs), and the "bias blind spot".
- **Systemic Failure of Standardized Tools:** The paper provides a damning review of several widely-used risk assessment instruments for juveniles, citing multiple studies that show they have poor psychometric properties and insufficient predictive accuracy. This provides direct evidence for the claim that the tools themselves are often flawed.
- **AI Inherits Human Bias:** The article warns that AI is not a neutral solution to human bias. It cites clear evidence of machine learning algorithms perpetuating and amplifying racial bias present in the justice system.

Populations Discussed

- The primary focus is on children and adolescents undergoing forensic evaluations for matters such as delinquency, child protection, custody disputes, and competency hearings.
- The paper stresses the increasing need for cultural competence due to the "significant cultural diversity among individuals involved in the legal system".

Alternative Approaches Mentioned

- **The Epigenetic Framework:** This is presented as a transformative alternative for conceptualizing cases. It focuses on how environmental factors cause biological changes that affect gene expression, leading to behaviors that are adaptive within a specific context.
- **Structured Decision-Making Models:** To combat poor report quality and bias, the authors advocate for the use of structured approaches, principles, and checklists over unstructured clinical judgment. They highlight a 10-point decision-making model for juvenile presentence evaluations.
- **Life Course Health Development (LCHD) Model:** This model is recommended for its focus on social and structural determinants of health, providing a broader and more holistic framework for understanding an individual's development and behavior.

Quotes We Might Use

- **On the Adaptive Nature of Behavior:** "In forensic practice, a juveniles' behaviors are often assessed and described as maladaptive, but when epigenetics are considered, what is adaptive or maladaptive becomes context-specific".
- **On Shifting Away From Pathology Labels:** The epigenetic framework "encourages the shift from labeling certain behaviors as 'maladaptive' and categorizing personalities as 'disordered,' to understanding these personalities and behaviors as edited according to the context in which they emerge".

- **On the "Why" Behind Adaptation:** A youth's brain may "genetically reprogram itself to change the course of its neurodevelopment to foster behavioral strategies that promote functionality and success consistent with environmental demands". This reprogramming is "evolutionarily 'ordered' and preprogrammed... in response to an unfavorable environment".
- **On the Bias Blind Spot:** "...forensic evaluators tend to view themselves as less biased than their colleagues".
- **On Flawed Assessment Tools:** "...clinical judgments of risk made by professionals using the SAVRY and J-SOAP-II were 'no more accurate than chance' (p. 520) in the prediction of recidivism...".

Clinical Implications

- **Adopt an Epigenetic Lens:** Forensic professionals must understand the principles of epigenetics to accurately interpret findings and make recommendations, recognizing that behaviors are influenced by the interplay between genes and adverse environments.
- **Re-evaluate "Maladaptive" Behaviors:** Behaviors deemed "antisocial" must be considered for their potential adaptive function within a youth's specific, often harsh, environment. This understanding should lead to "the least restrictive remediation and additional considerations in court".
- **Acknowledge and Mitigate Bias:** Evaluators must be aware of their cognitive and social biases and actively use strategies to correct for them, such as structured decision-making models.
- **Be Cautious with New Technology:** While teleassessment and AI offer potential benefits, practitioners must proceed with caution, adhering to ethical guidelines, demanding scientific validation (per the Daubert standard), and being vigilant about inherent biases, especially when working with minors.