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Merciless: Psychopathic Criminals And How The Criminal Justice System Can Protect Us From Them

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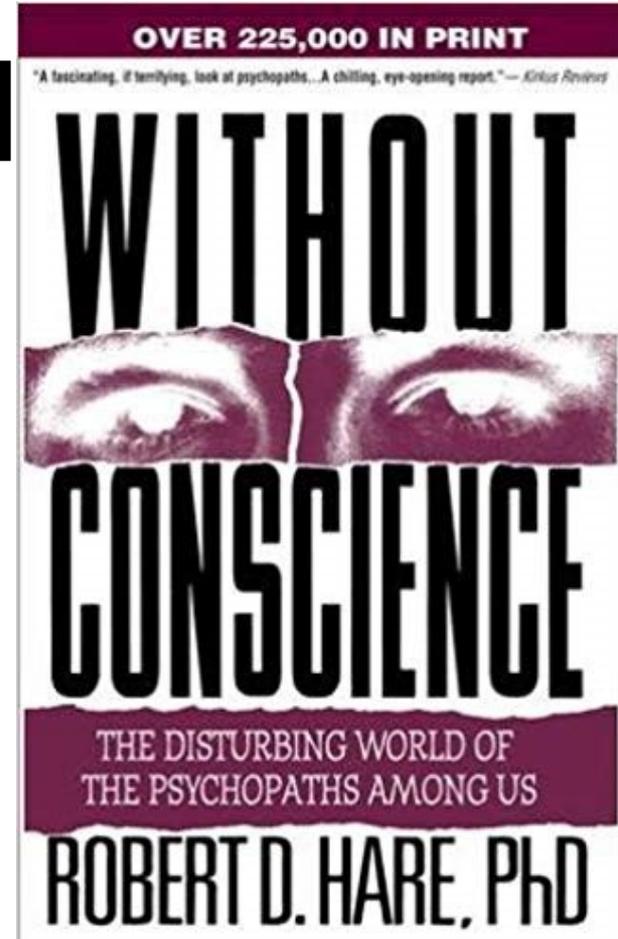
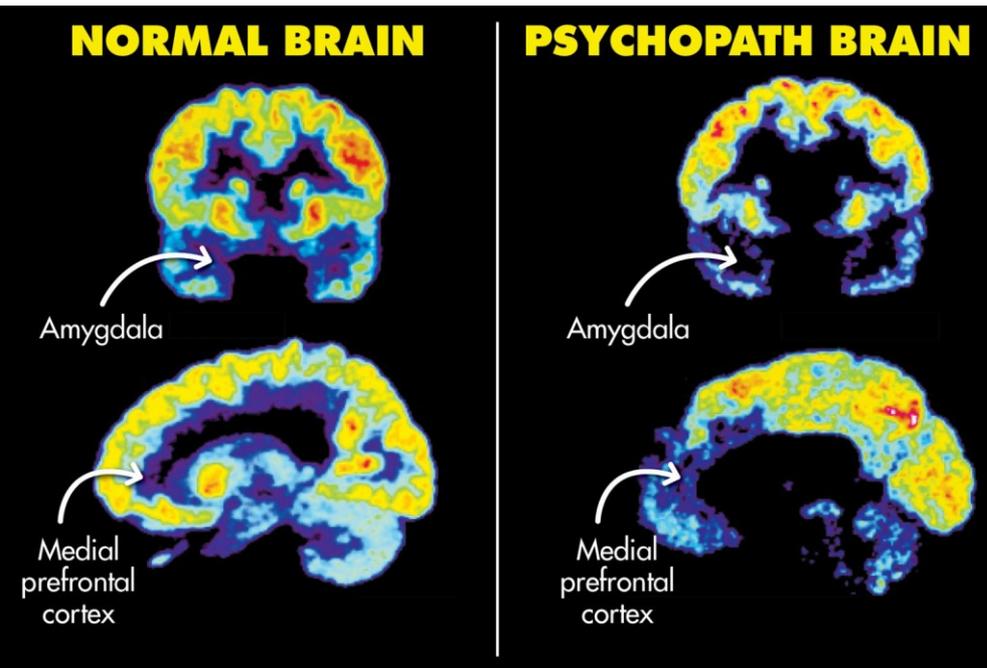
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PSYCHOPATHIC CRIMINALS & TH

By Lara Gingerich



Word Of Caution

Topic is psychopathic criminals. May be depressing.



Antisocial Personality Disorder

A personality disorder.

You must be eighteen years old and there must be evidence of conduct disorder before fifteen

Must demonstrate a pervasive pattern of disregard for and violation of other people's rights.

Must have three of the following seven traits: breaking social norms by committing acts that are grounds for arrest; deceitful (such as lying or conning for pleasure or profit); impulsivity or failure to plan ahead; irritability and aggressiveness; reckless disregard for safety of self or others; consistent irresponsibility; and lack of remorse

Traits must be present before fifteen and cannot occur exclusively during a bipolar or schizophrenic episode.

Psychopathy and sociopathy are subtypes of APD. One with APD may or maynot qualify for one of these subtypes.

Psychopathy

Psychopathy is assessed using the Hare Checklist.

Has 20 traits. A psychologist gives you a score of 0, 1 or 2 on each one. 0 means the trait is not present, 1 means it is partially present, and 2 means it is definitively present. Scores are added up. You must score 30 or above to be diagnosed with psychopathy.

Average score in general population is 6.

Traits

Glib and superficial

Egocentric and grandiose. They are the center of the world and everyone else are objects to be manipulated for their benefit. Feel they can and should do whatever they want to whoever as long as it benefits them.

Psychopathic Traits

Lack empathy. Empathy is the ability to understand another's thoughts and feelings from their point of view. For example, your friend experiences a familial loss and they feel sad. You feel sad because of that loss as well because it harmed your friend even though it did not affect you. You feel sad about them being sad.

Psychopaths don't have this at all for anyone.

Lack of remorse or guilt. Remorse occurs when you feel responsible for your harmful actions and regret the harm they caused.

Psychopaths have no remorse no matter what they do. May be straightforward and honest about not having remorse or may fake it.

May deny the harm their actions caused, justify and rationalize them, or deny they happened at all. May see themselves as the victim.

Psychopathic Traits

Deceitful and manipulative.

Very good at deceiving and manipulating.

Can make positive impressions.

Good at spotting weaknesses and vulnerabilities and using them for their own benefit

Good at gaining trust.

Good at lying.

Often manipulate the CJS. Fake remorse, pretend to be rehabilitated, gain trust, make themselves seem like less of a threat or less dangerous, make people feel bad for them.

Engage in prison and jail programs meant to help inmates for the purpose of appearing to be reformed so that they can please family members, parole boards, judges etc. and get parole, early release, resources from family etc.

Psychopathic Traits

Shallow emotions. Limited range of emotions. Don't feel them with same amount of depth.

Impulsive

Rooted in present and cannot resist an opportunity. At the same time usually plan their crimes out.

Poor behavior controls. Hard time controlling impulses or responses to stimuli.

May be short tempered. Violent outbursts. Not completely out of control. They know what they're doing. Will resume like nothing happened.

Need for excitement.

Easily bored. Enjoy the thrill of breaking rules.

Psychopathic Traits

Lack of responsibility.

Irresponsible and unreliable.

Don't follow rules or keep promises.

No concern for effects of actions on others

Early behavioral problems. Anti social behavior before fifteen

Adult antisocial behavior. They engage in behavior that harms others and goes against social norms.

Understand how actions harm others. But do them anyways because they don't care about others. Understand intellectually that their behavior is wrong but don't emotionally feel it is wrong.

Sociopathy

Caused by genetic and environmental forces whereas psychopathy is genetic.

More “hot blooded”

-More hot tempered, easily agitated, volatile, prone to emotional outbursts, and impulsive. Psychopaths more cold blooded-less emotional.

Can sometimes feel empathy and remorse. Psychopaths can't at all.



CJS Stats

APD occurs in 2-3.5% of the general population and 75-80% of convicted criminals (Comer)

Psychopathy occurs in about 1% of the population (Parry)

15-25% of males incarcerated in North America (Hoffman and Kiehl)

20-25% of prison population (Haycock)

North America average inmate score on check list is 22.6 for general population (Hoffman and Kiehl)

25% of wife abusers (Hare)

Over 50% of cop killers (Hoffman and Kiehl)

40% of serial killers (Bonn)



Compared To Other Defendants

Psychopathic men are more likely to be incarcerated for violent offenses than non psychopathic male inmates (78% vs 62%) (Hoffman and Kiehl).

Psychopaths are more likely to recidivate- one study found an 80% recidivism rate for those with high scores on the PCL vs 30% for those with low scores over a 3 year period (Hoffman and Kiehl).



Policies

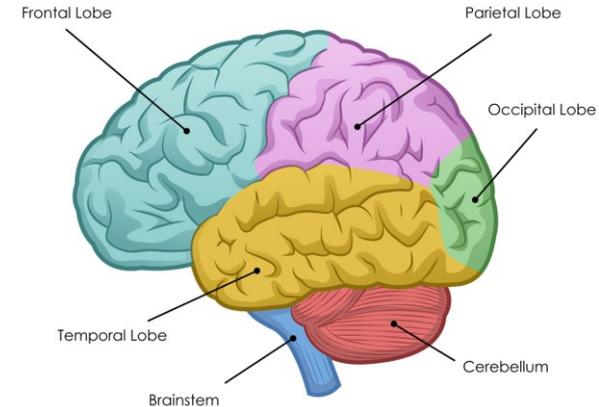
Knowledge and Training

- CJS officials must know the traits associated with them, the dangers these traits can pose, how to spot, interact with, and not be manipulated or tricked by them.
- Maybe explicit training. Curriculum developed by experts in psychology, criminology, law etc.

Develop a Treatment

Currently not treatable.

Many treatment and therapy programs may actually make psychopaths worse--they learn better ways of spotting weaknesses, manipulating etc. They fake reform to get earlier release.



Parole Boards

More likely to recidivate but 2.5X more likely to be released on parole. Experts believe this is because of their ability to manipulate (Hoffman and Kiehl).

Certain defendants should be required to receive psychological evaluations, including being evaluated with the PCL, and parole boards must take into account the results. This should be done with applicants responsible for certain serious crimes, with APD diagnosis, or who display certain psychopathic traits

CT example of parole failure.



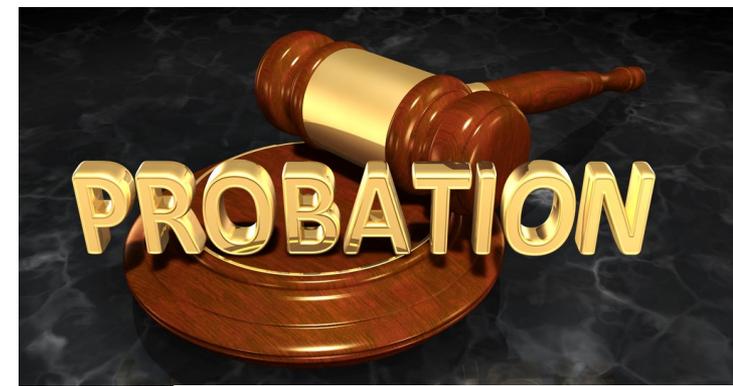
Monitoring

Won't listen to terms or rules. Will keep violating.
Likely to escalate nature of violations and crimes.

Threats of consequences won't stop them.
Second chances and new rules/conditions won't help.

Take psychopathy diagnosis into account when making decisions regarding parole, probation, monitoring etc.

Some psychopathic offenders should be taken off the streets right away. Won't stop at smaller violation.



Parole vs. Probation

•Parole

Offenders spend time incarcerated before release.

Parole is an *administrative* decision made by paroling authority.

Parolees must abide by conditions or risk revocation.

•Probation

Probationers generally avoid prison time.

Probation is a *sentencing* decision made by a judge.

Probationers must abide by conditions or risk revocation.

Incapacitation

Incapacitation. When a criminal is in jail or prison they can't commit crimes in society and are incapacitated. Incapacitation works (Sentencing Project, Sharkey, Zimring).

Keep psychopathic offenders incapacitated for longer.

Judges should take a psychopathy diagnosis or psychopathic tendencies into account when sentencing (along with severity of offense, impact on victim, criminal history etc.)

A psychologist could consult with a judge or with prosecutors who give that info to the judge.

Longer maximum sentences. In Ohio a class 1 felony such kidnapping (2905.01), involuntary manslaughter (2903.04) (causing a death when committing a felony), voluntary manslaughter (2903.03), rape (2907.02), aggravated robbery (2911.01) (a robbery involving a deadly weapon or causing serious harm), or vehicular homicide carries a maximum sentence of 11 years. The maximum for a class 2 felony such as abduction (2905.02) or felonious assault (2903.11) is 8 years.

Residential facility. Facility designed specifically for psychopaths to live after served prison sentences.

Controversy

Some might be against the idea of giving psychopaths longer sentences because of their condition.

Considering the dangerous traits associated with psychopathy, the increased likelihood of recidivating, and the ability to commit any crime if it benefits them I think decisions in the CJS should take psychopathy diagnosis into account.

Doing so will prevent crimes. Preventing crimes is more important than psychopathic offenders ability to be released earlier.



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