EVALUATOR EMPATHY IN RISK ASSESSMENT INTERVIEWS

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A Dissertation

Presented to

The Faculty of the Department of Psychology and Philosophy

Sam Houston State University

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In Partial Fulfillment

of the Requirements for the Degree of

Doctor of Philosophy

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by

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August, 2020

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ABSTRACT

Schrantz, Kathryn N., *Evaluator empathy in risk assessment interviews*. Doctor of Philosophy (Clinical Psychology), August, 2020, Sam Houston State University, Huntsville, Texas.

This study examined evaluator differences in the use of reflective empathy in forensic assessment and the association between empathy and evaluator opinions in a risk assessment case. Participants were 200 experienced forensic evaluators who read excerpts of a parole risk assessment interview transcript. Throughout the interview, participants chose the next question that they would ask the evaluee. In 12 of these instances, they were asked to choose between a question that included reflective empathy and one without reflective empathy. At the end of the interview, they provided ratings of the evaluee's level of risk for recidivism and future violence and appropriateness for parole. Participants also provided ratings on their perceptions of the evaluee and were asked a series of questions regarding their attitudes towards and use of empathy in forensic assessment. Across analyses, there was clear support for three subgroups of evaluators based on their use of reflective empathy: low empathy ($n = 92$), moderate empathy ($n = 86$), and high empathy ($n = 22$). High empathy evaluators rated reflective empathy techniques as more appropriate than those in the low and moderate empathy classes. Low empathy evaluators were more likely to report they were trained to avoid empathy and were more likely to report they purposefully avoided conveying empathy in forensic evaluations. Low empathy evaluators were also more likely to report that using empathy forensic assessment is unethical. Evaluators in the high and moderate empathy classes rated their overall understanding of the hypothetical evaluee's thoughts, feelings, beliefs, and situation as higher than those in low empathy class, but evaluator empathy

was not strongly associated with opinions about the offender's risk or need for

supervision. Overall, findings indicate experienced forensic evaluators may differ notably

in their use of empathy and their opinions regarding empathy's appropriateness in

forensic assessment.

KEY WORDS: Empathy, Evaluator differences, Forensic assessment, Risk assessment

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CHAPTER I

Evaluator Empathy in Risk Assessment Interviews

Empathy is generally understood as the ability to understand and share the feelings of another. It is considered one of the most important hallmark therapeutic techniques and has been since Carl Rogers first posited that empathy, unconditional positive regard, and congruence with the client are necessary for therapeutic change (Rogers, 1957). Clinicians use empathy in most clinical activities including therapy and psychological assessment (Buckman et al., 2011; Frankel et al., 2012). Empathy increases rapport, fosters compassion, and promotes the active understanding of clients (Watson et al., 2014; Elliott et al., 2011; Meissner, 1996). It also promotes positive treatment outcomes and may account for more variance in client outcomes than specific therapeutic interventions alone (Bohart et al., 2002). Client-perceived empathy expressed by therapists has been found to be responsible for a positive therapeutic alliance, deepened client emotional processing, reduced posttreatment worry, reduced negative self-treatment, reduced substance use, and improved self-efficacy (Malin & Pos, 2015; Harra et al., 2017; Watson et al., 2014; Moyers et al., 2016; van Osch et al., 2017).

Empathy may also play an important role in general psychological assessment. Some experts have called for the use of empathy in evidence-based psychological assessment, arguing the use of empathy in psychological assessment allows assessors to gain a better understanding of patient values, characteristics, and preferences as well as provide more meaningful feedback on assessment results (Bornstein, 2017). One model of assessment, referred to as Collaborative or Therapeutic Assessment, calls for assessors

to develop "empathic connections with clients" (Finn & Tonsager, 1997, p. 379). According to this model, the assessor is a "participant-observer"(p. 379), personality tests are considered tools to enhance assessor empathy, and the assessment focuses more on the client's subjective experience than the scores themselves (Finn & Tonsager, 1997). This model has been particularly effective with respect to assessment in the context of therapy, where the use of Collaborative or Therapeutic Assessment is associated with greater therapeutic alliance, more accurate treatment expectations, and openness to psychotherapy (Finn, 2009; Rumpold, et al., 2005). Research has also shown that Collaborative or Therapeutic Assessment leads to improved client satisfaction, increased compliance with post-assessment recommendations, and better therapeutic alliance in subsequent treatment (Poston & Hanson, 2010). Further, some have argued that evaluator empathy in general psychological assessment likely results in successful and accurate information gathering and may allow for clients to comfortably express issues related to their mental health (Mulay et al., 2018). Thus, in both therapy and routine clinical assessment, empathy is a desirable clinician trait.

Empathy in Forensic Assessment

However, within the context of forensic assessment, the appropriateness of evaluator empathy is widely debated. The primary concern with evaluator empathy in forensic assessment is that empathy might imply to the evaluee that a therapeutic relationship exists, which may not be in the evaluee's best interests (Shuman, 1993). Forensic evaluations serve to answer psycholegal questions for the court. The forensic evaluator's opinion can have far-reaching impacts, potentially influencing the likelihood that the defendant or offender receives treatment, is sent to trial, is released from custody,

or receives supervision in the community (Melton et al., 2017). Evaluators who express empathy during these forensic evaluations may blur the lines between therapeutic and evaluative roles, which could lead evaluees to reveal potentially prejudicial information about themselves or even undermine the evaluator's objectivity (Shuman, 1993; Simon & Wettstein, 1997; Shuman & Zervopoulos, 2010).

The majority of commentary about forensic evaluator empathy focuses on the extent to which the use of empathy might impact evaluees. The most consistently identified concern is that the use of empathy during a forensic evaluation might cause an evaluee to misinterpret the evaluator's intent, resulting in the evaluee placing too much trust in the evaluator. As Simon and Wettstein (1997) argue, forensic practitioners possess a "seductive power" that can create "inappropriate trust in an evaluee" (p. 18). This misplaced trust may cause an evaluee to believe the evaluator's purpose is to help them, as opposed to providing an objective report to defense attorneys, prosecutors, or the court. As such, evaluees may divulge potentially negative information about themselves, such as previously unreported criminal behavior, antisocial attitudes, or other criminal experiences. Such information could have wide-reaching legal implications, negatively impacting the evaluee's case or resulting in additional cases (Shuman & Zervopolous, 2010).

The empathic displays that can lead to this misinterpretation include verbal statements and nonverbal behaviors that communicate to the evaluee a shared understanding or awareness of the evaluee's experiences, thoughts, emotions, and behaviors (Shuman, 1993). These empathic displays include affective and behavioral components, and have been referred to as reflective empathy, expressive empathy, or

therapeutic empathy (Brodsky & Wilson, 2013: Shuman 1993; Shuman & Zervopolous, 2010). According to Shuman (1993), this is perhaps the most dangerous type of empathy in forensic assessment. He contends that "it is unfair for the forensic evaluator to reflect the defendant's cognitive or affective experiences in a manner that erroneously implies a therapeutic alliance" because it can allow an evaluee to "slip into therapeutic mindset" (p. 298). These concerns about the misuse of reflective empathy are so widespread that they are addressed—albeit briefly—in many forensic examination textbooks (see e.g., DeMatteo et al., 2011, p. 12; Hess, 2006, p. 673; Melton, et al., 2017, pp. 46-47; Otto et al., 2014, p. 54). The American Academy of Psychiatry and Law's forensic assessment guidelines (AAPL, 2015) address empathy in a limited manner as well.

Most authors who take a stance on the ethics of empathy in forensic evaluations disagree that it is unethical to be empathic, but do not elaborate on this position (see e.g., Melton et al., 2017; Otto et al., 2014; AAPL, 2015). Of note, the American Psychological Association's Specialty Guidelines for Forensic Psychologists (SGFP; APA, 2013) do not specifically address empathy. The guidelines instead stress the importance of remaining objective and unbiased and require forensic psychologists to avoid multiple roles (i.e., a therapeutic relationship).

Empathy consisting primarily of cognitive components is considered less of a threat. That is, the evaluator's search for awareness of understanding of another's perspective is considered less threatening than reflective empathy. This type of empathy, referred to as receptive empathy or cognitive empathy (Shuman, 1993; Brodsky & Wilson, 2013), may be an important component of all clinical evaluations, including forensic evaluations (Mulay et al., 2018). For example, Franklin (2013) has argued that

the appreciation and understanding of someone else's experiences is an integral component of conceptualizing mental health problems in the context of a forensic assessment. Further, Greenberg and Shuman (1997) note that an "empathic understanding" (p. 53) is an important part of forensic assessment, even though they argue against the use of reflective empathy in forensic evaluations.

Although some authors have argued strongly against the use empathy in forensic assessment (Shuman, 1993), Brodsky and Wilson (2013) have recently called for the use of "moderate empathy" (p. 13) in forensic evaluations. They agree that excessive displays of empathy are problematic and caution against slipping into the "healer role" (p. 200) to avoid impairing evaluator objectivity and the perception of a therapeutic relationship. However, they also contend that an appropriately empathic evaluator may be a more "ethical evaluator," noting that a non-empathic evaluator may be "less conscientious, more focused on the self, and consequently more open to being manipulative towards others" (p. 196). Brodsky and Wilson (2013) note that the use of empathy may enhance an evaluation by building rapport with the evaluee, increasing cooperation, conveying respect and professionalism, and enabling the evaluee to be more honest with the evaluator.

Many of the discussions devoted to the misuse of empathy focus on the evaluee, not the evaluator. The authors who do discuss the evaluator focus on how the use of empathy can bias the evaluator and impair his or her objectivity. Both the SGFP and AAPL guidelines for forensic practitioners highlight the importance of objectivity and fairness in a forensic evaluation. Specifically, the SGFP guidelines call for forensic psychologists to "strive to be unbiased and impartial" (APA, 2013; p. 10) and the AAPL

guidelines instruct evaluators to monitor themselves for an "emotional reaction" to the evaluee, including "overimmersion in the evaluee's world view" (p. S13). Shuman and Zervopoulos (2010) contend that empathy can introduce bias into the examination. They refer to "empathy-bias" (p. 591) as the "forensic examiner's personal views and mindset towards the examination's purpose" (p. 592). They argue that this empathy impacts the objectivity of the assessment's results and the subsequent report and court testimony. Although Brodsky and Wilson (2013) primarily support the use of some empathy in forensic evaluations, they describe potential risks to using empathy. One such risk that receptive or cognitive empathy could lead to "emotional identification with the evaluee" which could affect objectivity (p. 193).

Recent Empirical Research

Nonetheless, empathy in forensic assessment remains largely unexamined in forensic assessment research. Recently, Vera et al. (2019) sought to address this gap by examining the effects of reflective empathy on evaluators and evaluees in the context of a psychopathy assessment interview. Doctoral students trained in forensic assessment assessed 94 male, undergraduate psychology students for psychopathic traits. The researchers randomly assigned participants to either an empathic evaluator condition or a non-empathic evaluator condition. In the empathic evaluator condition, the evaluator used both verbal and nonverbal expressions of empathy, such as nodding her head or using therapeutic reflections (e.g., "That sounds like it must have been difficult for you," "that is understandable," "I can see that"). In the non-empathic evaluator condition, the evaluator did not use any nonverbal or verbal expressions of empathy. The content of the psychopathy interview was the same in both conditions and included 10 yes or no

questions about evaluee misbehavior designed to elicit potentially incriminating information, such as stealing, being accused of cheating, or not getting caught for engaging in illegal behavior. Both evaluees and evaluators rated the evaluees' use of impression management during the interview, and evaluees rated perceptions of evaluator empathy and their alliance with the evaluator. Evaluators also rated the evaluees on psychopathic and normative personality traits.

The researchers found that evaluees interviewed by an evaluator expressing empathy were no more likely than those interviewed by an evaluator not expressing empathy to admit to any type of misbehavior. This finding does not support the concern that empathy leads to increased self-disclosure of potentially prejudicial information by the evaluee in forensic evaluations. However, the use of empathy did appear to influence evaluator perceptions of the evaluee. Evaluators who used reflective empathy during their interviews rated evaluees more favorably. Specifically, they rated evaluees as less psychopathic, more conscientious, and more honest. Empathic evaluators were also more confident in their ability to detect if evaluees were lying (Vera et al., 2019). This finding suggests the use of empathy in a forensic evaluation affects evaluator perceptions of evaluees.

These results raise a number of important questions for forensic evaluators. Specifically, how often do forensic evaluators actually use reflective empathy in forensic evaluations? Evaluators in Vera et al. (2019) were following specific instructions to either use or not use empathy. But how much do evaluators differ in their use of empathy during routine forensic practice? It is possible that many forensic evaluators have been trained to avoid the use of empathy in forensic assessment, given the concerns about the

potential misuse of empathy in forensic evaluations (Greenberg & Shuman, 1997; Shuman, 1993; Shuman & Zervopoulos, 2010). If so, evaluators likely would not differ much in their use of empathy, with most avoiding it. Alternatively, evaluators may differ in their use of empathy due to individual differences in clinical interviewing styles and training background, suggesting that they may also differ in their attitudes towards the general use of empathy in forensic assessment.

If evaluators do differ in their use of empathy, do these differences impact their perceptions of evaluees? There is a growing body of research to suggest that forensic evaluators are not interchangeable. Evaluators differ in their assignment of psychopathy ratings, assessment of future sexual violence risk, and determination of competence to stand trial (Boccaccini et al., 2014; Murrie et al., 2009; Murrie et al., 2008). Thus, there may be similar, and associated, differences in evaluator empathy. Could these differences potentially provide some clarity on why two forensic evaluators can come to different conclusions about the same evaluee? Findings from the Vera et al. (2019) suggest that evaluators who use reflective empathy may be the same evaluators who tend to assign lower psychopathy measure scores, find more defendants to be incompetent to stand trial, and find fewer offenders to be at a high risk for reoffending.

Current Study

The purpose of the current study was to examine individual differences in experienced forensic evaluators' preferences for the use of empathy in forensic assessment and the extent to which those preferences might be associated with their perceptions of evaluees in a risk assessment case. I used a risk assessment case because risk assessments are commonly conducted by forensic evaluators in various settings and

the context is similar to the psychopathy assessments that were the focus of prior

evaluator empathy research (Vera et al., 2019). Participants were 200 practicing forensic

evaluators who were asked to assume they were conducting an interview with an evaluee

undergoing a parole risk assessment. Evaluators were presented with excerpts from a risk

assessment interview with the evaluee and were asked at different places in the interview

to choose one of two possible follow-up questions that they would ask if they were

conducting the interview. In 12 of these instances, the evaluators were asked to choose

between an option that conveyed reflective empathy and one that did not. At the end of

the interview, evaluators provided ratings of the evaluaee's risk and appropriateness for

parole, their perceptions of the evaluee, and their perceived understanding of the

evaluee's thoughts, feelings, and beliefs. Finally, evaluators responded to a series of

questions regarding their training and personal use of empathy in forensic assessment, as

well as a questionnaire designed to measure their attitudes regarding the use of reflective

and receptive empathy in forensic assessment.

The primary goal of this study was to provide a detailed and multi-method

empirical examination of forensic evaluators' views and practices relating to the use of

empathy in forensic assessment. The existence of professional commentary providing

arguments both for using empathy (Brodsky & Wilson, 2013; Mulay et al., 2018) and

against using empathy (Shuman, 1993; Simon & Wettstein, 1997; Shuman &

Zervopoulos, 2010) suggests that I should find some variability among practitioners in

both the preference for reflective empathy questions in the interview and general attitudes

toward using empathy in forensic assessment. Secondary goals were to determine

whether background and training characteristics (e.g., familiarity with arguments against

using empathy) may help to explain variability in the use of empathy and to follow-up

existing findings suggesting that higher levels of empathy may be associated with more

favorable views of evaluees.

CHAPTER II

Method

Participants

Participants were 200 licensed, doctoral-level forensic evaluators who were recruited through e-mail requests sent to members of professional organizations (e.g., American Psychology-Law Society, American Academy of Psychiatry and the Law). I asked those who participated to forward the study link to other practicing forensic psychologists and psychiatrists who were eligible to participate (i.e., snowball sampling). Participants who completed the study received a $50 Amazon gift card. I had funding for exactly 200 participants.

About two-thirds of the participants identified themselves as female ($n = 142$, 71.0%). The mean age was 42.55 years ($SD = 11.37$). Participants had earned a doctoral degree in either psychology ($n = 191$, 95.5%; Ph.D. $n = 113$, Psy.D. $n = 78$) or medicine ($n = 9$, 4.5%). The majority of participants identified as White ($n = 173$; 86.5%), with 1.5% ($n = 3$) identifying as Black, 3.5% ($n = 7$) identifying as Latino/Hispanic, 3.5% ($n = 7$) identifying as Asian/Pacific Islander, and 0.5% ($n = 1$) identifying as Native American/Alaskan Native, and 4.5% ($n = 9$) identifying as bi-racial.

Self-reported years practicing as a psychologist or psychiatrist ranged from 0.25 years to 48 years ($M = 12.34$, $SD = 10.11$). Years conducting forensic evaluations ranged from 0.75 years to 44 years ($M = 10.74$, $SD = 8.54$) and the number of years conducting risk assessments ranged from 0 years to 44 years ($M = 9.44$, $SD = 7.81$). One participant practiced in Canada and the remainder practiced in the United States.

Materials

Materials were presented to participants via Qualtrics, an online survey software platform. A study overview page informed participants that they were completing a study examining personal interviewing styles in risk assessment interviews. They were then asked to read a description of the type of evaluation and background information of the evaluee before completing study measures.

Case Description and Simulated Interview Transcript.

Participants were provided with a case description and interview transcript from a parole risk assessment for an offender who had been convicted of Aggravated Assault, a second degree felony that typically carries penalties of 2 to 20 years in state prison (see Appendix A). I used Aggravated Assault as the instant offense because it allowed for an offense severe enough to result in a significant prison sentence but not so severe to warrant a long-term prison sentence that might eliminate the possibility of parole. The written case description began by asking participants to assume that they were conducting the interview with the 32-year-old male evaluee undergoing the parole risk assessment and that the parole board was asking them to evaluate the offender's level of risk for future violence and recidivism. They were informed that the evaluee had served 2.5 years of an 8-year sentence for Aggravated Assault after initiating a fight with another man that resulted in the victim being briefly hospitalized due to injuries sustained during the fight. They were then provided a brief description of the evaluee's terms of parole, including that the offender would remain on parole for the remainder of his sentence, be required to report to his parole officer, inform his parole officer of intent to change residences or leave the state, seek legal employment, abstain from substance use, participate in random

urinalysis testing, and surrender all weapons to the state. They were also informed that the evaluee had been provided with a disclosure pertaining to the purpose of the evaluation, limits of confidentiality, and the dissemination of a report to appropriate personnel (see Appendix A). The interview then began with a question asking the evaluee to describe his childhood and the evaluee providing a response. There were 21 additional places for the evaluator to ask a question during the interview, and 21 answers from the evaluee during the interview. In all 21 responses, the evaluator was asked to choose one of two possible follow-up questions they would ask the evaluee if they were conducting the interview (see Appendix A). In 12 of these instances, the evaluators were asked to choose between an option that conveyed reflective empathy (i.e., "That must've been tough for you, growing up with different men in the house. How did that affect your behavior as a child?") or a neutral option (i.e., "How did these early life experiences with your mom and her various boyfriends affect your behavior as a child?"). In the other nine instances, I used two neutral options in an attempt to mask the purpose of the interview-choice portion of the study (i.e., no reflective empathy in either response; "Now let's move on to your work history. What was your first job?"). All participants made the 21 question choices in the same order. For each question choice, both question options were presented on the same page, with the participant being asked to select one of the two options. I used the Qualtrics software to randomize the order in which the two question options were presented, for each of the 21 question choices. Thus, for each instance in which there was a choice between an empathy and non-empathy question, some participants were presented with the empathy question as the first option and some were presented with the empathy choice as the second option. I also attempted to make the two

question options similar in length for each question choice. For the 12 question choices involving empathy, the two options differed in length by an average of only 1.42 words (range = 0 to 3 words). For the 9 neutral question choices, the two options differed in length by an average of 1.22 words (range = 0 to 4 words).

Pilot Tests.

I used a series of pilot tests to ensure that the empathy question choices differed sufficiently in reflective empathy. For the first pilot test, 19 clinical psychology PhD students with forensic assessment experience read the interview in the same manner that I planned to use for the main study participants, but rated the level of empathy expressed by each question option (1 = *no reflective empathy* to 7 = *high reflective empathy*) instead of selecting one of the options to ask for the interview. They completed these ratings for each of the 42 question options (i.e., two question options for each of the 12 empathy choices, two question options for each 9 neutral choices). I gave these pilot participants the following definition of reflective empathy to guide their responses: "Reflective empathy consists of verbal statements that communicate a shared understanding or awareness of another's experiences, thoughts, emotions, and behaviors."

I used Cohen's d to examine differences in empathy ratings between the two question options for each question choice. I expected large differences in reflective empathy ratings between the two question options for the 12 questions choices with an empathy option, and small differences for the 9 question choices instances with only neutral options. I found that d values ranged from 1.72 to 4.49 for the empathy option choices, and 0.08 to 1.11 for the neutral only choices. These findings (e.g., large d values for some neutral option pairs) indicated the need to revise five neutral questions to ensure

that all neutral option questions had similarly low levels of empathic content. I then

conducted a second pilot test (n = 13 different doctoral students) with the revised set of

question using the same procedures as the initial pilot study (see Table 1 and Table 2).

Effect sizes for empathy choice question pairs were large, ranging from 1.62 to 4.32,

while d values for neutral choice question pairs ranged from < .01 to 0.63. Moreover, all

of the mean ratings for the non-empathy questions were notably smaller than those for the

empathy questions

       To determine if I was successful in masking the purpose of the study, I asked two

clinical psychology doctoral students to complete the interview portion of the study and

provide their opinions on the purpose of the study. Both reported that they believed the

intent of the interview was to study the quality of clinical interviewing skills, but neither

identified evaluator empathy as the specific variable of interest.

Table 1

Descriptive Statistics for Pilot Empathic Ratings of Neutral Item Pairs

Item Pairs	*M*	*SD*	Cohen's *d*
Neutral Pair 1			
Response 1	2.92	1.12	0.29
Response 2	2.61	1.04	
Neutral Pair 2			
Response 1	2.77	1.23	-0.26
Response 2	3.08	1.19	
Neutral Pair 3			
Response 1	3.08	1.26	0.63
Response 2	2.38	0.96	
Neutral Pair 4			
Response 1	2.77	1.30	0.25
Response 2	2.46	1.05	
Neutral Pair 5			
Response 1	2.31	1.11	-0.13
Response 2	2.46	1.20	
Neutral Pair 6			
Response 1	3.08	1.12	0.28
Response 2	2.77	1.09	
Neutral Pair 7			
Response 1	2.69	1.03	0.00
Response 2	2.69	1.03	
Neutral Pair 8			
Response 1	2.69	1.25	0.13
Response 2	2.53	1.20	
Neutral Pair 9			
Response 1	2.69	1.25	0.19
Response 2	2.46	1.20	

Note. $N = 13$

Table 2

Descriptive Statistics for Pilot Empathic Ratings of Empathy Item Pairs

Item Pairs	*M*	*SD*	Cohen's *d*
Empathy Pair 1			
Empathy	6.08	0.86	4.32
Neutral	2.53	0.78	
Empathy Pair 2			
Empathy	5.62	0.77	4.23
Neutral	2.23	0.83	
Empathy Pair 3			
Empathy	6.00	0.82	3.91
Neutral	3.00	0.71	
Empathy Pair 4			
Empathy	5.92	0.95	3.20
Neutral	2.46	1.20	
Empathy Pair 5			
Empathy	6.15	0.98	4.03
Neutral	2.08	1.04	
Empathy Pair 6			
Empathy	5.61	1.04	3.54
Neutral	2.00	1.00	
Empathy Pair 7			
Empathy	6.00	1.00	4.20
Neutral	2.08	0.86	
Empathy Pair 8			
Empathy	5.08	1.32	1.62
Neutral	2.69	1.61	
Empathy Pair 9			
Empathy	5.77	0.93	3.20
Neutral	2.46	1.13	
Empathy Pair 10			
Empathy	3.85	0.80	1.61
Neutral	2.23	1.17	
Empathy Pair 11			
Empathy	4.77	1.17	2.17
Neutral	2.31	1.10	
Empathy Pair 12			
Empathy	5.85	1.07	2.53
Neutral	3.08	1.12	

Note. $N = 13$

Measures

Perceived Risk and Appropriateness for Parole.

At the end of the interview transcript, participants were asked to provide ratings related to the evaluee's risk for recidivism and future violence as well as the evaluee's appropriateness for parole (see Appendix B). Participants provided separate categorical opinions (i.e., low, low-moderate, moderate, moderate-high, and high) and numerical estimates (slider scale 0 = low risk to 100 = high risk) of the evaluee's risk for recidivism and risk for violence if granted parole (Appendix B). Participants then provided categorical opinions and a numerical rating (1 to 100) of the evaluee's appropriateness for parole (i.e., appropriate for parole with limited community supervision, appropriate for parole with significant community supervision, or not appropriate for parole and needs to remain incarcerated).

Participants were next asked to use sliders to provide numerical ratings (1 to 100) of the amount of structure the evaluee would need in his environment to successfully complete parole (0 = no structure, living freely in the community, 100 = extreme structure, remaining incarcerated). They were then asked to provide ratings of the level of supervision the evaluee would need to successfully complete parole (0 = no supervision, 100 = daily monitored supervision) and the likelihood of the evaluee successfully completing parole (0 = not likely at all, 100 = extremely likely).

Perceptions of Evaluee.

Participants provided ratings on the evaluee's level of remorse, honesty, willingness to accept responsibility for his actions, and impulsivity on 7-point rating scales, with higher scores indicating higher levels of the trait (see Appendix C). I selected

these traits because they are often considered in the course of a risk assessment (Melton et al., 2017).

Receptive Empathy.

I assessed receptive empathy in the risk assessment case by asking participants to rate their level of understanding of the evaluee's beliefs, feelings, thoughts, and situation (0 = extremely poor understanding, 100 = extremely strong understanding; see Appendix D). For example, participants were asked, "Based on the information obtained during the interview, please rate your understanding of the evaluee's feelings using this scale from 0 to 100, with 0 representing an extremely poor understanding and 100 representing an extremely strong understanding."

Attitudes Toward Forensic Evaluator Empathy (ATFEE).

I developed a 10-item Attitudes Toward Forensic Evaluator Empathy (ATFEE) scale to measure participants' attitudes towards the use of empathy in forensic evaluations (see Appendix E). The scale includes six items related to the appropriateness of reflective empathic techniques, such as using nonverbal and verbal displays of empathy, paraphrasing, using reflective statements, expressing encouragement, and validating an evaluee's emotions. For example, one item asked, "During a forensic assessment interview, how appropriate is it for an evaluator to restate what the evaluee has said to show that he or she understands what the evaluee is saying (e.g., "I hear you saying that moving around a lot as a child was difficult for you")?." The scale also includes six items related to the appropriateness of receptive empathy in forensic assessment, including perspective-taking and seeking to understand and evaluee's beliefs, feelings, and reasons for his or her actions. For example, one item asked, "During a

forensic assessment interview, how appropriate is it for an evaluator to use perspective-taking (e.g., the mental activity of putting yourself in someone else's shoes?). Participants rated each ATFEE item in a scale from 1 (extremely inappropriate) to 5 (extremely appropriate). I calculated separate reflective and receptive empathy subscale scores by averaging the scores for the items contributing to the subscale. Thus, scores on each subscale can range from 1.00 to 5.00. Reliability analyses revealed acceptable internal consistency for the reflective empathy ($\alpha = .79$) receptive empathy ($\alpha = .71$) subscale scores.

Empathy Practices.

Participants were also asked a series of dichotomous questions about their training in forensic assessment related to evaluator empathy and their personal practices regarding their use of empathy in forensic assessment (Appendix F). Each question was asked in a yes or no format. Participants were asked if their training covered the topic of using empathy in forensic assessment, and, if so, if they were taught to avoid empathy. They were also asked if they purposefully avoid or try to use statements and nonverbal behaviors that might convey empathy in a forensic assessment. In addition, given the concerns noted in the literature about empathy in forensic evaluations leading to evaluees disclosing prejudicial information (Shuman, 1993), participants were asked if they believed that conveying empathy during a forensic assessment interview could lead to evaluees disclosing information they would not otherwise disclose and disclosing information that would be potentially harmful to their cases. Finally, participants were asked if they believed it was unethical to use statements or nonverbal behaviors to convey empathy during a forensic assessment interview.

Forensic Assessment Experience.

Participants were also asked to identify how experienced they considered themselves to be with respect to conducting forensic evaluations and risk assessments. Specifically, participants were asked, "When it comes to conducting forensic evaluations, I consider myself to be…a) less experienced than most forensic evaluators, b) as experienced as most forensic evaluators, or c) more experienced than most forensic evaluators." They were asked to provide the same identification for their level of experience with risk assessments. Participants were also asked how long they have practiced clinical psychology, conducted forensic evaluations, and conducted violence risk assessment (see Appendices G and H).

Procedure

Participants were recruited via an email solicitation sent out by me through a combination of posting links on a forensic psychology email listserv and emailing links to individuals of forensic psychology and psychiatry professional organizations (e.g., American Psychology-Law Society, American Academy of Psychiatry and Law), and snowball sampling. The e-mail contained information related to the study, and participants who followed the link provided their informed consent. Participants were provided with a link to the Qualtrics survey containing the study's materials. Participants were informed they were completing a study examining personal interviewing styles in risk assessment interviews. Participants then read through the study's materials. Participants began by reading the description of the type of evaluation and brief background information of the evaluee. They then read through the interview transcript with response options. They then provided ratings of risk and appropriateness of parole,

perceptions of the evaluee, and receptive empathy towards the evaluee. Participants then completed the ATFEE and answered questions about their empathy practices Upon completion of the survey, participants were provided with a link to a separate Qualtrics survey that was not connected to the initial study link to enter their email. Upon entering their email, they were provided with an electronic $50 Amazon gift card. This project was approved by the Sam Houston State University Institutional Review Board (IRB; Protocol #IRB-2018-34; see Appendix I).

CHAPTER III

Results

Evaluator Differences in Reflective and Receptive Empathy

The primary goal of this study was to examine whether experienced forensic evaluators differed in their preferences for the use of empathy in forensic assessment. To answer this question, I examined evaluators' question choices in the risk assessment interview, as well as their responses to questions about their typical forensic assessment practices, and their attitudes about the use of empathy in forensic assessment cases.

Reflective Empathy Choices in the Risk Assessment Interview.

The total number of empathic response options selected by evaluators in the risk assessment interview ranged from 0 ($n = 40$, 20.0%) to 12 ($n = 7$, 3.5%). Overall, evaluators chose on average only 3.64 ($SD = 3.26$) of the 12 empathic response options. The distribution of the total number of empathic response options selected was skewed (skewness = .85, $SE = .17$), as most evaluators chose few empathic options and few evaluators chose many empathic options. For instance, 75.5% ($n = 151$) of evaluators chose five or fewer empathic response options, but only 3.5% ($n = 7$) chose all 12 empathic response options. Rates of choosing the empathic response for empathic item pairs ranged from 14.5% ($n = 29$) to 52.5% ($n = 105$; see Table 3).

I used latent class analysis (LCA) with choices for the 12 empathic item pairs (0 = chose non-empathic, 1 = chose empathic) to examine whether there was evidence of qualitatively distinct classes of empathic evaluators. LCA is a statistical method that clusters similar response profiles to classify individuals from a heterogeneous population into smaller, relatively homogenous unobserved subgroups. LCA is a probabilistic

model-based analysis and uses likelihood estimation. I used Mplus 8.0 (Muthen &

Muthen, 2017) to specify and compare 2-class, 3-class, 4-class models. Models were

specified using maximum likelihood estimation with standard errors and a chi-square

statistic that is robust to nonnormality (MLR). I chose the best class solution based on

classification accuracy (Muthen, 2004), Bayesian Information Criterion (BIC; Schwarz,

1978), the bootstrapped likelihood ratio test (Feng & McCulloch, 1996) interpretability,

and parsimony. I assigned evaluators to a single, most likely class using their posterior

probability of group membership.

An optimal model LCA solution is one with a low BIC, high entropy (e.g., scores

closer to 1.0), and a significant bootstrap likelihood ratio test (BLRT). A three-class LCA

solution emerged as optimal based on model fit indices and entropy values (aBIC =

2377.86, entropy = 0.86, BLRT $p < .001$; see Table 4) as the 2-class model produced

higher aBIC value and lower entropy value, and the 4-class model produced a

nonsignificant BLRT value ($p = .17$). The 3-class model produced theoretically

meaningful groups (Class 1 [moderate empathy; $n = 86$; 43%; $M = 4.88$, $SD = 1.46$],

Class 2 [low empathy; $n = 92$; 46%; $M = 0.89$, $SD = 0.92$], Class 3 [high empathy; $n =

22$; 11%; $M = 10.32$, $SD = 1.47$]). In other words, most evaluators chose, on average, to

ask about one of the 12 empathy questions (46% low empathy) or about five of the

empathy questions (43% moderate empathy), whereas only a relatively small group of

evaluators (11% high empathy) chose to ask most of the empathy questions (see Table 5).

Table 3

Frequencies of Empathic and Neutral Response Options for Empathic Item Pairs

Pair	Question	n	%
1	**Empathic**: That must've been tough for you, growing up with different men in the house. How did that affect your behavior as a child?	105	52.5
	Neutral: Alright. How did these early life experiences with your mom and her various boyfriends affect your behavior as a child?	95	47.5
2	**Empathic**: It sounds like your relationship with your mom is tough for you. Tell me about school.	70	35.0
	Neutral: Tell me about your experiences with school when you were a child and a teenager.	130	65.0
3	**Empathic**: I hear what you're saying. I imagine that would be difficult. How did that affect your ability to work?	49	24.5
	Neutral: So you went without work for a while after you were laid off. What did you do after that happened?	151	75.5
4	**Empathic**: It seems like it's been pretty tough for you to have to go through that. How have you made money when you haven't been able to work?	48	24.0
	Neutral: When you have been unemployed, how have you supported yourself financially? How have you made money when you haven't been able to find work?	152	76.0
5	**Empathic:** It's understandable to feel upset when you feel disrespected like that. Tell me some about your non-romantic relationships with other people.	53	26.5
	Neutral: I think that covers romantic relationships. Now tell me a little about your non-romantic friendships with other people in your life.	147	73.5

(continued)

Pair	Question	n	%
6	**Empathic:** It's difficult to get along with people when you feel disrespected. Tell me about your drug and alcohol use.	44	22.0
	Neutral: Now let's talk about your substance use. Tell me about your experiences with drugs and alcohol.	156	78.0
7	**Empathic**: Wow, that must've been really scary for you. How long have you been prescribed medication?	69	34.5
	Neutral: Have you continually been prescribed medication? If so, have you ever stopped taking it?	131	65.5
8	**Empathic**: I'm glad to hear you're feeling better. So what happens when you get angry?	105	52.5
	Neutral: Tell me about your emotions. What do you do when you get angry?	95	47.5
9	**Empathic**: I imagine it can be tough when you feel like someone's done you wrong. Have you ever physically hurt someone else?	47	23.5
	Neutral: How have you reacted when other people anger or upset you? Have you ever been violent towards another person?	153	76.5
10	**Empathic**: I see what you mean. Let's talk about your criminal history. Tell me about your previous convictions.	52	26.0
	Neutral: Tell me about your criminal history. What previous convictions have you received as a teen and an adult?	148	74.0
11	**Empathic**: Good, it sounds like you know what you want. Where would you live and how would you get your medications?	58	29.0
	Neutral: In the future, where would you want to live? What would you do to keep taking your medications?	142	71.0

(continued)

Pair	Question	n	%
12	**Empathic**: It sounds like you have a good plan for the future. I really appreciate you speaking with me today, thank you for your time!	29	14.5
	Neutral: Alright, I think I have everything I need. Thank you for talking to me today.	171	85.5

Note. N = 200.

Table 4

Latent Class Analysis (LCA) Model Fit Indices

Model	aBIC	Entropy	Bootstrapped likelihood ratio test (BLRT) p values
2-class model	2460.72	0.84	$p < .001$
3-class model	2377.68	0.86	$p < .001$
4-class model	2373.14	0.86	$p = 0.17$

Note. N = 200.

Table 5

Frequencies of Evaluators in Each Empathy Class of Emerged LCA 3-Class Model and

Associated Means and Standard Deviations of Empathic Response Options Chosen

Class	Frequency		Empathic response options	
	$\underline{n}$	$\underline{\%}$	$\underline{M}$	$\underline{SD}$
Low empathy class	92	46.0	0.89	0.92
Moderate empathy class	86	43.0	4.88	1.47
High empathy class	22	11.0	10.31	1.46

Note. N = 200.

Receptive Empathy After the Risk Assessment Interview.

Ratings for the four receptive empathy items relating to the risk assessment case were all above the scale midpoint of 50, but within one standard deviation of the midpoint: understanding the evaluee's beliefs ($M = 61.46$, $SD = 17.14$); feelings ($M = 57.42$, $SD = 17.58$); thoughts ($M = 63.35$, $SD = 17.26$); situation ($M = 66.55$, $SD = 17.10$). Because the mean correlation among these four receptive empathy items was .51, I averaged the four ratings together for each evaluator to form a receptive empathy composite score ($\alpha = .81$) and used this composite score in subsequent analyses ($M = 62.19$, $SD = 13.74$). The mean value of 62.19 suggests that, overall, evaluators reported a moderate level of receptive empathy with the evaluee at the end of the risk assessment case.

Self-Reported Training and Use of Reflective Empathy in Forensic Assessment Practice.

Approximately half ($n = 101$, 50.5%) of the evaluators reported they had received training covering the use of empathy in forensic assessment (see Table 6). The other half (49.5%, $n = 99$) reported that they had not received any training related to empathy in forensic assessment. Only 11% ($n = 22$) reported they received training instructing them to avoid using empathy during forensic evaluations.

Most evaluators reported they do not purposefully avoid using verbal statements ($n = 142$, 71%) or nonverbal behaviors ($n = 175$, 87.5%) that might convey empathy when conducting forensic evaluations. However, many evaluators reported they do not purposefully attempt to use verbal statements ($n = 136$, 68%) or nonverbal behaviors ($n =$

121, 60.5%) that might convey empathy when conducting forensic evaluations.

Although most evaluators did not endorse purposefully avoiding or using empathy during forensic evaluations, the majority reported they believed the use of empathy in a forensic assessment could lead an evaluee to disclose information he or she otherwise would not have disclosed ($n = 178$, 89%). A slight majority ($n = 116$, 58%) reported they believed the use of empathy could result in the evaluee disclosing information that could harm his or her case. Nevertheless, the majority of evaluators reported they did not consider the use of empathy in forensic assessment to be unethical ($n = 183$, 91.5%).

Table 6

Frequencies of "Yes" Responses to Questions about Personal Practices and Opinions Regarding Using Empathy in Forensic

Evaluations

Question	"Yes" response	
	n	%
Did your training in forensic assessment cover the topic of empathy in forensic interviews?	101	50.5
If yes, were you trained to avoid using statements or nonverbal behaviors that might convey empathy in a forensic assessment interview?	22	11.0
Do you purposefully try to avoid using statements that might convey empathy when conducting forensic assessment interviews?	58	29.0
Do you purposefully try to avoid using nonverbal behaviors that might convey empathy when conducting forensic assessment interviews?	25	12.5
Do you purposefully try to use statements that might convey empathy when conducting forensic assessment interviews?	64	32.0
Do you purposefully try to use nonverbal behaviors that might convey empathy when conducting forensic assessment interviews?	79	39.5
Do you believe that using statements or nonverbal behaviors to convey empathy during a forensic assessment interview can lead evaluees to disclose information that is potentially harmful and could hurt his or her case?	116	58.0

(continued)

	"Yes" response	
Question	*n*	%
Do you believe that using statements or nonverbal behaviors to convey empathy during a forensic assessment interview can lead evaluees to disclose information that they would have not otherwise disclosed?	178	89.0
Do you believe that it is unethical to use statements or nonverbal behaviors to convey empathy during a forensic assessment interview?	17	8.5

Note. N = 200.

Associations between Empathy Measures

  Reflective and Receptive Empathy in the Risk Assessment Case.

  I used a one-way ANOVA to examine whether the evaluators in the three reflective empathy classes differed in their report of receptive empathy after the interview. The ANOVA indicated a statistically significant difference between the receptive empathy composite score for the three evaluator classes [$F(2, 197) = 4.36$, $p = .01$, partial $\eta2 = .04$]. Specifically, members of the high empathy ($M = 68.11$, $SD = 15.34$) and moderate empathy ($M = 63.56$, $SD = 12.88$) classes reported having a significantly ($p = .01$ & .04) better understanding of the evaluee than members of the low empathy class ($M = 59.51$, $SD = 13.65$; $d = .62$ & .34, respectively). The difference between the moderate and high empathy classes was not large enough to reach statistical significance ($d = .34$, $p = .16$) due to the small size of the high empathy subgroup.

  Attitudes Toward Reflective and Receptive Empathy.

  I used paired-samples t-tests with ATFEE ratings to examine whether evaluators were more supportive of the use of one type of empathy than the other. There was a large ($d = 1.74$) and statistically significant difference between these ratings, with evaluators rating receptive empathy techniques ($M = 4.29$, $SD = .54$) as more appropriate than reflective empathy techniques ($M = 3.59$, $SD = .66$; $t(199) = 14.10$, $p < .001$).

  Scores on ATFEE reflective and receptive empathy attitudes scales were positively and significantly correlated ($r = .31$, $p < .001$). This small- to medium-sized correlation indicates that who maintained positive attitudes about reflective empathy also

tended to maintain positive attitudes toward receptive empathy, but also suggests that support for one type of empathy does not strongly predict support for the other.

Reflective Empathy in the Risk Assessment Case and Attitudes Toward Empathy.

Associations between empathy class membership and evaluators' attitudes towards reflective empathy were analyzed using one-way ANOVAs (see Table 7). As expected, empathy class membership was strongly associated with evaluators' attitudes towards reflective empathy techniques as measured on the ATFEE [$F(2, 197) = 39.52$, $p < .001$, partial $\eta2 = .29$). Specifically, members of the high empathy class rated reflective empathy techniques as more appropriate ($M = 4.34$, $SD = .48$) than members of the moderate empathy class ($M = 3.75$, $SD = .53$, $d = 1.67$) and members of the low empathy class ($M = 3.23$, $SD = .60$, $d = 1.92$). Similarly, members of the moderate empathy class rated reflective empathy techniques as more appropriate than members of the low empathy class ($d = .92$).

Empathy class membership was not associated with ratings of the appropriateness of receptive empathy techniques as measured on the ATFEE [$F(2, 197) = .82$, $p = .44$, partial $\eta2 = .01$]. Moreover, attitudes toward receptive empathy techniques as measured on the ATFEE were not significantly correlated with the receptive empathy composite from the risk assessment interview ($r = .05$, $p = .48$).

Table 7

Empathy Class Membership and Appropriateness Ratings of Reflective and Receptive

Empathy Techniques as Measured by the ATFEE

Type of empathy	Low Empathy class		Moderate empathy class		High empathy class		ANOVA
	M	*SD*	*M*	*SD*	*M*	*SD*	
Reflective empathy	3.23	0.60	3.75	0.53	4.34	0.48	$F(2, 197) = 39.52$, $p < .001$, partial $\eta 2 = .29$
Receptive empathy	4.30	0.50	4.26	0.58	4.42	0.53	$F(2, 197) = 0.82$, $p = .44$, partial $\eta 2 = .01$

Note. N = 200.

Empathy in the Risk Assessment Case and Self-Reported Empathy Training and Practices.

Table 8 summarizes evaluators' responses to questions about their training and beliefs about the use of empathy in forensic assessment and provides a comparison of responses from those in the low, moderate, and high empathy classes. Those in the low empathy class were significantly more likely to report that they had been trained to avoid reflective empathy (Cramer's $V = .25$, $p = .05$) and that they purposefully tried to avoid using statements ($V = .48$, $p < .001$) and nonverbal behaviors ($V = .21$, $p = .01$) that might convey empathy. None of the 22 evaluators in the high empathy class reported that they attempted to avoid using statements of nonverbal behaviors that might convey empathy.

There were also significant differences relating to the purposeful use of statements ($V = .36$, $p < .001$) and nonverbal behaviors ($V = .27$, $p < .001$) that might convey empathy. Unexpectedly, it was evaluators in the moderate empathy class who

were most likely to report that they purposefully tried to use statements (53.1%) and nonverbal behaviors (51.9%) that might convey empathy. Low empathy and high empathy evaluators were less likely to endorse these items ($\leq 30\%$).

Slightly more than half of the evaluators in each class reported believing that using reflective empathy might lead defendants to disclose potentially harmful information about their cases (range – 54.5% to 59.8%, see Table 8). However, those in the high empathy class were significantly less likely (10.1%) than those in the moderate (46.1%) and low (43.8%) empathy classes to report that using empathy can lead evaluees to disclose information that they would not have otherwise disclosed ($V = .17$, $p = .05$). Finally, although most of the evaluators in the low empathy class (88.2%) reported believing that it was unethical to use reflective empathy during a forensic assessment interview, few in the moderate (11.8%) or high (0%) empathy classes reported this belief ($V = .26$, $p < .001$).

Table 8

Associations among Reflective Empathy Class Membership, Training Background, and Professional Practices Using Empathy

Question	Low empathy %	Moderate empathy %	High empathy %	χ^2 statistics
Did your training in forensic assessment cover the topic of empathy in forensic interviews?	40.6	44.6	14.9	$\chi^2(2) = 4.12$, $p = .13$, Cramer's V = .14
If yes, were you trained to avoid using statements or nonverbal behaviors that might convey empathy in a forensic assessment interview? ($n = 101$)	63.6	27.3	9.1	$\chi^2(2) = 6.19$, $p = .05$, Cramer's V = .25
Do you purposefully try to avoid using statements that might convey empathy when conducting forensic assessment interviews?**	82.8	17.2	0.0	$\chi^2(2) = 45.58$, $p < .001$, Cramer's V = .48
Do you purposefully try to avoid using nonverbal behaviors that might convey empathy when conducting forensic assessment interviews?*	72.0	28.0	0.0	$\chi^2(2) = 8.84$, $p < .01$, Cramer's V = .21
Do you purposefully try to use statements that might convey empathy when conducting forensic assessment interviews?**	23.4	53.1	23.4	$\chi^2(2) = 25.90$, $p < .001$, Cramer's V = .36

Question	Low empathy %	Moderate empathy %	High empathy %	χ^2 statistics
Do you purposefully try to use nonverbal behaviors that might convey empathy when conducting forensic assessment interviews?**	30.4	51.9	17.7	$\chi^2(2) = 14.69$, $p < .001$, Cramer's V = .27
Do you believe that using statements or nonverbal behaviors to convey empathy during a forensic assessment interview can lead evaluees to disclose information that is potentially harmful and could hurt his or her case?	59.8	57.0	54.5	$\chi^2(2) = 0.27$, $p = .90$, Cramer's V = .04
Do you believe that using statements or nonverbal behaviors to convey empathy during a forensic assessment interview can lead evaluees to disclose information that they would have not otherwise disclosed?	43.8	46.1	10.1	$\chi^2(2) = 6.37$ $p = .05$, Cramer's V = .18
Do you believe that it is unethical to use statements or nonverbal behaviors to convey empathy during a forensic assessment interview?**	88.2	11.8	0.0	$\chi^2(2) = 13.46$, $p < .001$, Cramer's V = .26

Note. Percentage values indicate frequency of a "yes" responses. $N = 200$ except when otherwise indicated.

* $p < .01$

** $p < .001$

Attitudes Toward Empathy (ATFEE) and Self-Reported Empathy Training and Practices.

Tables 9 and 10 summarize analyses examining the association between ATFEE scores and evaluators' responses to questions about their training and beliefs relating the use of empathy in forensic assessment. Overall, responses to these training and belief questions were more strongly associated with reflective empathy scores on the ATFEE (see Table 9) than receptive empathy scores (see Table 10).

Lower support for reflective empathy on the ATFEE was reported by those who were trained to avoid reflective empathy ($d = .81$, $p = .001$), who purposefully tried to avoid verbal ($d = -1.06$, $p < .001$) or nonverbal ($d = -.67$, $p = .002$) expressions of empathy, and who believed that it was unethical to use reflective empathy ($d = -.68$, $p = .008$). Higher support for reflective empathy on the ATFEE was reported by those who reported purposefully using verbal ($d = .68$, $p < .001$) or nonverbal ($d = .74$, $p < .001$) expressions to convey empathy.

Table 9

Reflective Empathy (ATFEE) and Evaluators' Reported Training Backgrounds, Personal Practices Using Empathy, and Beliefs about

Empathy

Question	Reflective empathy				*t* statistic	*p*	Cohen's *d*
	Yes		No				
	M	*SD*	*M*	*SD*			
Did your training in forensic assessment cover the topic of empathy in forensic interviews?	3.60	.66	3.58	.66	.25	.80	.03
If yes, were you trained to avoid using statements or nonverbal behaviors that might convey empathy in a forensic assessment interview? (*n* = 101)	3.20	.70	3.71	.61	-3.39*	.001	.81
Do you purposefully try to avoid using statements that might convey empathy when conducting forensic assessment interviews?	3.14	.57	3.77	.61	-6.87**	<.001	-1.06
Do you purposefully try to avoid using nonverbal behaviors that might convey empathy when conducting forensic assessment interviews?	3.21	.55	3.64	.66	-3.11*	.002	-.67
Do you purposefully try to use statements that might convey empathy when conducting forensic assessment interviews?	3.88	.63	3.45	.63	4.53**	<.001	.68

(continued)

Question	Reflective empathy				t statistic	p	Cohen's d
	Yes		No				
	M	SD	M	SD			
Do you purposefully try to use nonverbal behaviors that might convey empathy when conducting forensic assessment interviews?	3.85	.60	3.42	.64	4.73**	<.001	.74
Do you believe that using statements or nonverbal behaviors to convey empathy during a forensic assessment interview can lead evaluees to disclose information that is potentially harmful and could hurt his or her case?	3.59	.65	3.59	.67	-.03	.97	<.01
Do you believe that using statements or nonverbal behaviors to convey empathy during a forensic assessment interview can lead evaluees to disclose information that they would have not otherwise disclosed?	3.62	.63	3.35	.84	1.82	.07	.41
Do you believe that it is unethical to use statements or nonverbal behaviors to convey empathy during a forensic assessment interview?	3.19	.48	3.62	.66	-2.67*	.008	-.68

Note. N = 200 unless otherwise indicated.
* p < .01
** p < .001

Table 10

Receptive Empathy (ATFEE) and Evaluators' Reported Training Backgrounds, Personal Practices Using Empathy, and Beliefs about

Empathy

Question	Receptive empathy				t statistic	p	Cohen's d
	Yes		No				
	M	SD	M	SD			
Did your training in forensic assessment cover the topic of empathy in forensic interviews?	4.29	.53	4.29	.55	-0.01	.99	0.0
If yes, were you trained to avoid using statements or nonverbal behaviors that might convey empathy in a forensic assessment interview? (*n* = 101)	4.10	.44	4.34	.54	-1.94	.06	-.46
Do you purposefully try to avoid using statements that might convey empathy when conducting forensic assessment interviews?	4.22	.51	4.32	.55	-1.29	.19	-.19
Do you purposefully try to avoid using nonverbal behaviors that might convey empathy when conducting forensic assessment interviews?	4.27	.48	4.30	.55	-0.22	.82	-.05
Do you purposefully try to use statements that might convey empathy when conducting forensic assessment interviews?	4.40	.54	4.24	.53	1.99	.05	.30

(continued)

Question	Receptive empathy				t statistic	p	Cohen's d
	Yes		No				
	M	SD	M	SD			
Do you purposefully try to use nonverbal behaviors that might convey empathy when conducting forensic assessment interviews?	4.30	.52	4.23	.54	2.14*	.03	.30
Do you believe that using statements or nonverbal behaviors to convey empathy during a forensic assessment interview can lead evaluees to disclose information that is potentially harmful and could hurt his or her case?	4.29	.55	4.26	.47	0.29	.28	.05
Do you believe that using statements or nonverbal behaviors to convey empathy during a forensic assessment interview can lead evaluees to disclose information that they would have not otherwise disclosed?	4.33	.55	4.24	.52	1.08	.78	.17
Do you believe that it is unethical to use statements or nonverbal behaviors to convey empathy during a forensic assessment interview?	4.15	.39	4.31	.55	-1.17	.24	-.30

Note. $N = 200$ unless otherwise indicated.

* $p < .05$

Perceptions of the Offender in the Risk Assessment Case

Table 11 provides descriptive statistics for evaluators' ratings of the evaluee after the risk assessment interview. Overall, these ratings suggest that the evaluators perceived the offender to be at a moderate to high level of risk, with most ratings falling above the scale midpoint of 50. For example, the mean ratings of the offender's risk for recidivism and future violence were 68.72 and 60.77, respectively (see Table 11). Ratings of the likelihood of successfully completing parole were somewhat below the midpoint ($M = 39.77$, $SD = 19.27$).

Evaluators' responses to forced-choice items about risk indicated a similar pattern (see Table 12). About half ($n = 111$, 55.5%) of the evaluators assessed the offender at a moderate-high level of risk for recidivism. No participants assessed the offender's risk for recidivism or risk for future violence as low. With respect to parole decisions, 68.5% ($n = 137$) of evaluators opined that the evaluee was appropriate for parole with a requirement for supervision in a semistructured environment (see Table 13). More evaluators concluded that the offender was not appropriate for parole and should be incarcerated (23.5%) than concluded that he was appropriate for parole while living at home or with family (8.0%).

Descriptive statistics for ratings of the offender's remorse, honesty, willingness to accept responsibility for his actions, and impulsivity are summarized in Table 14. On average, evaluators' ratings of the offender's honesty ($M = 4.55$, $SD = 1.26$) and willingness to accept responsibility for his actions ($M = 5.31$, $SD = 1.03$) were higher

than ratings of the offender's remorse ($M = 2.92$, $SD = 1.07$) and impulsivity ($M = 5.31$,

$SD = 1.03$).

Table 11

Descriptive Statistics of Outcome Ratings of Evaluee's Risk of Recidivism, Risk of Future

Violence, Appropriateness for Parole, Need for Supervision, Need for a Structured

Environment, and Likelihood of Successfully Completing Parole

Rating	*M*	*SD*
Risk of recidivism	68.72	16.08
Risk of future violence	60.77	19.81
Appropriateness for parole	53.16	19.75
Supervision required	73.52	16.11
Structured environment	72.12	16.83
Likelihood of successfully completing parole	39.77	19.27

Note. N = 200.

Table 12

Frequencies of Forced-Choice Opinions of the Evaluee's Risk for Recidivism and Risk

for Future Violence

Rating	Low		Low-Moderate		Moderate		Moderate-High		High	
	%	*n*	%	*n*	%	*n*	%	*n*	%	*n*
Recidivism	0.0	0	2.5	5	23.5	47	55.5	111	18.5	37
Future Violence	0.0	0	11.0	22	35.5	71	46.5	93	7.0	14

Note. N = 200

Table 13

Frequencies of Forced-Choice Opinions Regarding the Evaluee's Appropriateness for

Parole

Opinion	%	n
Evaluee is appropriate for parole and requires supervision while living in an unstructured environment (i.e., evaluee living at home with family or living alone).	8.0	16
Evaluee is appropriate for parole but requires supervision in a semistructured environment (i.e., a halfway house, group home).	68.5	137
Evaluee is not appropriate for parole and should remain incarcerated.	23.5	47

Note. N = 200.

Table 14

Descriptive Statistics of Ratings Perceptions of the Evaluee's Remorse, Honesty,

Willingness to Accept Responsibility for His Actions, and Impulsivity

Rating	M	SD
Remorse	2.92	1.07
Honesty	4.55	1.26
Willingness to accept responsibility	2.94	1.29
Impulsivity	5.31	1.03

Note. N = 200.

Associations Between Evaluator Empathy and Perceptions of the Offender

I used a number of analyses to examine the association between evaluator

empathy and perceptions of the offender in the simulated risk assessment case. These

included comparisons between empathy class members on ratings and forced-choice

items of the offender's risk, suitability for parole, and placement decisions (see Table 15

and Table 16) and perceptions of the offender (see Table 17). I also examined

associations between ATFEE scores and these outcome variables (see Table 18, Table 19,

Table 20, Table 21) and whether evaluators' training and beliefs about the impact of

empathy on evaluators were associated with their perceptions of the parole evaluee (see

Table 22, Table 23, Table 24).

Although the overall pattern of responses to the rating items and forced choice

responses provide some evidence of higher empathy being associated with more

favorable opinions of the evaluee, these differences were small and rarely large enough to

reach statistical significance. For example, in terms of absolute value, evaluators in the

high empathy class provided more favorable mean ratings of the evaluee's risk,

suitability for parole, and perceptions of the evaluee than those in the low and moderate

empathy classes (see Tables 15 and 17), but all of these differences were statistically non-

significant. Similarly, fewer evaluators in the high empathy class categorized the

evaluee's risk for future violence as high (4.5%) than those in the low (5.4%) and

moderate (9.3%) empathy classes, but the difference was small and not large enough to

reach statistical significance.

One statistically significant effect for empathy class membership that was

consistent with prior research was for ratings of the evaluee's willingness to accept

responsibility for his actions [$F(2, 197) = 6.60$, $p = .002$, partial $\eta2 = .06$]. Specifically,

members of the high empathy class rated the evaluee as more willing to accept

responsibility for his actions ($M = 3.82$, $SD = 1.68$) than those in the moderate empathy

class ($M = 2.73$, $SD = 1.20$; $p < .001$, $d = .83$) and low empathy class ($M = 2.92$, $SD =$

1.18; $p = .003$, $d = .70$; see Table 17). There were also small positive associations

between reflective empathy attitudes as measured by the ATFEE and ratings of the

evaluee's honesty ($r = .16$, $p = .03$) and willingness to accept responsibility for his

actions ($r = .13$, $p = .07$; see Table 21).

Responses to several of the self-reported training background and empathy

practice questions were associated with forced-choice opinions of the evaluee's risk for

recidivism (see Table 22). For example, evaluators who reported that they purposefully

try to use empathic statements were less likely (43.8%) to conclude that the offender was

a moderate-high risk than evaluators who do not purposefully try to avoid empathy

statements (61.0%; $V = .27$, $p = .002$). There was a similar pattern for purposefully using

nonverbal behaviors to convey empathy ($V = .23$, $p = .02$; see Table 22).

Table 15

Empathy Class Membership and Outcome Ratings of the Evaluee's Risk of Recidivism,

Risk of Future Violence, Appropriateness for Parole, Need for A Structured Environment,

Need for Supervision, and Likelihood of Successfully Completing Parole

Outcome Ratings	Low empathy		Moderate empathy		High empathy		ANOVA
	M	*SD*	*M*	*SD*	*M*	*SD*	
Risk of recidivism	67.73	15.03	70.54	16.67	65.68	17.79	$F(2, 197) = 1.11$, $p = .33$, partial $\eta 2 = .01$
Risk of future violence	57.30	19.40	63.60	19.91	64.18	17.09	$F(2, 197) = 2.66$, $p = .07$, partial $\eta 2 = .03$
Appropriateness for parole	52.83	19.30	54.29	20.19	50.18	20.38	$F(2, 197) = 4.02$, $p = .67$, partial $\eta 2 = .004$
Structured environment	71.62	15.36	73.80	17.84	67.63	18.44	$F(2, 197) = 1.25$, $p = .29$, partial $\eta 2 = .01$
Supervision required	74.65	13.55	74.03	17.97	66.73	20.77	$F(2, 197) = 2.25$, $p = .11$, partial $\eta 2 = .02$
Likelihood of successfully completing parole	40.77	19.52	37.36	19.64	45.00	15.84	$F(2, 197) = 1.62$, $p = .20$, partial $\eta 2 = .02$

Note. N = 200.

Table 16

Empathy Class Membership and Forced-Choice Opinions about the Evaluee's Risk of Recidivism, Risk of Future Violence, and

Suitability for Parole

Risk opinions	Low empathy %	Moderate empathy %	High empathy %	χ^2 statistics
Risk of recidivism				
Low risk	0.0	0.0	0.0	
Low-moderate risk	1.1	3.5	4.5	
Moderate risk	25.0	18.6	4.0	$\chi^2(6) = 7.52$, $p = .28$, Cramer's V $= .14$
Moderate-high risk	58.7	53.5	50.0	
High risk	15.2	24.4	9.1	
Risk of future violence				
Low risk	0.0	0.0	0.0	
Low-moderate risk	14.1	7.0	13.6	
Moderate risk	32.6	38.4	36.4	$\chi^2(6) = 3.87$, $p = .69$, Cramer's V $= .10$
Moderate-high risk	47.8	45.3	45.5	
High risk	5.4	9.3	4.5	

Risk opinions	Low empathy %	Moderate empathy %	High empathy %	χ^2 statistics
Recommendation to parole board				
Evaluee is appropriate for parole and requires supervision while living in an unstructured environment (i.e., evaluee living at home with family or living alone).	7.6	7.0	13.6	
Evaluee is appropriate for parole but requires supervision in a semistructured environment (i.e., a halfway house, a group home).	71.7	66.3	63.6	$\chi^2(4) = 1.99$, $p = .74$, Cramer's V = .07
Evaluee is not appropriate for parole and should remain incarcerated.	20.7	26.7	22.7	

Note. $N = 200$ ($n = 92$ for low empathy, $n = 86$ for moderate empathy, and $n = 22$ for high empathy).

Table 17

Empathy Class Membership and Perceptions of the Evaluee

Perceptions	Low empathy		Moderate empathy		High empathy		ANOVA
	M	*SD*	*M*	*SD*	*M*	*SD*	
Remorse	2.93	1.01	2.86	1.04	3.14	1.39	$F(2, 197) = .59\ p = .56$, partial $\eta 2 = .01$
Honesty	4.54	1.25	4.53	1.30	4.64	1.22	$F(2, 197) = .58, p = .94$, partial $\eta 2 = .001$
Willingness to accept responsibility*	2.92	1.18	2.73	1.20	3.82	1.68	$F(2, 197) = 6.60, p < .01$, partial $\eta 2 = .06$
Impulsivity	5.35	.95	5.31	1.11	5.14	1.04	$F(2, 197) = .374, p = .69$, partial $\eta 2 = .004$

Note. $N = 200$ ($n = 92$ for low empathy, $n = 86$ for moderate empathy, and $n = 22$ for high empathy).
* $p < .01$

Table 18

Pearson Correlation Coefficients of ATFEE Ratings and Ratings of Evaluee's Risk of

Recidivism, Risk of Future Violence, Appropriateness for Parole, Need for a Structured

Environment, Need for Supervision, and Likelihood of Successfully Completing Parole

Rating	Reflective empathy		Receptive empathy	
	r	*p*	*r*	*p*
Risk of recidivism	-.04	.58	-.05	.52
Risk of future violence	.04	.62	-.09	.21
Appropriateness for parole	.12	.08	-.01	.85
Structured environment	-.07	.32	-.09	.20
Supervision required	-.11	.11	-.03	.66
Likelihood of successfully completing parole	.01	.86	-.05	.48

Note. $N = 200$.

Table 19

Forced-Choice Opinions on Risk of Recidivism and Risk of Future Violence and ATFEE Ratings

ATFEE	Low risk		Low-moderate risk		Moderate risk		Moderate-high risk		High risk		ANOVA
Reflective empathy	*M*	*SD*	*M*	*SD*	*M*	*SD*	*M*	*SD*	*M*	*SD*	
Recidivism	N/A	N/A	4.10	.57	3.53	.66	3.57	.66	3.65	.64	$F(3, 196) = 1.30$, $p = .27$, partial $\eta2 = .02$
Future Violence	N/A	N/A	3.61	.74	3.61	.60	3.52	.69	3.88	.54	$F(3, 196) = 1.31$, $p = .27$, partial $\eta2 = .02$
Receptive empathy											
Recidivism	N/A	N/A	4.60	.49	4.23	.56	4.27	.55	4.35	.47	$F(3, 196) = .79$, $p = .50$, partial $\eta2 = .01$
Future Violence	N/A	N/A	4.35	.52	4.32	.49	4.25	.59	4.36	.51	$F(3, 196) = .44$, $p = .73$, partial $\eta2 = .01$

Note. $N = 200$.

Table 20

Forced-Choice Recommendations to the Parole Board and ATFEE Ratings

ATFEE	Recommendation						ANOVA
	Appropriate for parole with unstructured living environment		Appropriate for parole with structured living environment		Not appropriate for parole and needs to remain incarcerated		
	M	SD	M	SD	M	SD	
Reflective empathy	3.81	.73	3.61	.65	3.47	.65	$F(2, 197) = 1.71$, $p = .18$, partial $\eta2 = .02$
Receptive empathy	4.34	.43	4.28	.57	4.30	.48	$F(2, 197) = .10$, $p = .90$, partial $\eta2 = .001$

Note. $N = 200$.

Table 21

Pearson Correlation Coefficients of ATFEE Ratings and Ratings of Evaluee's Remorse,

Honesty, Willingness to Accept Responsibility for His Actions, and Impulsivity

Rating	Reflective empathy		Receptive empathy	
	r	*p*	*r*	*p*
Remorse	.01	.86	-.07	.31
Honesty	.16*	.03*	.01	.89
Willingness to accept responsibility for his actions	.13	.07	.01	.90
Impulsivity	-.04	.56	.01	.91

Note. N = 200.

* *p* < .05

Table 22

Chi-Square Analyses Comparing Training Backgrounds and Personal Practices Using Empathy with Forced-Choice Opinions about

the Evaluee's Risk of Recidivism

Question		Low risk	Low-moderate risk	Moderate risk	Moderate-high risk	High risk	χ^2 statistics
		%	%	%	%	%	
Did your training in forensic assessment cover the topic of empathy in forensic interviews?	Yes:	0.0	2.0	22.8	61.4	13.9	$\chi^2(3) = 3.91, p = .27$, Cramer's V = .14
	No:	0.0	3.0	24.2	49.5	23.2	
If yes, were you trained to avoid using statements or nonverbal behaviors that might convey empathy in a forensic assessment interview? ($n = 101$)	Yes:	0.0	0.0	27.8	63.6	9.1	$\chi^2(3) = 1.92, p = .73$, Cramer's V = .11
	No:	0.0	2.5	21.5	60.8	15.2	
Do you purposefully try to avoid using statements that might convey empathy when conducting forensic assessment interviews?	Yes:	0.0	0.0	24.1	63.8	12.1	$\chi^2(3) = 4.90, p = .18$, Cramer's V = .16
	No:	0.0	3.5	23.2	52.1	21.1	

(continued)

Question		Low risk	Low-moderate risk	Moderate risk	Moderate-high risk	High risk	χ^2 statistics
		%	%	%	%	%	
Do you purposefully try to avoid using nonverbal behaviors that might convey empathy when conducting forensic assessment interviews?	Yes:	0.0	0.0	24.0	68.0	8.0	$\chi^2(3) = 3.22, p = .36$, Cramer's V = .13
	No:	0.0	2.9	23.4	53.7	20.0	
Do you purposefully try to use statements that might convey empathy when conducting forensic assessment interviews?**	Yes:	0.0	7.8	29.7	43.8	18.8	$\chi^2(3) = 14.50, p = .002$ Cramer's V = .27
	No:	0.0	0.0	20.6	61.0	18.4	
Do you purposefully try to use nonverbal behaviors that might convey empathy when conducting forensic assessment interviews?*	Yes:	0.0	6.3	25.3	46.8	21.5	$\chi^2(3) = 10.25, p = .02$, Cramer's V = .23
	No:	0.0	0.0	22.3	61.2	16.5	
Do you believe that using statements or nonverbal behaviors to convey empathy during a forensic assessment interview can lead evaluees to disclose information that is potentially harmful and could hurt his or her case?	Yes:	0.0	2.6	19.8	59.5	18.1	$\chi^2(3) = 2.41, p = .49$, Cramer's V = .11
	No:	0.0	2.4	28.6	50.0	19.0	

(continued)

Question		Low risk	Low-moderate risk	Moderate risk	Moderate-high risk	High risk	χ^2 statistics
		%	%	%	%	%	
Do you believe that using statements or nonverbal behaviors to convey empathy during a forensic assessment interview can lead evaluees to disclose information that they would have not otherwise disclosed?	Yes:	0.0	2.8	23.6	54.5	19.1	$\chi^2(3) = 1.24$, $p = .75$, Cramer's V = .08
	No:	0.0	0.0	22.7	63.6		
Do you believe that it is unethical to use statements or nonverbal behaviors to convey empathy during a forensic assessment interview?	Yes:	0.0	0.0	23.5	65.7	11.8	$\chi^2(3) = 1.20$, $p = .75$, Cramer's V = .08
	No:	0.0	2.7	23.5	54.6	19.1	

Note. $N = 200$ except when otherwise indicated.

* $p < .05$

** $p < .01$

Table 23

Chi-Square Analyses Comparing Training Backgrounds and Personal Practices Using Empathy with Forced-Choice Opinions about

the Evaluee's Risk of Future Violence

Question		Low risk	Low-moderate risk	Moderate risk	Moderate-high risk	High risk	χ^2 statistics
		%	%	%	%	%	
Did your training in forensic assessment cover the topic of empathy in forensic interviews?	Yes:	0.0	7.9	38.6	48.5	5.0	$\chi^2(3) = 3.72, p = .29$, Cramer's V = .29
	No:	0.0	14.1	32.3	44.4	9.1	
If yes, were you trained to avoid using statements or nonverbal behaviors that might convey empathy in a forensic assessment interview? ($n = 101$)	Yes:	0.0	9.1	40.9	45.5	4.5	$\chi^2(3) = 1.92, p = .73$, Cramer's V = .11
	No:	0.0	7.6	38.0	49.4	5.1	
Do you purposefully try to avoid using statements that might convey empathy when conducting forensic assessment interviews?	Yes:	0.0	10.3	34.5	48.3	6.9	$\chi^2(3) = .11, p = .99$, Cramer's V = .02
	No:	0.0	11.3	35.9	45.8	7.0	

(continued)

Question		Low risk	Low-moderate risk	Moderate risk	Moderate-high risk	High risk	χ^2 statistics
		%	%	%	%	%	
Do you purposefully try to avoid using nonverbal behaviors that might convey empathy when conducting forensic assessment interviews?	Yes:	0.0	12.0	36.0	52.0	0.0	$\chi^2(3) = 2.21$, $p =$ .53 Cramer's V = .11
	No:	0.0	10.9	35.4	45.7	8.0	
Do you purposefully try to use statements that might convey empathy when conducting forensic assessment interviews?	Yes:	0.0	15.6	39.1	42.2	3.1	$\chi^2(3) = 4.56$, $p =$ .21, Cramer's V = .15
	No:	0.0	8.8	33.8	48.5	8.8	
Do you purposefully try to use nonverbal behaviors that might convey empathy when conducting forensic assessment interviews?	Yes:	0.0	13.9	34.2	44.3	7.6	$\chi^2(3) = 1.28$, $p =$ .73, Cramer's V = .08
	No:	0.0	9.1	36.4	47.9	6.6	
Do you believe that using statements or nonverbal behaviors to convey empathy during a forensic assessment interview can lead evaluees to disclose information that is potentially harmful and could hurt his or her case?	Yes:	0.0	9.5	36.2	47.4	6.9	$\chi^2(3) = .67$, $p =$ .88, Cramer's V = .06
	No:	0.0	13.1	34.5	45.2	7.1	

(continued)

Question		Low risk	Low-moderate risk	Moderate risk	Moderate-high risk	High risk	χ^2 statistics
		%	%	%	%	%	
Do you believe that using statements or nonverbal behaviors to convey empathy during a forensic assessment interview can lead evaluees to disclose information that they would have not otherwise disclosed?	Yes:	0.0	11.2	36.0	45.5	7.3	
	No:	0.0	9.1	31.8	54.5	4.5	$\chi^2(3) = .73, p = .87$, Cramer's V = .06
Do you believe that it is unethical to use statements or nonverbal behaviors to convey empathy during a forensic assessment interview?	Yes:	0.0	0.0	23.5	65.7	11.8	$\chi^2(3) = .32, p = .96$, Cramer's V = .04
	No:	0.0	10.9	35.0	47.0	7.1	

Note. N = 200 except when otherwise indicated.

Table 24

Chi-Square Analyses Comparing Training Backgrounds and Personal Practices Using Empathy with Forced-Choice

Recommendations to the Parole Board

Question		Recommendation			χ^2 statistics
		Appropriate for parole with unstructured living environment	Appropriate for parole with structured living environment	Not appropriate for parole and needs to remain incarcerated	
Did your training in forensic assessment cover the topic of empathy in forensic interviews?	Yes:	8.9	67.3	23.8	$\chi^2(2) = .26, p = .88$, Cramer's V = .04
	No:	7.1	69.7	23.2	
If yes, were you trained to avoid using statements or nonverbal behaviors that might convey empathy in a forensic assessment interview? ($n = 101$)	Yes:	9.1	68.2	22.7	$\chi^2(2) = .02, p = .99$, Cramer's V = .01
	No:	8.9	67.1	24.1	
Do you purposefully try to avoid using statements that might convey empathy when conducting forensic assessment interviews?	Yes:	10.3	62.1	27.6	$\chi^2(2) = 1.64, p = .44$, Cramer's V = .09
	No:	7.0	71.1	21.8	

Question	Recommendation			χ^2 statistics
	Appropriate for parole with unstructured living environment	Appropriate for parole with structured living environment	Not appropriate for parole and needs to remain incarcerated	
Do you purposefully try to avoid using nonverbal behaviors that might convey empathy when conducting forensic assessment interviews?	Yes: 12.0	64.0	24.0	$\chi^2(2) = .66$, $p = .72$, Cramer's V = .06
	No: 7.4	69.1	23.4	
Do you purposefully try to use statements that might convey empathy when conducting forensic assessment interviews?	Yes: 7.8	73.4	18.8	$\chi^2(2) = 1.24$, $p = .54$, Cramer's V = .08
	No: 8.1	66.2	25.7	
Do you purposefully try to use nonverbal behaviors that might convey empathy when conducting forensic assessment interviews?	Yes: 8.9	68.4	22.8	$\chi^2(2) = .15$, $p = .93$, Cramer's V = .03
	No: 7.4	68.6	24.0	
Do you believe that using statements or nonverbal behaviors to convey empathy during a forensic assessment interview can lead evaluees to disclose information that is potentially harmful and could hurt his or her case?	Yes: 8.6	69.8	21.6	$\chi^2(2) = .65$, $p = .72$, Cramer's V = .06
	No: 7.1	66.7	26.2	

Question	Recommendation			χ^2 statistics
	Appropriate for parole with unstructured living environment	Appropriate for parole with structured living environment	Not appropriate for parole and needs to remain incarcerated	
Do you believe that using statements or nonverbal behaviors to convey empathy during a forensic assessment interview can lead evaluees to disclose information that they would have not otherwise disclosed?	Yes: 8.4	68.5	23.0	$\chi^2(2) = .52, \ p = .77,$ Cramer's V = .05
	No: 4.5	68.2	27.3	
Do you believe that it is unethical to use statements or nonverbal behaviors to convey empathy during a forensic assessment interview?	Yes: 17.6	76.5	5.9	$\chi^2(2) = 4.79, p = .09,$ Cramer's V = .16
	No: 7.1	67.8	25.1	

Note. N = 200 except when otherwise indicated.

CHAPTER IV

Discussion

The use of empathy in forensic assessment is a topic that has long been debated in the forensic assessment literature. Several authors contend it is harmful in a forensic evaluation and argue it results in the evaluee disclosing potentially harmful information and biases forensic evaluators (Shuman, 1993; Shuman & Zervopoulous, 2010) while others contend it is an integral component of any evaluation (Mulay et al., 2018; Brodsky & Wilson, 2013). Despite such commentary, no empirical research examining empathy and its effects existed until Vera et al. (2019) examined empathy's influence on evaluees. This study expands upon the findings in Vera et al. (2019) by providing a multimethod examination of experienced forensic evaluators' use of empathy in forensic evaluations.

Evaluator Empathy Subtypes

The primary goal of this study was to examine evaluators' use of empathy. Findings from a series of analyses provided strong support for there being three subtypes of evaluators: low, moderate, and high empathy. Notably, most evaluators were classified into the low (46%) and moderate (43%) reflective empathy classes, with only 22% of the sample classified as using high amounts of reflective empathy. In the risk assessment case, evaluators in these subgroups selected, on average fewer than half of the empathic response options, and their scores on measures of attitudes about the use of reflective empathy were clearly consistent with their use of empathy in the risk assessment case.

These findings suggest many evaluators practice in a manner consistent with Shuman's (1993) and Shuman and Zervopoulos' (2010) arguments to avoid or limit empathy in forensic assessment. The low and moderate empathy subgroups did, however,

differ in their self-reported empathy practices. Those in the low empathy class were more likely to have been trained to avoid empathy in forensic assessment, to report that it was unethical to use reflective empathy, and to report avoiding statements and nonverbal behaviors that might convey empathy.

There was also a small subgroup of evaluators ($n = 22$, 11.0%) who appear to practice in a manner that is in direct opposition to Shuman's recommendations. Evaluators in this subgroup consistently selected most of the empathy choices across the interview. Indeed, they selected, on average, more than twice as many empathy responses ($M = 10.31$) than evaluators in the moderate empathy subgroup ($M = 4.88$). None of these evaluators reported that they purposefully avoided empathy or that it was unethical to use empathy.

Overall, these findings suggest a general lack of consensus among evaluators about the role of empathy in forensic assessment. Some evaluators purposefully try to avoid empathy, but others do not, and these practices are associated with their beliefs about whether empathy may impact disclosure and whether it is unethical to use empathy in forensic assessment. In some instances, findings of no differences between the three groups also support the conclusion of a lack of consensus in the field. For example, about half of the evaluators in each subgroup reported believing that the use of reflective empathy could lead evaluees to disclose potentially harmful information about their cases, meaning that the other half of the evaluators did not.

These results add to the growing body of literature that indicates forensic evaluators are not interchangeable. Previous research has demonstrated evaluators differ in their assignment of psychopathy ratings, assessment of future sexual violence risk, and

determination of competence to stand trial (Boccaccini et al., 2014; Murrie et al., 2009; Murrie et al., 2008). My study expanded upon these concerns to examine how empathy varies among evaluators. I discovered evaluators differ in their use of empathy, just as they differ in their opinions regarding the appropriateness of empathy. Similarly, although effects were small in size, empathy influenced some of the evaluators' overall opinions and perceptions of the evaluee. These differences in empathy use may play a role in evaluator variability, particularly if evaluators' use of empathy differs depending on the side that retained them, evaluation setting (e.g., inpatient or outpatient), or the type of evaluation they are conducting (e.g., competence to stand trial, criminal responsibility).

Prior research has indicated variability among forensic evaluators is often problematic. Research indicating clinical decision-making is often flawed (Desmarais et al., 2010; Spengler & Pilipis, 2015) suggests the variability among evaluators and their opinions is of significant concern for forensic practice. Bias in forensic evaluations, particularly adversarial allegiance, is another major concern (Murrie et al., 2013). However, results from my study simply indicate the presence of variability, and do not necessarily indicate that this variability is problematic. For example, although some small effects emerged indicating empathic evaluators viewed the evaluee more favorably, other effects emerged indicating empathic evaluators also reported a greater understanding of the evaluee. Further, given the lack of consensus among evaluators on empathy's appropriateness in forensic assessment, evaluators themselves appear to disagree on if this variability is problematic or not. My results do not fully answer the question of empathy's appropriateness in forensic evaluations; rather, they indicate the need for

further research to examine the variability among evaluators and its potential influence on their perceptions of evaluees, overall opinions, forensic decision-making, and understanding of the evaluee.

Evaluator Empathy and Opinions in the Risk Assessment Case

These findings of evaluator differences in the use of reflective empathy raise questions about the extent to which evaluator differences in empathy may impact evaluation outcomes. Findings from the Vera et al. (2019) study suggest that purposefully adopting a high or low empathy style may impact how evaluators view evaluees. The current study allowed me to examine whether individual differences in the use of empathy may be associated with evaluator opinions.

Results revealed some small effects of individual differences in empathy use and opinions of the evaluee. For example, evaluators in the high empathy class rated the evaluee as more willing to accept responsibility for his actions than members in the moderate and low empathy class. Similarly, evaluators who rated reflective empathy techniques are more appropriate in forensic evaluations also rated the evaluee as more willing to accept responsibility for his actions and more honest. In addition, more evaluators who reported purposefully conveying empathy in forensic assessment through both statements and nonverbal behaviors categorized the offender's risk for recidivism as low-moderate (7.8% and 6.3%, respectively) than those who denied conveying empathy (0%). More evaluators who denied purposefully conveying empathy categorized the offender at a moderate-high level of risk of recidivism (approximately 60%) than those who reported intentionally conveying empathy (approximately 45%).

Although differences in opinions and perceptions of the evaluee were not statistically significant, the general pattern is consistent with the findings of Vera et al. (2019), although much less consistent and with smaller and often nonsignificant differences. In terms of absolute value, evaluators in the high empathy class provided lower ratings of the offender's risk of recidivism, need for a structured environment, and need for supervision than those in the low and moderate empathy classes. Similarly, in terms of absolute value, fewer evaluators in the high empathy class categorized the offender as moderate-high and high risk for recidivism than those in the low and moderate empathy classes. Fewer evaluators in the high empathy class also categorized the offender as high risk for future violence than those in the low and moderate empathy classes. Evaluator ratings of their perceptions of the evaluee followed a similar pattern. Evaluators in the high empathy class rated the evaluee as more remorseful, more honest, and less impulsive than those in the low and moderate empathy classes. It is important to note that these differences were not statistically significant; however, this may be due in part to the relatively small size of the high empathy class ($n = 22$), resulting in low statistical power.

Evaluators in Vera et al. (2019) were instructed to use reflective empathy. That is, they were instructed to convey empathy to evaluees through both verbal statements and nonverbal behaviors. As such, their interviews contained multiple statements intended to convey empathy to the evaluee. Similarly, evaluators who were classified in the high empathy class in this study also used multiple empathic statements ($M = 10.88$). High empathy evaluators in this study are likely similar to those instructed to use empathy in Vera et al. (2019). The general pattern of ratings in this study is consistent with the

findings of Vera et al. (2019) that the use of empathy may result in more favorable opinions of evaluees.

However, few statistically significant effects emerged. One possible reason I did not find these effects may be due to the small size of the high empathy class ($n = 22$), particularly compared to the size of the low empathy class ($n = 92$) and moderate empathy class ($n = 86$). Such a small size reduces the statistical power of my analyses, which makes it less likely to find statistically significant differences. Another possible reason for the differences between my findings and those from Vera et al. is the nature of my study design. I used an interview transcript with a simulated evaluee, whereas Vera et al. (2019) used a live interview that allowed for an ongoing interaction between the evaluator and evaluee. Although my study design allowed me to control the content of the evaluee's report and limit the evaluators to two response options, it did not allow me to examine the dynamic process of a live interview. In an actual interview, an interpersonal dynamic exists between the evaluee and the evaluator. The evaluator is able to use nonverbal cues and behaviors to either convey or avoid empathy. Similarly, the evaluee is able to respond to the evaluator with both nonverbal actions and verbal responses. It is a dynamic process with bidirectional feedback. Given the multifaceted nature of empathy, it likely has a stronger effect in a live interview as opposed to a mock interview without actual participants.

The results from my study and the findings of Vera et al. (2019) highlight the importance of continuing to examine empathy's influence on evaluator decision-making. Vera et al. (2019) found that empathy may bias evaluators and my results indicate individual differences in empathy use may affect opinions and perceptions of evaluees.

However, I also found an effect for empathy use on evaluators' reported understanding of the evaluee. Specifically, evaluators in the high empathy class reported they understood the evaluee's thoughts and feelings better than those in the low and moderate empathy class. This finding indicates empathy may assist evaluators in assessing evaluee's mental states during forensic evaluations, as argued by Mulay et al. (2018) and Brodsky and Wilson (2013). As such, in the future, research should focus on continuing to explore how empathy influences evaluator decision-making.

Limitations

Several aspects of my study limit the generalizability of the conclusions that can be drawn from it. One such limitation is the use of an interview transcript as opposed to an actual interview. Although the transcript was based on real case information and presented in a unique format (e.g., in excerpts with response options in between), it lacked several components that would be present in a real-world interview. For instance, I was unable to capture nonverbal behaviors of the evaluator that could convey empathy. I was also unable to capture nonverbal responses from the evaluee and could not recreate the dynamic interaction between two people as would be evident in an actual interview. This limited my ability to examine empathy's full impact on the evaluator. Nevertheless, my study used a unique interactive design that was able to capture evaluator differences in their purposeful use of verbal statements that convey empathy in forensic assessment. These findings should inform future research that may use actual or videotaped interviews.

In addition, I did not assess evaluators' overall trait empathy, which may or may not correspond with their use of empathy in forensic assessment evaluations. Individual

differences in empathy likely explains some variability in evaluators' use of empathy in forensic assessment, but the question of how much variance it explains is a question for future research. Examining such differences and their associated effect on intentional use of empathy in forensic assessment would provide additional insight into empathy's impact on a forensic evaluation. Further, future research could examine evaluator personality characteristics and their relationship with the use of empathy. Such research would further explore evaluator differences and could provide useful information about why evaluators choose to avoid or use empathy.

Another limitation is the large number of hypothesis tests I used to examine differences between evaluators. I ran multiple analyses to examine statistical significance, including t-tests, ANOVAs, chi-squares, and correlations. The large number of analyses suggests that there is a high likelihood of Type 1 decision errors in this study (Field, 2017). In other words, the large amount of analyses increases the likelihood that I found statistically significant differences by chance (Field, 2017). It is possible that some of the effects I discovered were due to Type 1 errors rather than genuine effects.

Conclusion

Despite these limitations, my study is the first to provide an empirical examination of evaluators' use of empathy in forensic assessment. Ultimately, my results indicate distinct classes of evaluators exist with respect to empathy use. Evaluators' empathy use aligns with their attitudes towards empathy in forensic assessment, with those using more empathy indicating more support towards the use of empathy in forensic evaluations. Overall, evaluators do not report intentionally using or avoiding empathy in forensic assessment, despite believing that the use of empathy in forensic

assessment may lead evaluees to disclose potentially harmful information. In addition, my results expand upon the findings in Vera et al. (2019) and suggest empathy may have an influence on evaluator decision-making. My findings indicate the importance of expanding empirical research examining empathy in forensic assessment.

This research lays the foundation for several interesting directions in future research. One such area of future research would be examining evaluator empathy and adversarial allegiance, examining if the use of empathy differs depending on which party hired the evaluator. Research in this area could further expand upon the body of research related to bias in forensic assessment. For instance, if evaluators use more empathy when hired by the defense, would the use of empathy contribute to more favorable findings? Future research could also examine evaluator empathy in several different contexts, including competency to stand trial, criminal responsibility, mitigation, and civil forensic evaluations and evaluations conducted in both inpatient and outpatient settings. More empirical studies in several settings with several types of evaluations would add to the generalizability of our findings and would allow us to continue to examine the appropriateness of using empathy in forensic evaluations.

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APPENDIX A

Interview Transcript

Initial instructions: Thank you for agreeing to participate in our study. We are interested in studying interviewing practices in risk assessment evaluations.

You will be asked to read excerpts from the transcript of a risk assessment interview with a male offender who is being considered for parole. At several points during the interview, you will be asked to select the next question that you would ask the offender **if you were the interviewer** conducting the risk assessment.

There will always be two question options from which to choose. We would like you to select the question that *better* fits with how you would ask a question during a risk assessment interview. We recognize that neither choice may perfectly correspond with your interviewing style, or preferred next question, but we ask that you please choose the response that better fits with your personal interview style.

After the interview, you will be asked to provide an opinion on the evaluee's level of risk for future violence and recidivism. You will then be asked several additional questions about your perceptions of the evaluee, perspectives on interviewing, your background, and experience.

The following is a transcript of an interview conducted with a 32-year-old male evaluee undergoing a parole risk assessment. The parole board has asked you to evaluate the offender's level of risk for future violence and recidivism. He was convicted of Aggravated Assault (a second degree felony) after initiating a fight with another man, which resulted in the victim being briefly hospitalized for injuries sustained during the fight. The evaluee was sentenced to eight years in a state penitentiary and is currently eligible for parole after serving two and a half years of his sentence.

If granted parole, the evaluee would remain on parole for the duration of the length of his sentence, meaning he would remain on parole for the remaining five and a half years of his 8 year sentence. The terms of his parole would consist of biweekly reports to his supervising parole officer, informing his parole officer of any intent to change residences or leave the state, seeking legal employment, abstaining from substance use, participating in random urinalysis testing, and surrendering all weapons to the state. The evaluee would also be barred from possessing a firearm and would be required to follow all municipal, state, and federal laws.

Prior to the beginning of the interview, the evaluee was provided with a disclosure, including information about the purpose of the evaluation, the limits of confidentiality, and who will have access to the report.

Interview Transcript:

Evaluee: So you're just going to ask me questions and stuff? I mean I was told you were coming but I just want to make sure I know what's going on.

> **Neutral:** Please choose a response from the options listed below:
> - Yes. Let's get started. Tell me about your childhood.
> - Yes. Let's start with your childhood. Tell me about it.

Evaluee: I grew up in Amarillo. My mom raised me because my dad died when I was seven. I don't know much about him, really. So my mom rented a place, and we all sort of crammed into it. She had different men in and out so sometimes they were around. And later I had some sisters, or half-sisters, I guess. I don't know, I never talk to them any more. But mostly it was just my mom taking care of me. She was fine, I guess. She worked nights or was gone at nights sometimes so she wasn't always there, and she had some problems of her own, you know, with the guys in and out. That was hard. The ones I saw the most were John and this guy everyone just called him Bubba. He was just this big, mean bastard. I can't hardly remember anything from that age, but I just remember this guy seemed giant, and even I knew not to piss him off. John was actually my stepdad, I mean he married my mom. None of the other guys married her. She shouldn't of married him either. She needed to not just, you know, take in any guy into her house that didn't show any decency.

> **Empathic:** Please choose a response from the options listed below.
> - **Empathic:** That must've been tough for you, growing up with different men in the house. How did that affect your behavior as a child?
> - **Neutral:** Alright. How did these early life experiences with your mom and her various boyfriends affect your behavior as a child?

Evaluee: Oh it was bad. I was a bad little shit. I got in trouble all the time for stealing and stuff. I stole all kinds of stuff. When I was real little I would just shoplift things for the hell of it. Well, it started because we needed some of it, food or whatnot, but later it was probably just because I could. The first time I got caught was for stealing a TV dinner. I was eight and stole a TV dinner. I don't know why I stole something so freezing cold. Later we started busting into houses. We would just bust in and look around for stuff to steal. Mess up the place. It's sort of stupid looking back, because it's not like we'd take the big valuable stuff like electronics. We could have sold that for decent money maybe if we'd known what we were doing. But we were just stupid kids trying to get high.

> **Neutral:** Please choose a response from the options listed below.
> - What are your current relationships like with your family members?
> - How would you describe your relationships with your family members?

Evaluee: I don't even remember how many sisters or half-sisters I have, so obviously not good. My mom is around. I used to live with her for awhile, before I lived with my girlfriend. She cares about me still, you know, and tries to be there for me. It was kind of hectic living with her though. She divorced John and she's still always dating different men that aren't good for her and she doesn't get me. She tells me a lot that I don't need my meds or that I should just get better. Which I get, it's probably not good to like need meds or whatever but sometimes it feels like she doesn't understand or like really care. I really hated John, you know. I don't talk to him at all anymore.

      Empathic: Please choose a response from the options listed below.
- **Empathic:** It sounds like your relationship with your mom is tough for you. Tell me about school.
- **Neutral:** Tell me about your experiences with school when you were a child and a teenager.

Evaluee: School was great. I really liked it. I loved to learn. That's the thing. I've got a mind that's just curious and I would love to learn stuff. It was funny. We'd get our textbooks on the first day of school and I'd read them all the way through and then there I was, done with them. And the teachers would all get so mad, cause I'd have just read them through. I think the teachers liked me enough, you know. My grades were pretty good. I always got As up to high school, and then As and Bs and some Cs. I wasn't real close with any of them but we were all right. I never got into trouble....well, not at school at least. That was usually when I wasn't in class. I graduated but never went to college. I probably could have, I guess I wish I did. But I kept getting picked up by the cops as a kid. Sort of messed up that plan.

      Neutral: Please choose a response from the options listed below.
- Now let's move on to your work history. What was your first job?
- Now let's talk about your work history. Tell me about your previous jobs.

Evaluee: Umm I guess my first job was as a dishwasher in this Mexican restaurant. I worked after school. Later I started doing some of the cooking too, the easy stuff. But it wasn't real official. I just worked after school busing tables and washing dishes when I had time and got paid under the table. I know they could pay me less because I was a kid. A couple of us they did like that. Then I did a bunch of different stuff for work. Like I did an after school job for a construction company for a while. I would carry lumber and stuff like that. I worked at Prestress the longest. For like 2 years. They do concrete for well, basically for everything. So, I was working for them the whole time. Hauling stuff, or just doing whatever they said. It was this hot, messy work. But it was good work. But then I got laid off. They really emphasized it was nothing personal, and it had to do with savings, and reducing certain positions. But, you never really know I guess. I wasn't real close to anyone, so I don't really know the inside story, if there was one. Felt pretty vulnerable after that.

      Empathic: Please choose a response from the options listed below.

- **Empathic**: I hear what you're saying. I imagine that would be difficult. How did that affect your ability to work?
- **Neutral:** So you went without work for a while after you were laid off. What did you do after that happened?

Evaluee: I don't know, I was a good worker I think. So, it didn't make sense to let me go. I guess I floundered a little bit really. I was unemployed for a bit after that. I never like took unemployment or anything. I'm against some of that, getting any sort of government handout. And I never really needed unemployment. I was always sort of underemployed, but not unemployed. I worked other small jobs after that I guess. Just like construction or road work. I spent a lot of days just hanging out looking for work. I've had some money problems I guess. I've had times when I get behind on bills. I had some credit card debt that just sort of hovered there. It didn't ever grow real bad, but I also could never really get it to shrink. It just creeped up. I've never really got a good handle on money. I don't mean its ever been real bad. I've never had serious trouble, or failed a loan or anything. But, I've always sort of scraped by. I had the payment for my truck, for a while. It was beautiful, but the payment got to be too much, and I had to take it back. I ended up with this white station wagon I bought real cheap from a family friend, and I felt almost embarrassed about it.

Empathic: Please choose a response from the options listed below.
- **Empathic**: It seems like it's been pretty tough for you to have to go through that. How have you made money when you haven't been able to work?
- **Neutral**: When you have been unemployed, how have you supported yourself financially? How have you made money when you haven't been able to find work?

Evaluee: You mean like selling drugs and shit? Probably shouldn't tell you if I've ever done that. But yeah, I've sold some dope on the streets before. Just like for a friend or something. I'm no high level drug dealer or anything. I never sold nothing hard, no coke or crack or crystal. Just marijuana. People like to get high, you know? And that's kind of how friends would help me out, by letting me in on their business. I guess I used to steal stuff too and then take it to pawn shops or sell it to other people. Made a little money that way. I also used to get money from my mom. She cares about me, and tries to help me out so I just ask her for money and she gives it to me most of the time. When I lived with her, I didn't have to pay for anything either. She just bought all the food and stuff and I didn't have to pay rent.

Neutral: Please choose a response from the options listed below.
- Now let's switch topics. Tell me about your romantic relationships.
- Let's change topics now. Tell me about your past relationships.

Evaluee: I don't know, I've had a few. I had one where I lived with my girlfriend. It was real good. That was probably the most serious one, with Annette. I was with her for like an entire year or so. I probably loved her. I had a lot of girlfriends on and off growing up

but nothing too serious. I thought Annette cheated on me because she would talk to these guys. She was hot, and these guys would always hit on her, and I thought she should just tell them to go to hell. But she wouldn't exactly. I don't really know if she cheated. I actually don't have any proof I guess. But either way, it felt like, like you're not supposed to do that you know. It's disrespectful to me. So I cheated on her too, some, every once in a while. Not with another relationship though. Just a lot of one night stands.

Empathic: Please choose a response from the options listed below.
- **Empathic:** It's understandable to feel upset when you feel disrespected like that. Tell me some about your non-romantic relationships with other people.
- **Neutral:** I think that covers romantic relationships. Now tell me a little about your non-romantic friendships with other people in your life.

Evaluee: Oh man, I've got a ton of friends. I have a crew, bunch of the guys I hung out with back in school. We stayed friends after getting busted by the cops a bunch and stuff. They've been there for me through it all. They helped me out when I didn't have a job. They're mostly good guys. They do some stuff, kind of like me. Maybe sell some drugs or something like that but they're not bad people. I've also met some friends when I've been in jail. They're good people too. Victims of the criminal justice system, just like me, in a lot of ways. I don't know that I have like one best friend or anything like that, that sounds kind of girly, but I got a lot of people I can turn to when I need help. They were pretty cool when I was all depressed and stuff too. Guess I got a few enemies too. Some guys in jail are pretty bad. I'd mostly just stay away from them, not try to get into any sort of trouble you know. But I got into it with a few, especially if they disrespected me, like interrupted me or pushed me around. And any of the men that used to hit on Annette. One guy was really into her and he pissed me the hell off all the time. I'd think of him as an enemy.

Empathic: Please choose a response from the options listed below.
- **Empathic:** It's difficult to get along with people when you feel disrespected. Tell me about your drug and alcohol use.
- **Neutral:** Now let's talk about your substance use. Tell me about your experiences with drugs and alcohol.

Evaluee: I maybe tried a drink early, like ten or twelve. I don't know when I really started drinking regular. I'd really just drink on the weekends, like a six pack maybe. I don't know if it counts as a drug, but I started sniffing paint when I was pretty young. It was cheap and easy to get. Most of the kids around me had been doing it, and showed me what worked. Then, I'm just finding stuff everywhere that I can sniff. I smoked weed sometimes, but not nearly as much cause it was harder to get. If I wanted weed I'd have to get more cash. Maybe once every couple of months I'd smoke a joint or some hash.

I've always been careful though, with the law and drugs I mean. I tried to avoid going to jail for shit like that.

Neutral: Please choose a response from the options listed below.
- Have you ever seen a counselor or a psychologist or psychiatrist?
- Have you ever received any treatment for mental health problems?

Evaluee: Yeah, I saw some folks for awhile. I was just real fucking depressed. So they put me on Prozac and something else, like nor something. At the time and I was on meds for a couple years, which I think helped with my depression. I've probably been depressed a lot. Thought about suicide maybe, but never really did anything to pursue it. As a kid, I probably did a little more. I would get real depressed and angry, and then I would think about doing it. It first happened after my father died. I don't exactly remember a plan from when I was real little. I just sort of thought about it and imagined how my Mom would react after she found out. I didn't really make a plan until I was older, when I was feeling like more of a mess. I guess I was around like 27 then. I'd sort of walked up this hill, and saw a motel that had a kind of high roof. Then I stood at the top of this motel, waiting to jump, but couldn't make myself. I couldn't do it. It all sort of passed, and then I was just angry. I'm fine now, the meds have helped. I never think about hurting myself anymore and I sort of just don't think about that stuff any more.

Empathic: Please choose a response from the options listed below.
- **Empathic:** Wow, that must've been really scary for you. How long have you been prescribed medication?
- **Neutral:** Have you continually been prescribed medication? If so, have you ever stopped taking it?

Evaluee: I guess I've been prescribed those meds for about 5 years. I went to the hospital after thinking about jumping. Freaked me out to feel that way, you know? I was only there for a few days but they gave me the meds there. It's something to stop the depression. I've always taken it, though. I never stopped. It makes me feel better and like maybe I'm less of a mess. I know I need it to help me not feel bad. I do what the doctors tell me, they're alright. They probably know what I should do. And now that I've been on it for awhile I feel a lot better.

Empathic: Please choose a response from the options listed below.
- **Empathic:** I'm glad to hear you're feeling better. So what happens when you get angry?
- **Neutral:** Tell me about your emotions. What do you do when you get angry?

Evaluee: I guess I get angry still. Just not as easily as I used to. As a kid, I probably did. Now I try to just hold it, and relax, and let it go. Maybe I'd try to think of some other way to get what I want, or to make my point. Sometimes I try to get revenge…like once a guy had sort of done me wrong and I didn't get physical with him at all, didn't even yell. But, when it came a time maybe he was doing something that would get him in trouble with

the cops, I didn't cover for him. The cops showed up when we were at a friend's house and I was with him and I sort of told them to search his car. Then they found some shit, you know. Look, I really only get pissed off when someone disrespects me. That's not okay, I won't stand for that. I put people in their place.

> **Empathic:** Please choose a response from the options listed below.
> - **Empathic:** I imagine it can be tough when you feel like someone's done you wrong. Have you ever physically hurt someone else?
> - **Neutral:** How have you reacted when other people anger or upset you? Have you ever been violent towards another person?

Evaluee: I mean, no, not really. I don't think so. I've been in fights before but I don't really like it. I've never seriously hurt anybody else, if that's what you're asking. I guess that one guy had to go to the hospital but I really don't think he was hurt that bad. But I mean I can get a pretty solid hit in. I think I split some guy's lip once when he was hitting on Annette at a bar. But he just walked away from me after that. I mean when I'm angry it's for a reason. I don't just get angry for nothing. If someone disrespects me, they're going to know about it. I'm not going to stand for that. Like with Annette. I'd get physical with Annette some. She'd piss me off, you know? Like when she would be talking to a bunch of different guys. We had one big fight. There'd been some guy trying to talk to her. We were really getting into it, and she was screaming and throwing things. I never actually hit her at all, she hit me. But I just shoved her off me and she hit a wall. I mean she was fine though. But anyway, I'm sure the neighbors called police, and the police showed up and they've got to write up someone, you know. The officer even told me he understood it was her making the noise, but he had to write up someone.

> **Neutral:** Please choose a response from the options listed below.
> - Have you ever felt bad about any of these fights or instances of physical violence? How do you think your violence affected other people?
> - Have you ever felt guilty about being violent? Do you think your violence has affected any of the people in your life?

Evaluee: I guess I feel bad a little for fighting with Annette. She's a good person, she probably didn't deserve that. I feel like most of them knew it was coming. You can't disrespect me like that and expect to get away with it. And like I said, I don't think I've ever like seriously hurt anyone. Just hit people. I guess one time I pulled a knife on a guy who was hitting on Annette. Think I slashed him. But the bartender broke the fight up and we both went our separate ways so I'm pretty sure it was fine. I don't really regret most of my fights. Just with Annette. She's a good person, she might have deserved it, but she's still a good person. But the other people? Yeah, they should have known it was coming. Maybe I feel a little bad about some of my crimes. I think I also regret being the victim of the criminal justice system. But I guess if I acted differently, it probably would be better.

> **Neutral:** Please choose a response from the options listed below.

- How is your self-esteem?
- What do you think about yourself?

Evaluee: I feel alright. I know I made plenty of mistakes. I'm definitely not perfect. Obviously some people feel better and some people feel worse about themselves. I've been working on some stuff so I feel a lot better about myself than I did when I was younger. I think I'm pretty smart, like overall. I know I don't have book smarts. I'm not a rocket scientist. But, I've got street smarts, like real world intelligence you know. So, I'm smarter than a lot of guys.

Neutral: Please choose a response from the options listed below.
- What types of things do you do to get what you want?
- What do you do when you want something from someone else?

Evaluee: I lie some. I mean whenever I would get picked up for something, the police would always think I was lying. But I was usually. I guess like everybody I lie if it will help me out. Like if the police ask you did you steal that cash in your pocket, then you're stupid if you just say yes. The police always say it's better to tell the truth but that's not true. It's always better to say you didn't do it. Legally, they have to prove anything, you know, so why make their job easier. I mean sometimes you can get people to do what you want if you lie.

Empathic: Please choose a response from the options listed below.
- **Empathic:** I see what you mean. Let's talk about your criminal history. Tell me about your previous convictions.
- **Neutral:** Tell me about your criminal history. What previous convictions have you received as a teen and an adult?

Evaluee: A ton as a kid. There would've been thefts and escape and all that. I got in trouble for shoplifting and burglary maybe 5 or 6 times when I was really young. Once after I ran away from home, I got picked up. I got in trouble for something else, it was either burglary or auto theft, I can't remember, and they sent me back to the detention center. That was one I escaped from. I got bored a lot as a kid, if there was nothing to do I would probably either get high with some friends or go steal something just for the hell of it. Just to occupy me, you know. Like when I was in one place as a juvenile, I broke out one night with another kid just cause. Just cause we could and because we were so bored of the place. I guess as an adult I got picked up for theft and burglary and stuff. Some forgeries are probably on there too. I don't know, there's a lot of stuff on there. And domestic violence. For when I fought with Annette. But like I said, she was pissing me off. She sort of deserved it.

Neutral: Please choose a response from the options listed below.
- What are your plans for the future?
- What would you like to be doing in a few years?

Evaluee: Get a job, I guess. I'll probably go back to Amarillo. There's always been some kind of work there, and I'm not picky. I can definitely find something. I just kind of want to stay normal and out of jail. That's really it.

    Empathic: Please choose a response from the options listed below.
- **Empathic:** Good, it sounds like you know what you want. Where would you live and how would you get your medications?
- **Neutral:** In the future, where would you want to live? What would you do to keep taking your medications?

Evaluee: I don't know. I think I'll probably live with my mom again. She'd let me and I wouldn't have to pay her anything, and I don't have any money or anything. I go to the like MHMR local mental health place for my meds. They're good about it. I know I need to go, and I know I need to take them so I don't get like sad or whatever so I think I'd be pretty on top of that. They help me feel better so I'd be sure to take them. I don't know what the future holds. I guess I don't think about it too much. Just trying to get through.

    Empathic: Please choose a response from the options listed below.
- **Empathic:** It sounds like you have a good plan for the future. I really appreciate you speaking with me today, thank you for your time!
- **Neutral:** Alright, I think I have everything I need. Thank you for talking to me today.

APPENDIX B

Risk and Parole Ratings

Based on the interview, what is your opinion of the evaluee's risk for recidivism if granted parole?

1. Low risk for recidivism
2. Low-moderate risk for recidivism
3. Moderate risk for recidivism
4. Moderate-high risk for recidivism
5. High risk for recidivism

Based on the interview, what is your opinion of the evaluee's risk for future violence if granted parole?

1. Low risk for future violence
2. Low-moderate risk for future violence
3. Moderate risk for future violence
4. Moderate-high risk for future violence
5. High risk for future violence

Please rate the likelihood of the evaluee recidivating while on parole on a scale from 0 to 100, with 0 being not likely at all and 100 being extremely likely.

0   10   20   30   40   50   60   70   80   90   100
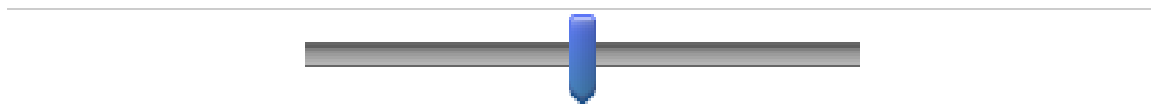
Please rate the likelihood of the evaluee engaging in future violence while on parole on a scale from 0 to 100, with 0 being not likely at all and 100 being extremely likely.

0   10   20   30   40   50   60   70   80   90   100
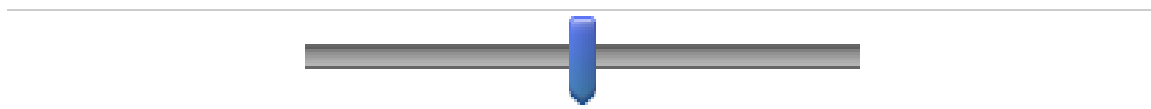
Please provide a recommendation to the parole board regarding the evaluee's appropriateness for parole.

1. Evaluee is appropriate for parole and requires supervision while living in an unstructured environment (i.e., evaluee living at home with family or living alone).
2. Evaluee is appropriate for parole but requires supervision in a semistructured environment (i.e., a halfway house, group home).
3. Evaluee is not appropriate for parole and should remain incarcerated.

Please rate the appropriateness of the evaluee for parole, on a scale from 0 to 100, with 0 being not appropriate at all and 100 being very appropriate.

0   10   20   30   40   50   60   70   80   90   100
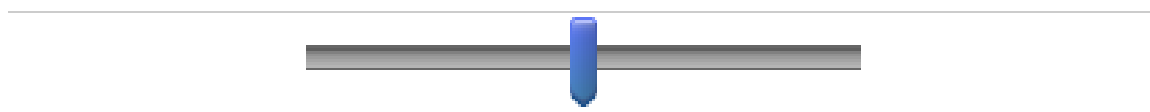
Please rate the amount of structure the evaluee needs in his environment to successfully complete parole. Use this scale from 0 to 100, with 0 being no structure at all (living freely in the community) and 100 being extremely structured (remaining in prison).

0   10   20   30   40   50   60   70   80   90   100
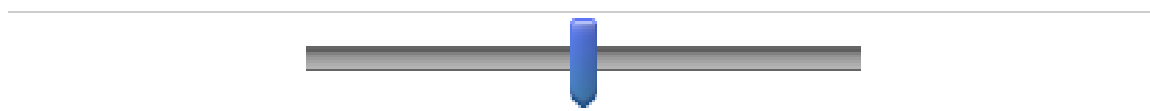
Please rate the amount of supervision the evaluee needs to successfully complete parole. Use this scale from 0 to 100, with 0 being no supervision at all and 100 being daily monitored supervision.

0   10   20   30   40   50   60   70   80   90   100
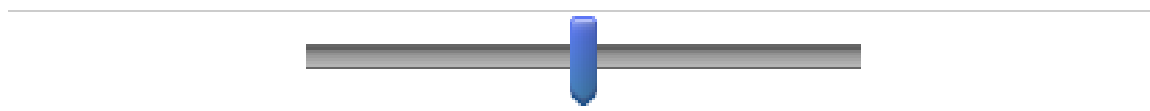
Please rate the likelihood of the evaluee successfully completing parole. This refers to the evaluee's ability to not violate the terms of his parole, which consist of biweekly supervision meetings with his parole officer, seeking legal employment, surrendering all weapons to the state, abstaining from substance use, not possessing a firearm, and

following all laws throughout the duration of his parole term (the approximate 5 years left in his sentence). Use this scale from 0 to 100, with 0 being not likely at all and 100 being extremely likely.

0 10 20 30 40 50 60 70 80 90 100
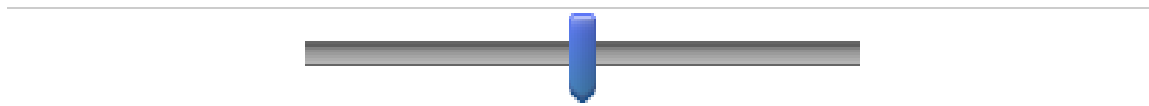
APPENDIX C

Perceptions of Evaluee

Please rate the evaluee's level of remorse.
1. Extremely callous
2. Mostly callous
3. Somewhat callous
4. Neither remorseful nor callous
5. Somewhat remorseful
6. Mostly remorseful
7. Extremely remorseful

Please rate the evaluee's honesty.
1. Extremely deceitful
2. Mostly deceitful
3. Somewhat deceitful
4. Neither honest nor deceitful
5. Somewhat honest
6. Mostly honest
7. Extremely honest

Please rate the evaluee's willingness to accept responsibility for his actions.
1. Extremely unwilling
2. Mostly unwilling
3. Somewhat unwilling
4. Neither willing nor unwilling
5. Somewhat willing
6. Mostly willing
7. Extremely willing

Please rate the evaluee's level of impulsivity (i.e., spontaneous, reckless behavior versus planned, controlled behavior).
1. Extremely controlled
2. Mostly controlled
3. Somewhat controlled
4. Neither impulsive nor controlled
5. Somewhat impulsive
6. Mostly impulsive
7. Extremely impulsive

APPENDIX D

Understanding of Evaluee

Based on the information obtained during the interview, please rate your understanding of the evaluee's *beliefs* using this scale from 0 to 100, with 0 representing an extremely poor understanding and 100 representing an extremely strong understanding.

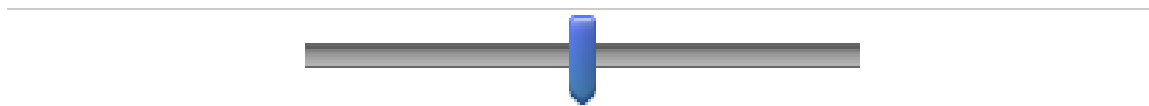0   10   20   30   40   50   60   70   80   90   100

Based on the information obtained during the interview, please rate your understanding of the evaluee's *feelings* using this scale from 0 to 100, with 0 representing an extremely poor understanding and 100 representing an extremely strong understanding.

0   10   20   30   40   50   60   70   80   90   100

Based on the information obtained during the interview, please rate your understanding of the evaluee's *thoughts* using this scale from 0 to 100, with 0 representing an extremely poor understanding and 100 representing an extremely strong understanding.

0   10   20   30   40   50   60   70   80   90   100

Based on the information obtained during the interview, please rate your understanding of the evaluee's *situation* using this scale from 0 to 100, with 0 representing an extremely poor understanding and 100 representing an extremely strong understanding.

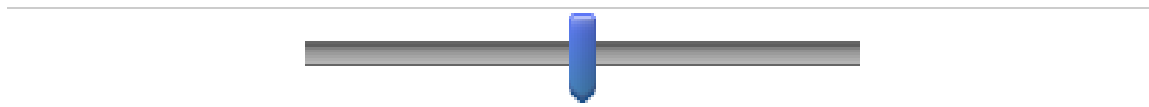0   10   20   30   40   50   60   70   80   90   100

APPENDIX E

Attitudes Toward Forensic Evaluator Empathy (ATFEE)

Reflective Empathic Techniques:

During a forensic assessment interview, how appropriate is it for an evaluator to:

1. Use nonverbal displays of understanding (e.g., head nodding, reciprocal facial expressions)
   1. Extremely inappropriate
   2. Somewhat inappropriate
   3. Neither inappropriate or appropriate
   4. Somewhat appropriate
   5. Extremely appropriate

2. Use verbal displays of understanding (e.g., "It sounds like that really made you angry" or "I see how much that upset you")
   1. Extremely inappropriate
   2. Somewhat inappropriate
   3. Neither inappropriate or appropriate
   4. Somewhat appropriate
   5. Extremely appropriate

3. Paraphrase what the evaluee is saying to show that he or she is following the conversation (e.g., "So you are saying that...")
   1. Extremely inappropriate
   2. Somewhat inappropriate
   3. Neither inappropriate or appropriate
   4. Somewhat appropriate
   5. Extremely appropriate

4. Restate what the evaluee has said to show that he or she understands what the evaluee is saying (e.g., "I hear you saying that moving around a lot as a child was difficult for you")
   1. Extremely inappropriate
   2. Somewhat inappropriate
   3. Neither inappropriate or appropriate
   4. Somewhat appropriate
   5. Extremely appropriate

5. Express encouragement (e.g., "It sounds like you know what you want in the future")
   1. Extremely inappropriate
   2. Somewhat inappropriate
   3. Neither inappropriate or appropriate

      4. Somewhat appropriate
      5. Extremely appropriate

6. Validate an evaluee's emotions (e.g., "That's understandable to feel that way," or "I could see why you'd feel like that")
    1. Extremely inappropriate
    2. Somewhat inappropriate
    3. Neither inappropriate or appropriate
    4. Somewhat appropriate
    5. Extremely appropriate

Receptive Empathic Techniques:

During a forensic assessment interview, how appropriate is it for an evaluator to:

7. Use perspective-taking (e.g., the mental activity of putting yourself in someone else's shoes)
    1. Extremely inappropriate
    2. Somewhat inappropriate
    3. Neither inappropriate or appropriate
    4. Somewhat appropriate
    5. Extremely appropriate

8. Seek to understand the evaluee's beliefs
    1. Extremely inappropriate
    2. Somewhat inappropriate
    3. Neither inappropriate or appropriate
    4. Somewhat appropriate
    5. Extremely appropriate

9. Seek to understand the evaluee's feelings
    1. Extremely inappropriate
    2. Somewhat inappropriate
    3. Neither inappropriate or appropriate
    4. Somewhat appropriate
    5. Extremely appropriate

10. Seek to understand the evaluee's reasons for his or her actions
    1. Extremely inappropriate
    2. Somewhat inappropriate
    3. Neither inappropriate or appropriate
    4. Somewhat appropriate
    5. Extremely appropriate

APPENDIX F

Practice Questions

1. Did your training in forensic assessment cover the topic of empathy in forensic interviews?

2. If yes, were you trained to avoid using statements or nonverbal behaviors that might convey empathy in a forensic assessment interview?

3. Do you purposefully try to avoid using statements that might convey empathy when conducting forensic assessment interviews?

4. Do you purposefully try to avoid using nonverbal behaviors that might convey empathy when conducting forensic assessment interviews?

5. Do you purposefully try to use statements that might convey empathy when conducting forensic assessment interviews?

6. Do you purposefully try to use nonverbal behaviors that might convey empathy when conducting forensic assessment interviews?

7. Do you believe that using statements or nonverbal behaviors to convey empathy during a forensic assessment interview can lead evaluees to disclose information that is potentially harmful and could hurt his or her case?

8. Do you believe that using statements or nonverbal behaviors to convey empathy during a forensic assessment interview can lead evaluees to disclose information that they would have not otherwise disclosed?

9. Do you believe that it is unethical to use statements or nonverbal behaviors to convey empathy during a forensic assessment interview?

APPENDIX G

Forensic Assessment Experience

When it comes to conducting forensic evaluations, I consider myself to be _____

    A) Less experienced than most forensic evaluators

    B) As experienced as most forensic evaluators

    C) More experienced than most forensic evaluators

When it comes to conducting risk assessments, I consider myself to be _____

    A) Less experienced than most forensic evaluators

    B) As experienced as most forensic evaluators

    C) More experienced than most forensic evaluators

APPENDIX H

Demographic Questions

How would you describe your ethnic/ancestral/cultural background? (Please check at least one, but check all that apply)
- Black/African-American
- Latino/Hispanic
- Asian/Pacific Islander
- Native American/Alaskan Native
- White
- Bi-racial/Multi-racial

What is your biological sex?
- Male
- Female

What is your age?

What degree(s) do you hold?
- Ph.D.
- Psy.D.
- M.D.
- J.D.

What country do you practice in?
- United States of America
- Canada
- Other (please specify):

How many years have you been practicing clinical psychology?

How many years have you been conducting forensic evaluations?

How many years have you been conducting risk assessments?

APPENDIX I

Sam Houston
STATE UNIVERSITY
A Member of The Texas State University System

Date: Sep 14, 2018 9:46 AM CDT

TO: Kathryn Schrantz
Marcus Boccaccini, Gabrielle Trupp
FROM: SHSU IRB
PROJECT TITLE: Evaluator Empathy in Risk Assessment Interviews
PROTOCOL #: IRB-2018-34
SUBMISSION TYPE: Modification
ACTION: Exempt
DECISION DATE: September 14, 2018
EXEMPT REVIEW CATEGORY: Category 2. Research involving the use of educational tests (cognitive, diagnostic, aptitude, achievement), survey procedures, interview procedures or observation of public behavior, unless: (i) information obtained is recorded in such a manner that human subjects can be identified, directly or through identifiers linked to the subjects; and (ii) any disclosure of the human subjects' responses outside the research could reasonably place the subjects at risk of criminal or civil liability or be damaging to the subjects' financial standing, employability, or reputation.

Greetings,

Thank you for your submission of Initial Review materials for this project. The Sam Houston State University (SHSU) IRB has determined this project is EXEMPT FROM IRB REVIEW according to federal regulations.

We will retain a copy of this correspondence within our records.

* What should investigators do when considering changes to an exempt study that could make it nonexempt?

It is the PI's responsibility to consult with the IRB whenever questions arise about whether planned changes to an exempt study might make that study nonexempt human subjects research.

In this case, please make available sufficient information to the IRB so it can make a correct determination.

If you have any questions, please contact the IRB Office at 936-294-4875 or irb@shsu.edu. Please include your project title and protocol number in all correspondence with this committee.

Sincerely,

Donna Desforges
IRB Chair, PHSC

VITA

CURRICULUM VITAE

Kathryn N. Schrantz, M.A.

Department of Psychology and Philosophy, Sam Houston State University

Education

Present	**Doctor of Philosophy Candidate, Clinical Psychology with a Forensic Emphasis** Sam Houston State University – Huntsville, TX Dissertation: *Evaluator Empathy in Risk Assessment Interviews* (Proposed July 2018; Defended April 2020) Chair: Marcus T. Boccaccini, Ph.D.
May 2014	**Master of Arts, Forensic Psychology** University of Central Oklahoma – Edmond, OK Thesis: *Personality and Situational Correlates of False Confessions* Chair: Mickie Vanhoy, Ph.D.
May 2012	**Bachelor of Arts, Psychology** (Summa Cum Laude) University of Central Oklahoma – Edmond, OK Thesis: *I'll Confess to Belong: Personality Correlates of False Confessions* Chair: Mickie Vanhoy, Ph.D.
May 2012	**Bachelor of Science, Forensic Science** (Summa Cum Laude) University of Central Oklahoma – Edmond, OK

Clinical/Practica Experience

August 2019 - Present	*Doctoral Psychology Intern* **Federal Correctional Complex -** Butner, NC **Forensic Assessment and Treatment Track** *Setting:* Federal prison complex with multiple institution settings, including a federal medical center, two medium security institutions, and one low security institution *Population*: Ethnically diverse, incarcerated or civilly committed, adult, male offenders

Responsibilities:

- Correctional Psychology Rotation – Federal Correctional Institution-1
    - Provide individual therapy utilizing Cognitive Behavioral Therapy (CBT), Acceptance and Commitment Therapy (ACT), Dialectical Behavior Therapy (DBT) and Motivational Interviewing to inmates at a medium security institution
    - Conduct suicide risk assessments and complete suicide watch contacts of inmates placed on suicide watch
    - Facilitate Criminal Thinking, Acceptance and Commitment Therapy, and Cognitive Behavioral Therapy for Insomnia treatment groups
    - Conduct mental health screening assessments of inmates entering the institution
    - Develop and monitor graduated restricted housing release plans for inmates placed in the restricted housing unit
    - Serve as a member of a multidisciplinary treatment team to address treatment needs and concerns of inmates receiving psychological services
- Forensic Treatment Services Rotation – Federal Medical Center
    - Provide individual therapy utilizing Cognitive Behavioral Therapy for Psychosis (CBTp) to civilly committed, seriously mentally ill inmates housed at the Federal Medical Center on a residential forensic treatment unit
    - Facilitate a Special Topics group for low-functioning inmates
    - Facilitate a Healthy Relationships treatment group
    - Co-facilitate residential forensic treatment unit community meetings
    - Participate in the residential forensic therapeutic milieu
    - Serve as a member of a multidisciplinary treatment team to address treatment needs and concerns for seriously mentally ill inmates
    - Provide consultation regarding inmates' treatment of civilly committed inmates to forensic evaluators conducting annual risk review assessments
- Forensic Assessment and Treatment Rotation – Federal Medical Center
    - Conduct court-ordered pre-trial forensic evaluations (e.g., competence to stand trial, mental state at the time of the offense) for federal courts
        - Specialized instruments administered: Revised Competency Assessment Instrument (RCAI),

Evaluation of Competency to Stand Trial,
Revised (ECST-R), MacArthur Competence
Assessment Tool for Criminal Adjudication
(MacCAT-CA); Inventory of Legal Knowledge
(ILK)

- o Conduct court-ordered post-trial forensic evaluations
  (e.g., pre-sentencing, risk of dangerousness of inmates
  found NGRI, risk of dangerousness of defendants found
  incompetent to stand trial and non-restorable) for federal
  courts
    - ▪ <u>Specialized instruments administered</u>: HCR-
      20v3, Violence Risk Appraisal Guide (VRAG)
- o Conduct annual risk review evaluations of civilly
  committed inmates
- o Facilitate competency restoration treatment groups
- o Conduct mental health screening assessments of
  defendants entering the institution for forensic evaluation
  study purposes

Supervisors: Michelle Rissling, Ph.D., Laura Sheras, Psy.D., Brian
Gray, Ph.D., Robert Melin, Psy.D., Almamarina Robles, Psy.D.,
Ryan Koch, Psy.D., Kristina Lloyd, Psy.D., ABPP, Robert
Cochrane, Psy.D., ABPP

August 2018 – July 2019

Practicum Student Clinician
Montgomery County Juvenile Probation Department – Conroe,
TX
Setting: Juvenile justice intake and detention facility
Population: Ethnically diverse, male and female, community-based
or incarcerated justice-involved adolescents
Responsibilities:

- Conducted psychodiagnostic, integrated assessments to assist
  with treatment planning and diagnostic clarification
- Authored integrated reports of clinical findings and
  recommendations to assist the probation department and the
  court in placement and supervision decisions

Supervisors: Wendy Elliott, Ph.D., ABPP and Darryl Johnson,
Ph.D.

August 2017 – July 2018

Practicum Student Clinician
Federal Prison Camp – Bryan, TX
Setting: Minimum-security federal prison institution
Population: Ethnically diverse, incarcerated, adult, female offenders

Responsibilities:
- Conducted mental health screening assessments of inmates entering the institution
- Assisted in conducting suicide risk assessments of inmates placed on suicide watch
- Facilitated Dialectical Behavior Therapy (DBT) groups within a trauma treatment program
- Co-facilitated psychoeducational groups to inmates on topics of trauma and substance use and cognitive-behavioral groups focused on thought restructuring and criminal thinking
- Conducted individual therapy utilizing Cognitive Behavioral Therapy (CBT), Cognitive Processing Therapy (CPT), Acceptance and Commitment Therapy (ACT), and Motivational Interviewing
- Conducted psychodiagnostic assessments of inmates interested in participating in a trauma treatment program
- Attended residential drug abuse program therapeutic community meetings and telepsychiatry conferences between inmates, a psychiatrist, and a staff psychologist

Supervisors: Ashley Noble, Psy.D., Leanna Talbott, Psy.D., Deanna Berg, Psy.D., Melisa Arrieta, Psy.D.

January 2018

Student Forensic Evaluator
Jorge G. Varela, Private Contractor, Texas Department of Criminal Justice – Beaumont, TX
Setting: State correctional institution
Population: Hispanic male offender convicted of several sex offenses
Responsibilities:
- Participated in a behavioral abnormality and risk assessment of an inmate considered for civil commitment as a Sexually Violent Predator
  - Specialized instruments administered: Static-99R, Hare Psychopathy Checklist-Revised (PCL-R)
- Formulated case conceptualization and diagnoses and assisted with written report

Supervisor: Jorge G. Varela, Ph.D.

August 2016 –
July 2017

Psychology Practicum Intern
Austin State Hospital – Austin, TX
Setting: State psychiatric hospital
Population: Ethnically diverse, adult, male and female patients hospitalized for involuntary and voluntary commitment, competence

restoration, and not guilty by reason of insanity (NGRI); male adolescents hospitalized for fitness to proceed restoration
Responsibilities:
- Facilitated competence restoration group therapy
- Consulted with several unit multidisciplinary treatment teams to address treatment needs, concerns, and modifications for the care of patients with serious mental illness
- Conducted violence risk assessments at the request of treatment teams to determine general violence risk and to consider potential discharge for patients on NGRI commitments
    - Specialized instruments administered: Historical Clinical Risk Management-20, Second Edition and Third Edition (HCR-20)
- Conducted fitness to proceed evaluations of male adolescents on fitness to proceed restoration commitments
- Conducted therapy utilizing Cognitive Behavioral Therapy for Psychosis (CBTp), Cognitive Processing Therapy (CPT), Dialectical Behavior Therapy (DBT), and Motivational Interviewing
- Conducted assessments at the request of treatment teams to determine diagnoses, intellectual functioning, achievement, and memory functioning
Supervisor: Vivian Pan, Ph.D.

August 2015 – July 2019

Student Forensic Evaluator
Psychological Services Center, Sam Houston State University – Huntsville, TX
Setting: Community mental health center, county jails, juvenile detention centers
Population: Ethnically diverse, male and female, justice-involved adults and adolescents of several rural counties
Responsibilities:
- Conducted court-ordered pre-trial forensic evaluations (e.g., competence to stand trial, mental state at the time of the offense, fitness to proceed, responsibility for conduct) under the supervision of a licensed psychologist, primarily consisting of a comprehensive clinical interview and records review
- Administered psychological testing, such as response style and neuropsychological measures, when appropriate
    - Specialized instruments administered: Test of Memory Malingering (TOMM), Montreal Cognitive Assessment (MoCA), Miller Forensic Assessment of Symptoms Test (M-FAST), Repeatable Battery for the Assessment of Neuropsychological Status (RBANS), Inventory of Legal Knowledge (ILK)

- Co-authored reports for adult and juvenile forensic evaluations, formulated psycholegal opinions with the primary supervisor in accordance with state statutes, and provided treatment recommendations when appropriate

Supervisors: Mary Alice Conroy, Ph.D., ABPP, Wendy Elliott, Ph.D., ABPP, Darryl Johnson, Ph.D.

August 2015 –
July 2019

Student Clinician
Psychological Services Center, Sam Houston State University – Huntsville, TX
Setting: Community mental health center
Population: Ethnically diverse, low-income adolescents, adult college students, and adult community members with a variety of mental health concerns
Responsibilities:

- Conducted individual therapy with adolescents, adults, and elderly adults utilizing evidence-based interventions such as Cognitive-Behavioral Therapy (CBT), Dialectical Behavior Therapy (DBT), and Motivational Interviewing
- Collaborated with clients on treatment planning and closely monitored treatment goals and progress
- Conducted comprehensive psychological assessments, authored integrated reports, and provided clients with feedback about assessment results and made treatment recommendations and referrals

Supervisors: Darryl Johnson, Ph.D., Wendy Elliott, Ph.D., ABPP, Jaime Anderson, Ph.D., Chelsea Ratcliff, Ph.D., Jorge Varela, Ph.D., Mary Alice Conroy, Ph.D. ABPP, Melissa Magyar, Ph.D.

August 2015 –
May 2016

Assistant Student Evaluator
Montgomery County Juvenile Probation Department – Conroe, TX
Setting: Juvenile detention facility
Population: Ethnically diverse, incarcerated, male and female, justice-involved adolescents
Responsibilities:

- Conducted court-ordered psychodiagnostic, integrated assessments to assist with treatment planning and diagnostic clarification
- Authored integrated reports of clinical findings and recommendations to assist the court in placement and supervision decisions

Supervisor: Darryl Johnson, Ph.D.

Supervisory Experience

August 2017 –
May 2018

Clinical Teaching Assistant – Assessment of Intelligence and Achievement (PSYC 5395)
Sam Houston State University – Huntsville, TX
Supervisees: First year clinical psychology doctoral students and clinical and school psychology masters students
Responsibilities:
- Conducted administration and scoring checks for several intelligence and achievement tests with doctoral and masters-level student clinicians
- Provided written and in-person feedback on test administration, including mock administrations reviewed via video

Supervisor: Ramona Noland, Ph.D.

May 2016 –
May 2018

Peer Supervisor
Psychological Services Center, Sam Houston State University – Huntsville, TX
Supervisees: First and second year doctoral student clinicians
Responsibilities:
- Supervised doctoral student clinicians as they conducted psychotherapy and psychodiagnostic assessments with clients at a community mental health clinic
- Co-facilitated supervision sessions with a licensed psychologist
- Reviewed therapy and assessment videos, verified testing protocols, edited documentation, and provided written and verbal constructive feedback

Supervisors: Mary Alice Conroy, Ph.D., ABPP, Craig Henderson, Ph.D., David Nelson, Ph.D., ABPP

Teaching Experience

August 2014 –
May 2015

Graduate Teaching Assistant/Instructor of Record – Introduction to Psychology
Sam Houston State University – Huntsville, TX
Undergraduate Course (PSYC 1301)
Responsibilities:
- Designed course syllabus and lectured over course material
- Designed and graded course projects, quizzes, and exams

Department Chair: Christopher Wilson, Ph.D.

April 2014	***Invited Guest Lecturer – Psyence Friday Seminar Series*** **University of Central Oklahoma –** Edmond, OK Undergraduate and Graduate Weekly Seminar Series *Responsibilities*: • Lectured on forensic psychology topics, including education, careers, and experimental and clinical forensic psychology *Supervisor:* Mickie Vanhoy, Ph.D.
August 2012 – May 2013	***Invited Guest Lecturer – Experimental Design*** **University of Central Oklahoma –** Edmond, OK Graduate Course (PSY 5193) *Responsibilities*: • Lectured on topics of institutional review boards, their associated procedures, and experimental laboratory policies for an introductory masters-level class *Supervisor*: Mickie Vanhoy, Ph.D.
November 2012	***Invited Guest Lecturer – Psychological Statistics*** **University of Central Oklahoma –** Edmond, OK Undergraduate Course (PSY 2753) *Responsibilities:* • Lectured on topics of parametric statistics, including t-tests and standardization procedures *Supervisor:* Tephi Jeyaraj-Powell, Ph.D.

January 2012 – May 2012	***Teaching Assistant – Careers and Writing for Psychology***
	University of Central Oklahoma – Edmond, OK
	Undergraduate Course (PSY 1123)
	Responsibilities:
	  • Addressed student questions and met with undergraduate students to assist with writing assignments
	  • Graded and provided written feedback on written assignments
	Supervisor: Alicia Lyon Limke-McLean, Ph.D.

August 2011 – December 2011	***Teaching Assistant – Advanced Statistics: SPSS***
	University of Central Oklahoma – Edmond, OK
	Undergraduate Course (PSY 3713)
	Responsibilities:
	  • Assisted in lecturing on psychological statistics
	  • Graded SPSS assignments and exams and provided written feedback to upper-level undergraduate students
	Supervisor: Alicia Lyon Limke-McLean, Ph.D.

January 2010 – **May 2010**	*Teaching Assistant – Careers and Writing for Psychology* **University of Central Oklahoma –** Edmond, OK Undergraduate Course (PSY 1123) *Responsibilities*:

- Addressed student questions and met with undergraduate students to assist with writing assignments
- Graded and provided written feedback on written assignments

Supervisor: Amber Boggess, M.A.

Research

August 2017 – **Present**	*Evaluator Empathy in Risk Assessment Interviews* **(Dissertation, Principal Investigator)** **Sam Houston State University** – Huntsville, TX *Dissertation Chair*: Marcus T. Boccaccini, Ph.D.

- Designed partially grant-funded project exploring the degree to which forensic evaluators express empathy in the context of a parole risk assessment and exploring forensic evaluators' opinions towards empathy in forensic assessment
- Collected and analyzed data from practicing forensic evaluators nationwide

May 2015 – **July 2018**	*Graduate Research Assistant* **Sam Houston State University** – Huntsville, TX *Supervisor*: Marcus T. Boccaccini, Ph.D.

- Personality Assessment Inventory scores, behavioral abnormality opinions, and evaluator differences in Texas sexually violent predator cases *(May 2015 – June 2017)*
- Assisted coding and analyzing data from Texas Department of Criminal Justice
- Developed and aided with national conference presentations based on the data
- Assisted in the development of a manuscript

November **2015 – Present**	*Graduate Research Assistant* **Firearms and Forensic Mental Health Assessment** – Verona, NJ *Supervisor*: Gianni Pirelli, Ph.D.

- Assisted in gathering articles and conducting editorial work for the book: *The Behavioral Science of Firearms: Implications for Mental Health, Law, and Policy* (published October 2018)
- Aided in the writing and publication of a book chapter that provides an overview of mental health-related gun laws in the United States

August 2015 –
March 2017
Licensing Complaints in Forensic Psychology
Sam Houston State University – Huntsville, TX
Supervisors: Craig Henderson, Ph.D., Lisa Kan, Ph.D.

- Aided in the development of a coding system for licensing complaints in 22 states
- Assisted with coding data
- Assisted in developing national conference presentations and preparing manuscript for publication

August 2013 –
May 2014
Clinical Graduate Research Assistant
University of Central Oklahoma – Edmond, OK
Supervisor: Caleb Lack, Ph.D.

- *Intelligence and religiosity: Clearing the muddy waters* – Co-Principal Investigator (August 2013 – May 2014)
  - Assisted in project preparation and data collection
  - Aided in data analysis
  - Assisted in developing national and international conference presentations

January 2013 –
May 2014
Personality and Situational Correlates of False Confessions
(Masters Thesis, Principal Investigator)
University of Central Oklahoma – Edmond, OK
Thesis Chairs: Mickie Vanhoy, Ph.D., Alicia Lyon Limke-McLean, Ph.D.

- Created experimental study examining false confessions and social exclusion utilizing Cyberball software and a computer crash paradigm
- Wrote a grant proposal and received partial funding for the project
- Conducted data collection, analysis, and writing
- Presented thesis research at a national conference

August 2012 –
May 2014
Graduate Research Assistant
University of Central Oklahoma – Edmond, OK
Supervisor: Mickie Vanhoy, Ph.D.

- Managed the psychology department's experimental psychology laboratory, including running weekly lab meetings, overseeing graduate and undergraduate students' data collection, managing the department's eye tracking machine and software, and providing trainings on various methods of data collection and institutional review boards (August 2012 – May 2014)
- *False confessions, social exclusion, and personality correlates* – Principal Investigator (August 2012 – May 2013)

       ○ Developed experimental study of false confessions and social exclusion utilizing a mock online chatroom and computer crash paradigm
       ○ Wrote a grant proposal and received partial funding for the project
       ○ Conducted data collection and data analysis
       ○ Presented results at a national conference

- *Race, relationships, and eyewitness testimony predict juror decision-making* – Co-principal investigator (August 2012 – May 2013)
       ○ Assisted in project preparation, data collection, and data analysis

August 2012 – May 2014	*Graduate Research Assistant* **Southern Nazarene University –** Bethany, OK *Supervisor*: Alicia Lyon Limke-McLean • Collected data for part of master's thesis related to personality variables and false confessions • Presented results at a national conference
January 2011 – May 2012	*I'll Confess to Belong: Personality Correlates of False Confessions* **(Undergraduate Senior Thesis, Principal Investigator)** **University of Central Oklahoma –** Edmond, OK *Thesis Chair:* Mickie Vanhoy, Ph.D. • Developed quasi-experimental study examining personality variables and false confessions, using a computer crash paradigm • Conducted data collection and data analysis • Presented results at a national conference
August 2011 – May 2012	*Undergraduate Research Assistant* **University of Central Oklahoma –** Edmond, OK *Supervisor:* Mickie Vanhoy, Ph.D. • Served as assistant manager for the psychology department's experimental psychology laboratory • Assisted in data collection for graduate students' masters theses

Peer Review Publications

Published	Boccaccini, M. T., Harris, P. B., **Schrantz, K. N.,** & Varela, J. G. (2017). Personality Assessment Inventory scores as predictors of evaluation referrals, evaluator opinions, and commitment decisions

in sexually violent predator cases. *Journal of Personality Assessment*, *99*(5), 472-480.

Sickles, J., Huskey, A., **Schrantz, K**. **N.,** & Lack, C. W. (2015). The relationship between intelligence and religiosity: A critical review of the literature. *Journal of Scientific Psychology*.

In Preparation   **Schrantz, K. N.,** Nesmith, B. L., Limke-McLean, A., & Vanhoy, M. (Manuscript in preparation). I'll confess to be included: Social exclusion predicts likelihood of false confessions.

Harris, P. B., Bryson, C. N., **Schrantz, K. N.,** Kan, L., & Henderson, C. (Manuscript in preparation). Board complaints and forensic services: A full review of 21 states.

Book Chapters

Under   Pirelli, G., **Schrantz, K. N.,** Wechsler, H. (Invited, under revision).
Revision   The emerging role of psychology in shaping U.S. gun policy. *Advances in Psychology and Law*.

Conference Presentations

Schrantz, K. N., Trupp, G. T., Boccaccini, M. T., Murrie, D. C., & Hawes, S. (2020, August). *Evaluators' use of expressive empathy in a risk assessment interview.* Poster to be presented at the annual meeting of the American Psychological Association, Washington, D.C. (Dissertation)

Trupp, G. T., **Schrantz, K. N.**, Boccaccini, M. T., Murrie, D. C., & Hawes, S. (2020, March). *Evaluators' attitudes, use, and perceptions of empathy in a risk assessment interview.* Paper presented at the annual meeting of the American Psychology-Law Society, New Orleans, LA. (Dissertation)

Schrantz, K. N., Boccaccini, M. T., Murrie, D. C., & Trupp, G. T. (2019, March). *Forensic evaluators' opinions regarding the use of empathy in forensic assessment.* Paper presented at the annual meeting of the American Psychology-Law Society, Portland, OR. (Dissertation)

Harris, P. B., Bryson, C. N., **Schrantz, K. N.,** Kan, L., & Henderson, C. E. (2017, March). *Board complaints and forensic services: A full review of 21 states.* Paper presented at the annual meeting of the American Psychology-Law Society, Seattle, WA.

Harris, P. B., Boccaccini, M. T., & **Schrantz, K. N.** (2017, March). *Test-retest reliability in sexually violent predator evaluations*. Poster presented at the annual meeting of the American Psychology-Law Society, Seattle, WA.

Harris, P. B., Boccaccini, M. T., & **Schrantz, K. N.** (2017, March). *Personality Assessment Inventory profiles of civilly committed sexually violent predators.* Poster presented at the annual meeting of the American Psychology-Law Society, Seattle, WA.

Schrantz, K. N., Harris, P. B., & Boccaccini, M. T. (2016, August). *Personality Assessment Inventory profiles of sexual offenders undergoing SVP evaluations*. Poster presented at the annual meeting of the American Psychological Association, Denver, Colorado.

Harris, P. B., Boccaccini, M. T., & **Schrantz, K. N.** (2016, March). *Evaluator differences in behavioral abnormality conclusions and paraphilia diagnoses in sexually violent predator cases.* Poster presented at the annual meeting of the American Psychology-Law Society, Atlanta, GA.

Harris, P. B., Wechsler, H. J., Kan, L., Henderson, C. E., **Schrantz, K. N.,** & Bryson, C. N. (2016, March). *Board complaints and forensic services: An examination of 22 states.* Poster presented at the annual meeting of the American Psychology-Law Society, Atlanta, GA.[7]

Schrantz, K. N., Lack, C. W., Huskey, A., & Leonard, C. (2015, March). *Fundamentalism drives IQ differences between theists and non-theists*. Poster presented at the International Convention of Psychological Science, Amsterdam, Netherlands.

Leonard, C., Lack, C. W., **Schrantz, K. N.,** & Huskey, A., (2015, March). *Religious, cognitive, & personality predictors of intelligence.* Poster presented at the International Convention of Psychological Science, Amsterdam, Netherlands.

Lack, C., **Schrantz, K. N.,** & Huskey, A. (2014, May). *Fundamentalism predicts intelligence over general religiosity*. Poster presented at the annual meeting of the Association for Psychological Science, San Francisco, CA.

Schrantz, K. N., Limke, A., & Vanhoy, M. (2014, April). *False confessions.* Paper presented at the annual meeting of the Oklahoma Psychological Society, Edmond, OK.

Schrantz, K. N., Limke, A., & Vanhoy, M. (2014, March). *False confessions and social exclusion: The influence of vulnerability*. Poster presented at the annual meeting of the American Psychology-Law Society, New Orleans, LA. (Master's thesis)

Schrantz, K. N., Limke, A., & Vanhoy, M. (2014, February). *Clinging to authority or giving up hope? Attachment styles predict likelihood of false confessions.* Poster presented at the annual meeting of the Society for Personality and Social Psychology,

Austin, TX.

Schrantz, K. N., Vanhoy, M., & Russell, T. (2013, May). *Social inclusion predicts false confessions.* Poster presented at the annual meeting of the Association for Psychological Science, Washington, D.C.

Russell, T., Hancock, T., **Schrantz, K. N.,** Vanhoy, M., & Witt, K. (2013, May). *Race, relationships, and eyewitness testimony predict juror decision-making.* Poster presented at the annual meeting of the Association for Psychological Science, Washington, D.C.

Schrantz, K. N., Vanhoy, M., & Limke, A. (2013, January). *I'll confess to belong: Personality correlates of false confessions.* Poster presented at the annual meeting of the Society for Personality and Social Psychology, New Orleans, LA. (Undergraduate thesis)

Professional Service and Leadership

August 2019 – present
Intern Representative – Internship Training Committee
Federal Correctional Complex – Butner, NC
Responsibilities:
- Serve as a representative to Training Committee and address intern concerns, feedback, and needs

October 2019
Student Reviewer
American Psychology Law-Society (AP-LS)
Responsibilities:
- Provided peer review of submissions to the APLS 2020 Conference

September 2015
Student Clinician Volunteer – Psychological Services Center Community Outreach
Psychological Services Center, Sam Houston State University – Huntsville, TX
Responsibilities:
- Assisted in disseminating information about the Psychological Services Center
- Liaison with community agencies

August 2013 – May 2014
Student Committee Member – Committee on Student Conduct
University of Central Oklahoma – Edmond, OK
Responsibilities:
- Served on the committee of student conduct as a student member

- Heard student conduct cases and assisted in rendering a decision regarding potential sanctions
- Read filed complaints and discussed with other student and faculty committee members

Awards and Scholarships

May 2018	Academic Affairs Scholarship ($1,000) Sam Houston State University
April 2014	Outstanding Graduate Student Award College of Education and Professional Studies, University of Central Oklahoma
April 2014	Gertrude Fay Catlett Outstanding Graduate Student in Psychology Award Department of Psychology, University of Central Oklahoma
April 2014	First Place, Graduate Paper Presentation ($100) Oklahoma Psychological Society
April 2012	Outstanding Undergraduate Student Award Nominee College of Education and Professional Studies, University of Central Oklahoma
August 2008 – **May 2012**	Baccalaureate Scholarship ($36,000) University of Central Oklahoma

Grants

August 2012 – **May 2014**	Research, Creative, and Scholarly Activities (RCSA) Grant ($7,200) University of Central Oklahoma
August 2012 – **May 2014**	Research, Creative, and Scholarly Activities (RCSA) Grant Tuition Waiver ($2,880) University of Central Oklahoma
May 2013	Research, Creative, and Scholarly Activities (RCSA) Travel Presentation Grant ($500) University of Central Oklahoma
May 2012	Research, Creative, and Scholarly Activities (RCSA) Travel Presentation Grant ($500) University of Central Oklahoma

Professional Development and Training

**September
2019 – Present** *Psychology Seminar Series*
Federal Correctional Complex – Butner
Facilitated by Robert Cochrane, Psy.D., ABPP

**September
2019 – Present** *Forensic Seminar Series*
Federal Correctional Complex – Butner
Facilitated by Robert Cochrane, Psy.D., ABPP

**September
2019 – Present** *Landmark Case Seminar Series*
Federal Correctional Complex – Butner
Robert Cochrane, Psy.D., ABPP and Gillepsie Wadsworth, Psy.D.

April 2018 *Controversies in Forensic Mental Health Assessment; Critical
Thinking in Forensic Psychological Evaluation*
Sam Houston State University
Terry Kukor, Ph.D., ABPP

**October 2017 –
March 2018** *Bureau of Prisons National Practicum Didactic Series*
Federal Prison Camp – Bryan

February 2017 *Mental Disorder and Violence* (webinar)
Sam Houston State University
Kevin Douglas, Ph.D., L.L.B.

July 2016 *Prevention and Management of Aggressive Behavior Training*
Austin State Hospital

July 2016 *Criminal Responsibility and Forensic Report Writing Mini-
Workshop*
Sam Houston State University
Brittany P. Bate, Ph.D., & Kelsey L. Laxton, Ph.D.

April 2016 *Mock Expert Witness Testimony*
Sam Houston State University
Facilitated by Mary Alice Conroy, Ph.D., ABPP

April 2016 *Advancing Recidivism Reduction Efforts: The Risk-Need-
Responsivity Simulation Tool*
Sam Houston State University
Faye Taxman, Ph.D.

March 2016	*The Role of Forensic Psychologists in Child Custody Issues* Sam Houston State University John Zervopoulos, J.D., Ph.D., ABPP
February 2016	*At the Epicenter of the Death Penalty* Texas Coalition to Abolish the Death Penalty (TCADP) Annual Conference Senator Colby Coash and Stephen Klineberg, Ph.D.
April 2015	*Callous-Unemotional Traits and Conduct Disorder: Implications for Understanding, Diagnosing, and Treating Antisocial Youth* Sam Houston State University Paul J. Frick, Ph.D.
August 2015 – **May 2016**	*Monthly Seminars on Clinical Supervision* Sam Houston State University Mary Alice Conroy, Ph.D., ABPP & Jorge G. Varela, Ph.D.
November **2014**	*The Innocence Project of Texas* Sam Houston State University Nick Vilbas, J.D.

Professional Association Membership

2013 – present	American Psychological Association
2012 – present	American Psychology-Law Society