

## PSYCHOLOGICAL REPORT

**Name:** Mr. John Doe.

**Date of Birth:** March 26, 1938.

**Date of Report:** June 14, 2005.

**Reason for Referral:** Mr. Doe was referred for an evaluation by Mr. Mark Montgomery, his attorney.

**Instant Offense:** Mr. Joshua Jones, son of Mr. Doe's wife, testified that Mr. Doe performed oral sex on his penis and engaged in anal intercourse with him largely while Mr. Doe's wife was sleeping in the same bed that the 230 pound Mr. Doe and Joshua were in during the alleged sexual abuse. It is my opinion that there are a number of reasons to exercise significant caution about accepting the accuracy of these allegations.

### **Sources of Information:**

Mr. Does was interviewed at the Alexander Correctional Institution, Taylorsville, NC where he is confined on January 25, 2005.

Bumby Cognitive Distortions Scales: The Molest Scale (Bumby, K., 1996).

Minnesota Multiphasic Personality Inventory-2: Adult Clinical System (MMPI-2, Hathaway, S. R., McKinley, J. & Charnley, J., 1989), which was scored with the National Computer Systems program (Butcher, 1993). The MMPI-2 is the most widely used and accepted psychological test in the United States and is widely accepted into evidence in state and federal court.

Millon Clinical Multiaxial Inventory-III (MCMI-III, Millon, T. et al. 1997). The MCMI-III is also commonly accepted into evidence and was scored with the National Computer Systems program. ATSA (Association for the Treatment of Sex Abusers, 2001) states that the Millon is commonly used in the assessment of sex abusers. It is used to offer hypotheses about personality, affective, and other psychological disorders.

Multiphasic Sex Inventory II (MSI II) - Adult Male Form (Nichols, H. & Molinder, I, 1999 and 2002).The authors state, "The Multiphasic Sex Inventory II is a theory based, nationally standardized self-report questionnaire designed to assess the wide range of psychosexual characteristics of the sexual offender. It may be classified as a special category of personality testing. It is a battery of forty scales and indices with the addition of a compact social history; all of which have been specifically developed for use by clinicians who evaluate and treat sexual offenders. It may also be used by clinicians who assess persons who are alleged to have committed a sexual offense but who also are non-admitters."

Psychosexual Life History - Adult Male Form (PLH), Nichols & Molinder Assessments, 1999.

A polygraphic examination was administered by Mr. Stephen Coates, Morganton, NC.

Transcripts of the testimony of Mr. Doe, Mr. Josh Jones, the alleged victim, and Ms. Debra Doe, mother of the alleged victim and wife of Mr. Doe were reviewed.

It is important to note that there is no information obtainable through psychological testing or clinical interview that can determine that an individual has sexually abused someone when he is denying that he has. Additionally, there is no cluster of psychological characteristics that can differentiate individual sexual abusers from non-abusers, however there are a number of characteristics of sexual offenders that are usually present on psychological testing and interview. Additionally, there are widely accepted actuarial assessment methods that are accepted as providing an acceptably accurate estimate of an individual's likelihood of re-offending.

**Mental Status Examination:** Mr. Doe was oriented as to time, place, person and purpose of the interview. His memory for recent and remote events appeared within normal limits. He showed no evidence of hallucinations, delusions, paranoia or other major mental illness. Speech was normal in content and rate and emotions were calm and remained so even when discussing the allegations which he maintains were untrue and which resulted in his long prison sentence. He did not appear to put effort into disproving the allegations against him and appeared to make no significant attempt to portray Joshua, his accuser as a bad or unreliable witness other than referring to issues which could be verified.

**History:** Mr. Doe grew up with both of his parents in the home. He stated that he was never sexually abused and did not engage in problematic behavior in school. He reported that he completed the 11<sup>th</sup> grade of school before quitting during the following year. He reported later that he completed his G.E.D. Mr. Doe served in the Army for two years and received an honorable discharge. He reported having had no disciplinary charges against him. He first moved out of his parents' home when he was 23 years old and was married in 1963 for the first time. He and Linda were parents to three sons. The oldest receives disability income for a back disorder, the second has a college degree and works in a museum, and the third is a librarian at a state university. Mr. Doe reported that his first wife came to his trial and that she and his sons continue to be supportive of him. Mr. Doe married Debra in 1990 and Debra is the mother of Katie and Joshua, who accused him of having sexually abused him. Mr. Doe reported having worked for 42 years for the same employer. He stated that he and Debra were separated for three or four months and he attributes that separation to his view that Debra was allowing Joshua to mistreat her and to conflict between them in that regard.

While not all sexual offenders have themes or issues in their history that are seen to contribute to their sexual offending, it is my opinion and experience that most have issues that come to be understood as contributing to their having sexually offended. As far as I could determine, no such issues have been discovered in Mr. Doe's history.

**Criminal Record:** It was reported to me that Mr. Doe was without criminal charges other than the current charges of sexually offending against his step-son and one or two driving while under the influence of alcohol charges.

**Psychological Testing:** Mr. Doe's responses to the MCMI-III appear to reflect a somewhat low level of disclosiveness, but do result in a profile that appears reliable and interpretively useful. None of his scores approached a level that would indicate psychopathology in his personality makeup or other more severe mental illness. The MCMI-III rather strongly indicates he is free of psychopathology.

Mr. Doe's responses to the MMPI-2 indicate that he approached the testing in a minor that resulted in reliable and valid results. He appears to have been disclosive regarding minor faults and was somewhat defensive, as is often expected in similar situations. His profile reflects an

absence of serious psychopathology regarding problems in thinking and affective (depressive) problems. His psychological insight is somewhat lacking and he may be prone to physical ailments in response to psychological difficulties. He appears naive and has an exaggerated belief that others can be trusted and that they will act as if his best interests are important to them. Additionally, there were elevations on scales reflecting fearfulness seen in part with those who have phobias.

Mr. Doe's responses to the MSI II produced a highly reliable profile that may reflect a slight tendency to present himself in a more favorable light, which is very common under the circumstances of this assessment. He denies having committed a sexual offense. He denies all forms of deviant arousal and sexual problems. His scores reflect no sexual inadequacies, no significant emotional neediness, and no cognitive distortions indicative of immaturity. It appears that there is no antisocial behavior or family violence in his background. He endorsed no items reflecting the kinds of denial and justifications commonly seen in individuals who have committed sexual offenses. He appears to possess sufficient sexual knowledge and exhibits no disturbance of gender identity or sexual orientation. As mentioned previously in this report, it is not appropriate to conclude that someone who denies having committed a sexual offense is either guilty or innocent based on psychological testing. However, it is appropriate to say that Mr. Doe's psychological testing is remarkably void of the indications of psychopathology and other forms of disturbance that are usually present in the testing results of someone who has committed a sexual offense.

**Cognitive Distortions:** Note: Cognitive distortions are thoughts and beliefs that make sexual offending more acceptable to the offender or shift the blame onto the victim, such as the belief that it does not harm children, that children actually enjoy or benefit from it, or that children are somehow responsible for it (Bumby, 1996 and Hartley, 1998). Significant cognitive distortions are often seen in sex offenders. On the MSI-II Mr. Doe endorsed none of the numerous cognitive distortions offered to him as forms of denial or justification for sexually offending and was relatively free of endorsing cognitive distortions on the Bumby. While this is not proof of Mr. Doe's innocence, it is unusual for sex offenders to be this absent of cognitive distortions.

**Grooming:** Grooming is the term given to the behaviors of an offender to encourage the potential or actual victim to go along with the offense. Without significant grooming many potential victims would refuse to go along with the sexual offender's attempts to offend. Joshua Jones describes no grooming behavior by Mr. Doe and describes having considerable anger at Mr. Doe because, he believes, his mother chose Mr. Doe over him.

**Diagnoses:** No diagnosis. This testing and interview was designed to determine among other things the presence or absence of a personality disorder. The presence or absence of a personality disorder is not proof of the truth or falseness of an accusation that the individual being evaluated committed a sexual offense. However, in my experience and opinion, personality disorders are very common among individuals who commit sexual offenses. There was no evidence on testing or in interview that Mr. Doe has a personality disorder, disorder of thinking or affective (mood) disorder. It is my expectation that the presence of a personality disorder would have been detected with this assessment if it was present.

### **Conclusions and Recommendations:**

Mr. Doe's history and evaluation offer little or no information about dynamics or characteristics that would be consistent with his having committed a sexual offense against Joshua, his step son. It is recommended that significant caution be exercised in accepting Joshua's assertions that Mr. Doe

sexual offended him. It appears that other explanations for such testimony may be more plausible.

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