

**American College of Forensic Psychiatry  
28th Annual Symposium  
April 15-18, 2010  
San Francisco • Stanford Court Hotel**

The American College of Forensic Psychiatry is accredited by the Accreditation Council for Continuing Medical Education to provide Continuing Medical Education for physicians. The American College of Forensic Psychiatry designates this educational activity for a maximum of 23 *AMA PRA Category 1 credits*<sup>TM</sup>. Physicians should only claim credit commensurate with the extent of their participation in the activity.

**PRELIMINARY PROGRAM**

**Wednesday, April 14**

4:30-6:00 Early Registration

**Thursday, April 15**

7:00-7:45 Registration and Continental Breakfast

7:45-8:00 Opening Remarks and Announcements

8:00-8:40

**An unusual case of attempted murder**

**David Glaser M.D.**

Attempted murder is a rare event. It is in a minority of such cases that an exculpable mental state defense can be considered. Although the mythology persists among the lay public that such defenses are frequently utilized and successful, real numbers indicate otherwise. This case involves an angry, incompetently treated depressed woman who, consuming her usual high daily intake of alcohol, her unmonitored significant use and misuse of multiple interacting psychoactive and neurologic medications, stalks her ex husband and enters his house with a key she never relinquished, and ultimately stabs him in front of his horrified girlfriend after kicking down the door of the bedroom. A judge metes out a sentence light on punishment and heavy on treatment recommendations as long as she remains housed out of state. This psychiatrist was in the unique position of performing the evaluation as well as the treatment. In the context of twice per week psychotherapy and medication management for over one year, after the courts' assessment of culpability was made, information was obtained that was at odds with the initial assessment. This case raises fascinating questions about duty, ethics, and the limitations of our craft.

David Glaser, M.D. practices clinical and forensic psychiatry in Los Angeles. He has performed many civil and criminal evaluations and has testified on numerous occasions.

8:40-9:20

**Homicide and civil liability**

**John C. DeSimone, J.D. and Eric W. Fine, M.D.**

The presenters will describe a civil case involving the impulsive inexplicable murder by an independent contractor hired by a construction company and subsequent litigation handled by Atty. John DeSimone against the company on behalf of the family of the deceased. The allegation was that the company was, or should have been, aware that the murderer was a chronic methamphetamine abuser and highly susceptible to violence. Dr. Eric Fine was retained as a plaintiff expert, testifying to the role of the drug in the homicide. Prior to the civil action, the murderer was convicted of murder in the first degree with extreme atrocity and sentenced to life in prison without the possibility of parole. Issues relevant to forensic psychiatrists and other participants will be

discussed with special emphasis given to the role of the expert witness testimony and the legal ramifications of a very complicated case.

John C. DeSimone, J.D. is an attorney in Boston, Massachusetts, specializing in the trial of civil cases in state and federal courts. Eric W. Fine, M.D. is an associate professor in the Department of Psychiatry and Human Development at Jefferson Medical College, Philadelphia and involved in the practice of general, addiction, and forensic psychiatry.

9:20-10:00

**PTSD: The Impact of Events Scale - Revised (IES-R) and its particular ability to powerfully convey the extent and nature of trauma-related symptoms**

**Richard S. Adler, M.D. and Chris Rebolz**

PTSD is commonly raised as an issue in civil and criminal cases. Initially, the IES-R was used by the lead presenter to augment examinees' self-report at interview. Two novel approaches to the IES-R were developed: (a) using multiple administrations addressing different points in time, and (b) analyzing examinee ratings in the context of previously-studied (i.e., comparison) groups in the literature. These approaches make the data more vivid, the symptoms palpable, and the argument more persuasive. Attendees will be taught how the IES-R compares to other measures of PTSD, and learn how to administer and interpret the IES-R, using a relative scale. Attendees will also become more effective in using graphs and tables to present the IES-R and other data in reports and PowerPoint presentations. Several high-profile cases will be presented to demonstrate how the IES-R proved helpful, including a nationally-publicized juvenile justice disposition matter and a death penalty waiver.

Richard S. Adler, M.D. is a forensic and clinical psychiatrist in Seattle, Washington and holds an appointment at the University of Washington School of Medicine. Chris Rebolz is a candidate for a Psy.D. degree at Antioch University, Seattle. She has over 20 years of experience in the computer industry.

10:00-10:15 Coffee Break

10:15-12:15

**Forensic skills workshop:  
the role of the psychiatrist in civil litigation**

**Albert M Drukteinis, M.D., J.D., James J. McDonald, Jr., J.D.,  
Anna Scherzer, M.D., Alexander Obolsky, M.D.**

This practical workshop will focus on advanced issues that confront psychiatrists in civil law cases, an interactive session involving moderator, panelists, and the audience. Vignettes submitted to the panel by practicing forensic psychiatrists will be read aloud and discussed. The vignettes describe problems and experiences that forensic psychiatrists often confront in their practices and in court. These will include procedural problems, such as ethical or practical issues in performing evaluations; dealing with courts, attorneys, or opposing experts; as well as substantive problems, such as dilemmas that come up in difficult cases, reliability of psychiatric opinion, and testimony. Attendees should be able to understand their colleagues' approach to issues that routinely confront forensic psychiatrists, and to share in practical methods for dealing with such procedural and substantive challenges.

Moderator: Albert M Drukteinis, M.D., J.D. is an adjunct associate professor of psychiatry at Dartmouth Medical School, and Director of New England Psychodiagnostics, specializing in personal injury and employment stress claims. Panelists: James J. McDonald, Jr., J.D. is a managing partner of the Irvine, California office of Fisher & Phillips; Anna Scherzer, M.D. is in private practice in Scottsdale, Arizona; Alexander E. Obolsky, M.D. is in private practice in Chicago, Illinois.

12:15-1:30 Lunch Break (on your own)

1:30-2:15

### **How to become a forensic psychiatrist**

**Carla Rodgers, M.D.**

The purpose is to review the areas in psychiatry which lend themselves to expert witness work. There will be a review of types of forensic evaluations, such as fitness for duty and competency to stand trial. The issue of forensic credentialing will be discussed. Finally, practical considerations of setting up a forensic practice will be reviewed. This presentation should be of interest especially to early career psychiatrists, or to psychiatrists interested in changing careers. Residents and fellows may find it helpful as well. Following the presentation, attendees should be able to: 1) describe the subspecialty cases in psychiatry which lend themselves to forensic work; 2) explain how to set up a private forensic practice, and how to let others know you are interested in obtaining cases; 3) describe the various credentials which are available to the aspiring forensic psychiatrist, and how to obtain them.

Carla Rodgers, M.D. is a clinical assistant professor at the University of Pennsylvania School of Medicine. She is in private practice of general and forensic psychiatry in the greater Philadelphia area.

2:15-3:00

### **How to deal with difficult hiring attorneys**

**Keyhill Sheorn, M.D.**

The new expert learns along the way to expect and cope with the opposing attorney's tricks and maneuvers. What is not so visible, however, is the delicate road we must walk with the very attorneys who hire us. Early in a forensic career, one might not realize that the lawyers we are working for can be unprepared, inadequate, or resistant to the psychiatric perspective they have requested. This talk outlines one psychiatrist's experience with difficult retaining attorneys and is meant to help the new expert anticipate these issues. At the end of the talk, the attendees can be expected to understand the concept that even the hiring attorney may present some challenges to the new expert, that there are several coping mechanisms to employ to help manage these problems, and that as psychiatrists we have a dual and parallel obligation to ease these matters rather than to be offended by them.

Keyhill Sheorn, M.D. is in private practice in Richmond, Virginia. She specializes in the long-term treatment of posttraumatic stress disorder, and is also an associate clinical professor at Virginia Commonwealth University, School of Medicine, where she teaches diagnostic interviewing. For twenty years she has served as an expert witness.

3:00-3:40

### **The forensic morphing of Posttraumatic Stress Disorder for financial purposes, a DSM-IV condition**

**George Glass, M.D.**

The concept of posttraumatic stress disorder has been well studied and legitimized from the experience of soldiers returning from the Vietnam War. There has been significantly more publicity of this syndrome due to combat veterans returning from Iraq and Afghanistan. The DSM-IV has clearly delineated the syndrome. Over the past few years, however, there has been an increase in lawsuits in which the actual definition of PTSD has been stretched to improve the possibility of a larger settlement. This presentation reviews the history of PTSD, and then looks at several cases where the diagnosis was used, but clearly did not seem to fit the criteria that were originally intended in the DSM-IV criteria.

George S. Glass, M.D., a board certified psychiatrist and addictionologist, is a clinical associate professor of psychiatry at the Baylor Medical School, the University of Texas Medical School in Houston, and the Cornell Weill Medical School.

3:40-4:20

### **Race, ethnicity and forensic issues**

**Solange Margery Bertoglia, M.D.**

Forensic psychiatry is not free of racial or ethnic bias. The presenter will review literature about the influence of race and ethnicity in forensic psychiatry, and will discuss how an evaluator's bias toward an ethnic group can threaten the evaluator's objectivity. Race and ethnicity also affect the way the defendant or client interacts with the evaluator. The presenter will address how race and ethnicity can affect the different interactions in court, and will conclude with recommendations as to how to minimize the bias that race and ethnic differences can create. Attendees will be able to describe how race and ethnicity can affect a forensic evaluator's objectivity. Attendees will understand how their own race and ethnicity can affect the way people (a defendant, jury, or lawyer) will interact with them.

Solange Margery Bertoglia, M.D. is Assistant Director for the Residency Training Program, Department of Psychiatry and Human Behavior at Thomas Jefferson University in Philadelphia.

4:20-5:00

### **Child sexual abuse (CSA): forensic considerations**

**Sander J. Breiner, M.D.**

Sexual activity with a child has a variety of expressions and significance that have been all lumped together as child sexual abuse (CSA), regardless of the child's age and the effect on the child. Topics covered are: psychosexual development, incest, coercion, seduction, pedophilia, sexualized performance and child custody, as well as clinical cases. There are rigid legal structures unique to CSA that have put hampers on the judicial system, and limited the freedom of forensic psychiatry to aid all the parties concerned. The understanding of psychosexual development and the connection to the sexual activity to which the child was exposed is described, and its importance in evaluating the abuse. How forensic psychiatrists can utilize their understanding of each complex abuse situation and communicate it within the legal framework of forensic testimony is the important thrust of this presentation.

Sander J. Breiner, M.D. is Professor of Psychiatry, Michigan State University, Associate Professor of Psychiatry, Wayne State University, and Lecturer, Wayne State University Law School. He has testified in federal, state, county, and city courts in civil and criminal cases.

5:30-7:00 Welcome Reception

## **Friday, April 16**

7:15-8:00 Registration and Continental Breakfast

8:00-9:00

### **What makes a forensic psychiatric expert witness?**

**Timothy Michals, M.D., Honorable Benjamin Lerner, Steven Samuel, Ph.D.**

What is an expert? To Will Rogers, it was "a man fifty miles from home with a briefcase." In the forensic setting, it is defined by the Federal Rules of Evidence as someone with "knowledge, skill, experience, training, or education." This presentation begins by discussing the history of the term "expert" and goes on to discuss the roles and qualifications of forensic psychiatrists in the courtroom. Following the presentation, Judge Lerner will lead a discussion on expertise as perceived from the bench, with advice for physicians who present themselves as experts. The objectives of the presentation are to become familiar with the history of the term "expert"; to learn about the merits and procedures for board certification in forensic psychiatry; and to

hear an experienced judge's perspective on psychiatric expert witness testimony.

Timothy J. Michals, M.D. is Clinical Assistant Professor of Psychiatry and Director of the Division of Forensic Psychiatry at Jefferson Medical College in Philadelphia. Steven Samuel, Ph.D. is a clinical and forensic psychologist and psychoanalyst in Philadelphia. Honorable Benjamin Lerner has been a Judge in the Court of Common Pleas, First Judicial District, Philadelphia County for approximately 13 years. Judge Lerner has overseen primarily criminal cases and has tried virtually every type of felony case, both jury and non-jury.

9:00-11:00

**Interactive forensic skills workshop:  
the role of the psychiatrist in criminal litigation**

**Steven Pinkert, M.D., J.D., MBA**

This practical workshop will focus on advanced issues that confront psychiatrists in criminal law cases, an interactive session involving moderator, panelists, and the audience. Vignettes submitted to the panel by practicing forensic psychiatrists will be read aloud and discussed by the panel and by the audience. The vignettes describe problems and experiences that forensic psychiatrists often confront in their practices and in court. Attendees should be able to understand their colleagues' approach to issues that routinely confront forensic psychiatrists, and to share in practical methods for dealing with such procedural and substantive challenges.

Steven Pinkert, M.D., J.D., MBA, of the Pinkert Law Firm in Miami, practices in the areas of professional discipline, complex medical/technical litigation, admiralty, and patent law. Prior to law he practiced clinical psychiatry. Panelists to be announced.

11:00-12:00

**Ten good ways to screw up an employment case**

**James J. McDonald, Jr., J.D.**

Forensic psychiatrists often serve as expert witnesses in harassment, discrimination and wrongful termination cases. Mistakes are sometimes made, even by skilled and experienced clinicians. Such mistakes can affect the outcome of the case. This presentation, by an employment law attorney and editor of the treatise, *Mental and Emotional Injuries in Employment Litigation*, will address some of the most common mistakes—and how to avoid them. Attendees will learn: 1) what records must be reviewed—and why you should never allow an attorney to select them; 2) why you must avoid restrictions on your examination of a plaintiff; 3) how to avoid over-diagnosis and knowing the difference between diagnosable mental disorders and emotional distress.

James J. McDonald, Jr., J.D. is a partner in the law firm Fisher & Phillips LLP in Irvine, California.

12:00-1:30 Lunch Break (on your own)

1:30-2:15

**Is psychiatric evaluation of plaintiffs with apparent  
traumatic Complex Regional Pain Syndrome, chronic  
back pain, fibromyalgia, and other chronic traumatic pain  
conditions reasonable and necessary?**

**Alexander E. Obolsky, M.D.**

In some cases of trauma-related chronic pain, plaintiff presents with pain level severity disproportionate to the inciting traumatic event and without objective physical evidence to substantiate the severity and frequency of the reported pain levels. These complaints represent either an authentic yet poorly understood physical condition, an authentic mental condition such as somatization, depression, or anxiety disorder, malingering, or a combination of etiologies. This presentation will focus on the role psychiatry can play in attempting to authenticate the com-

plaints of chronic pain where plaintiff does not make a mental injury claim. This presentation will describe common types of predictable mental and functional comorbidities that arise in cases of authentic chronic traumatic pain conditions and how such forensic psychiatric evaluations may help in establishing the authenticity of plaintiff's traumatic pain experience. Attendees should be able to: 1) list various physical pain conditions that may have psychiatric etiology in part or fully; 2) describe expected emotional, cognitive, and functional consequences of authentic pain conditions; 3) demonstrate the usefulness of forensic psychiatric examinations in cases of contested traumatic chronic pain conditions when no claim of mental damages is being made.

Alexander E. Obolsky, M.D. maintains a private practice in clinical adult psychiatry with a focus on diagnosis and treatment of mental conditions arising after physical and emotional injuries as well as helping patients return to full and productive work life. Dr. Obolsky is on faculty at Northwestern Medical School where he is currently an assistant professor of clinical psychiatry.

2:15-3:00

**“And I can see through your brain”:  
Access to experts, competency to consent,  
and the impact of antipsychotic medications  
in neuroimaging cases in the criminal trial process**

**Michael L. Perlin, J.D.**

This presentation considers the implications of neuroimaging in three under discussed aspects of criminal procedure: 1) the implications of *Ake v. Oklahoma*; 2) the defendant's competency to consent to the imposition of a neuroimaging test; and 3) the impact of antipsychotic medications on a defendant's brain at the time that such a test is performed. There are hidden landmines inevitably present when we think about the use of neuroimaging in criminal trials—landmines that can infect the fairness of the trial process itself. If an indigent criminal defendant is refused access to an independent expert, jurors may uncritically accept neuroimaging testimony. If no attention is paid to the difficult and complex ethical issues that surface if the question of the defendant's competency to consent to being tested is not raised, trial fairness is a concern.

Professor Michael Perlin, a former criminal defense lawyer, has written 20 books and over 200 articles on all aspects of mental disability law. He is director of the online mental disability law program at New York Law School.

3:00-3:45

**Competency of juveniles with developmental language  
disabilities to stand trial in adult court for major crimes:  
Is ADA accommodation required or sufficient?**

**Anna Scherzer, M.D.**

A Yaqui Indian youth charged with homicide and assisting a street gang had a severe and well-documented language processing disability. The attorney was having difficulty communicating with him, but the boy was neither retarded nor psychotic. The boy's difficulties posed dilemmas for Court and defense attorney. Competency restoration programs were “not geared” for his difficulty. The Court eventually commented on the problems posed by ADA accommodations versus finding of incompetence. The attorney was left with the dilemma of functioning as guardian ad litem as well as defense counsel. Attendees should be able to 1) identify criteria for youth competence to stand trial in adult court; 2) identify a developmental language disorder and how it may impact a language based proceeding, such as a trial; 3) understand how language processing impacts on competence to stand trial, with and without ADA accommodations.

Anna Scherzer, M.D., formerly in private practice as a pediatrician, and later as a general and child and adolescent psychiatrist, has extensive

experience with developmental issues. Dr. Scherzer has consulted and served as expert on a number of complex felony and death penalty cases involving individuals with significant neurocognitive and developmental disabilities.

3:45-4:30

### **Antidepressants in civil aerospace medicine: mitigating the risk**

**Michael Berry, M.D., M.S. and Charles Chesanow, D.O.**

For the first time in U.S. aviation history, the Federal Air Surgeon has determined that, in select circumstances, antidepressants may not be disqualifying for use in aviators. This process will focus on the mandate that protecting the public and National Air Space are the highest priorities. The history and process for determining the aeromedical safety of pharmaceuticals will be discussed, with emphasis on psychotropic medications. Qualifying conditions and medications will be clarified. The framework and protocols for monitoring airmen on antidepressants will be described. An important role for the forensic psychiatric consultant will be proposed.

Michael Berry, M.D., M.S. is the Manager of the Division of Medical Specialties in the Office of Aerospace Medicine at the FAA. Dr. Berry is an Aerospace Medicine specialist, a former Medical Director for NASA (in the Astronaut/Space Program), and has decades of experience in assessing pilots' health as a Senior Aviation Medical Examiner. Charles Chesanow, D.O., is an addiction and forensic psychiatrist, and is Chief Psychiatrist at the FAA.

4:30-5:00

### **Forensic psychiatry in Nigeria: an update**

**Dr. Y.M. Mafullul**

The current status of forensic psychiatry in Nigeria, a developing country, is critically appraised in relation to the following: 1) statutory/legal provisions in relation to the mentally disordered offender; 2) the current status in terms of service/resource provision for the care and management of the mentally disordered offender; and 3) manpower/skills resources relevant to the practice of forensic psychiatry in Nigeria. The implications of the appraisal are discussed, and recommendations proffered toward the enhancement of forensic psychiatry as a specialty in a non-western socio-cultural context such as Nigeria. Commentary, debate, and recommendations from attendees, on the way forward, on the development of forensic psychiatry in the developing world are invited.

Dr. Y.M. Mafullul is a fellow of the West African College of Physicians. He is a London based independent practitioner of general adult/forensic psychiatry, providing independent psychiatric opinion to legal firms, for the courts, and Mental Health Review Tribunals.

## **Saturday, April 17**

7:15-8:00 Registration and Continental Breakfast

8:00-8:40

### **Some current controversies regarding criminal scientific evidence in litigation**

**Cassandra M. Klyman, M.D.**

The 2008 *Melendez-Dias v. Massachusetts* Supreme Court decision was a triumph for the Confrontation Clause and brought into sharp focus critical aspects of the high standards against which criminal scientific evidence should be held. As we move from examining confessions and how they are obtained toward an array of modern laboratory data, there is opportunity for partial truths, compromised raw information and outright corruption. Using recent illustrative examples from various inno-

cence projects, this presentation will look at patterns to help us understand the complexities that exist. Particular attention will be paid to neuroimaging findings with regard to truth/lying, psychopathy and autism.

Cassandra M. Klyman, M.D. is an assistant clinical professor of psychiatry at Wayne State University, School of Medicine, and on the faculty at the Michigan Psychoanalytic Institute. She is in private practice in Bloomfield Hills, Michigan.

8:40-9:20

### **Getting in or staying out: how to apply the Daubert and other evidentiary thresholds to your work on a case**

**John Philipsborn, J.D., M. Ed.**

Whether testifying for the government or defense in a criminal case, a psychiatrist should know how recent caselaw has applied the principal gateway tests for the admission of expert testimony pertinent to the admission of mental health expert testimony in a criminal proceeding. What is the other party likely to bring up to seek to exclude or limit the opinion(s) that you have been called to give? How do these gateways relate to the requirement of Federal Rule of Criminal Procedure 12.2, and other rules? This presentation will review some of the key issues that you should have in mind. Following the presentation, attendees should 1) understand the basic gatekeeping standards and how to interact with counsel to make sure that the gateway standards are being addressed.

John Philipsborn is a San Francisco based defense lawyer who has tried numerous cases involving mental state defenses. He has been involved in appellate litigation in at least 70 reported cases, and has been contributing to texts and periodicals aimed at the legal professions for years.

9:20-12:15

### **Mock Trial**

**Roger Sharp, J.D., Paul Forrest, J.D.**

The mock trial will focus on the direct and cross-examination of the psychiatrists as expert witnesses. Attendees will learn about expert testimony in court and how to conform expert testimony to optimal style and content. All of the College's mock trials are fictionalized and presented solely to educate the attending forensic psychiatrists.

Roger Sharp, J.D. is an attorney at law in Scottsdale, Arizona and Salt Lake City, Utah. Paul Forrest, J.D. is an attorney at law in Phoenix, Arizona. Expert witnesses to be announced.

10:15-10:30 Coffee Break

12:15-1:00

### **Admission or apology in liability prevention**

**Professor Ralph Slovenko**

When or must a physician admit error or express sorrow? Admissions play a role as proof of fault in all types of cases, but they have special importance in cases of malpractice (professional negligence). Unlike in ordinary negligence cases, expert testimony is required as a matter of law to prove a case of malpractice. An admission obviates that requirement. In the United States, an expression of sorrow could be taken as an admission of wrongdoing. In an attempt to circumvent, "sorry" as an admission, legislation has been enacted. At the same time, legislation has been enacted mandating admissions. The legislation in this area is discussed in this presentation.

Ralph Slovenko is Professor of Law and Psychiatry at Wayne State University Law School. He is author most recently of *Psychiatry in Law/Law in Psychiatry* (Routledge, 2d ed. 2009).

7:15-8:00 Registration and Continental Breakfast

8:00-8:40

**The “epidemic” of prescription medications at work**

**Marcia Scott, M.D. and Ronn Johnson, Ph.D.**

Employers are signaling an “epidemic” of prescription drug abuse at work and have asked for help managing it. Changes in the nature of illness and health over the past 25 years, the pervasiveness of chronic conditions in high functioning employees in midlife, a medical system ill focused to care for chronic conditions, and the development of powerful drugs have together raised patient expectations and encouraged everyday clinicians to prescribe these powerful medications for “distress” with little attention to diagnosis or monitoring. Drug laws, drug testing and FMLA can’t manage the problem. Employers, immobilized by concern for the employee and legal barriers to intervening are looking for reasonable ways to avoid termination and deal with the very real impact on work. The presenters will provide case examples and strategies for discussion by participants.

Marcia Scott M.D. is the medical consultant to the Boston Police Department and VP Medical Services, Prudential Group Life and Disability Ret. Ronn Johnson, Ph.D., ABPP is Associate Professor in Psychology at University of San Diego. He consults to the California State Personnel Board Psychological Screening Unit.

8:40-9:20

**War trauma and PTSD: legal and medical perspectives**

**Jamshid A. Marvasti, M.D.**

The number of Vietnam veterans who have committed suicide since the war ended is twice the number of soldiers who died there. *The New England Journal of Medicine* (July, 2005) reported that PTSD affects almost 20% of veterans returning from Iraq. As the number of returning combatants has increased, the evidence of PTSD also increases. Homicides, family violence, and other criminal issues with returning combatants are alarming. Joblessness, homelessness, dysfunctional relationships, medical and psychiatric treatment and the legal problems from these are all difficulties that will plague our communities as the PTSD plagues our veterans. This presentation will explore the neurobio-psychological and legal aspects of war trauma on soldiers; the connection and data about war trauma victims with PTSD; criminal activity and substance abuse; and the serious co-morbidity of combatants with PTSD relating to suicide and disability issues.

Jamshid A. Marvasti, M.D. is a child and adult psychiatrist who has practiced for more than 30 years in the United States. He is a specialist in psychological trauma and child abuse and has published several books and articles on these topics.

9:20-10:00

**Psychiatric-legal aspects of clinical vampirism**

**J. Arturo Silva, M.D.**

The different approaches that have been used to define clinical vampirism since the 19th Century will be introduced. An operational definition of clinical vampirism will be provided. A typology of clinical vampirism will be presented in some detail. Clinical vampirism will be discussed from various psychiatric-legal, psychosociocultural and psychohistorical perspectives. Several cases from the psychiatric literature or previously evaluated by the presenter will be briefly described.

J. Arturo Silva, M.D. is a forensic psychiatrist in private practice in San Jose, California. He has taught at the University of Texas Medical Center at San Antonio, UCLA, UC San Diego, Stanford University, and USC. He is currently conducting a study of clinical vampirism over a historical period which spans the last 600 years.

10:15-10:55

**Mother or fetus? Where do our obligations lie?**

**Saba Syed, M.D., Neena Sachinvala, M.D., Yara Salman, M.D.**

We will examine the controversial topic of maternal-fetal conflict in mentally ill women, from medical, legal, and bioethical perspectives. In the words of American Academy of Pediatrics: “Women are almost always willing to undergo self-sacrifice to benefit their fetuses,” but there are some situations where a pregnant woman refuses treatment necessary to save her fetus. Complications arise when a mother is acutely psychotic and lacks capacity but is medically stable, if she refuses treatment or C-section when the fetus is acutely distressed. We will review and synthesize current views of the maternal-fetal concept, using two main strategies to illustrate the problem and its complex implications for medical practice: 1) extensive review of literature covering the subject of maternal-fetal rights, fetus as a patient, fetal “personhood,” maternal right for body integrity, and capacity evaluation in mentally ill pregnant patients; 2) presentation of a case-report and case law from our own clinical practice as an example of the intricacies of this issue.

Saba Syed, M.D. is attending psychiatrist and C&L psychiatry specialist at the UCLA-SFV Psychiatry Program. Neena Sachinvala, M.D. is attending psychiatrist and forensic psychiatry specialist at the UCLA-SFV Psychiatry Residency Program in Los Angeles. Yara Salman, M.D. is a 4th year psychiatry resident, C&L service chief resident at UCLA-SFV Psychiatry Residency Program.

10:55-11:35

**Breathless: terminal sex**

**Lynn Maskel, M.D. and Ansar Haroun M.D.**

Four family members were found dead in their home, each from asphyxiation. We will unravel the manners of the deaths. A comparison of AEA in different age groups and gender along with the associated psychopathology will be given. A review of typical findings at the death scene, as initially established in a ground-breaking study by the FBI, will be reviewed. Special focus will be given to the male juvenile age group, particularly at risk. Erotic asphyxiation (“breath control play”) between partners will also be addressed. After the presentation by Dr. Maskel, Dr. Haroun will put forward two intriguing questions: 1) is paraphilia really an appropriate diagnostic category for this type of behavior? and 2) should this behavior in adults be considered a problem? Some debate should ensue. Following the presentation, attendees should be able to: 1) enumerate 12 typical features found in autoerotic asphyxiation fatalities; 2) describe associated psychopathology or the lack thereof in autoerotic and erotic asphyxiation cases especially as it relates to age groups; 3) identify the highest risk group for autoerotic asphyxia and demonstrate how juvenile accidental asphyxia due to the “choking game” may or may not relate.

Lynn Maskel M.D., M.S. is the director of the new forensic psychiatry fellowship program at the University of California, San Diego. Dr. Maskel has an extensive background in criminal cases and is interested in juvenile issues and sex offender cases. Ansar Haroun, M.D. is a clinical professor at University of California, San Diego. He has 23 years of experience at the Superior Court Clinic, and has done a wide variety of sex offender cases.

11:35-12:05

**Faith versus fanaticism: a forensic mind field**

**Basil Jackson, M.D., Ph.D., J.D., D.Th.**

We are not as comfortable as we were in a world in which a greater degree of personal and global harmony prevailed. Today we witness, almost on a daily basis, behaviors which we, as psychiatrists and psychoanalysts, must conceive of as assault of the id. Others are con-

vinced that we have answers and want us to explain what has happened to humankind and why this aggression is taking place. Are recent eruptions of mayhem in society examples of psychosis with its genesis in neuropsychiatric dysfunction, or ideological or metaphysically induced fanaticism? Are there dangers in a tendency to label the inexplicable and incomprehensible as psychotic? Is the willingness to die for a cause retrospective, immediate or teleologic? What is the importance of group identification and consensual validation in this process? Can we as professionals give any assistance in the judicial process in the evaluation of personal responsibility?

Basil Jackson, M.D., Ph.D., J.D., D.Th. is a psychiatrist, lawyer and theologian in Wisconsin.

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*The foregoing program is a "preliminary program" and additions/deletions are to be expected in the presentations and scheduling of talks. The final program will be distributed to all registrants just prior to the meeting.*

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**Goal:** The goal of this symposium is to keep forensic psychiatrists abreast of important issues which lie within the interface of psychiatry and law, recent developments in psychiatry that require new knowledge for expert witnesses, and new case law affecting forensic practice. **Target Audience:** The program is intended to benefit practicing forensic psychiatrists, psychiatrists in other subspecialties, and attorneys who litigate civil and criminal cases involving psychiatric evaluations and expert testimony. **Objectives:** Participants should improve their knowledge and skills in the following areas: (a) evaluation or treatment of forensic litigants and individuals with other forensic psychiatric issues; (b) new and ongoing research and developments in the field of forensic psychiatry; (c) relevant concepts useful in testifying and educating the court on mental health issues, and in working within the legal system; (d) changes in the law that affect clinical and forensic practice; (e) legal and psychiatric aspects involving the mentally disordered inmate in correctional facilities.

**San Francisco and the Renaissance Stanford Court Hotel:** The College is once again meeting at one of the finest hotels in San Francisco. Newly emerged from a \$35 million transformation, the hotel is perched atop Nob Hill, overlooking the dramatic San Francisco skyline and central to the business, shopping, theater and tourist areas of the city. The hotel is three blocks from the fine shops and restaurants of Union Square, five minutes from Fisherman's Wharf and two blocks up the hill from Chinatown.

**Hotel Reservations:** We have secured a block of rooms for the College at the Renaissance Stanford Court Hotel at a very special rate of \$149 per night. You may call the hotel's reservation department toll-free at 1-800-227-4736. The hotel's direct telephone number is 415-989-3500. You must identify yourself as part of the College to secure the preferred rate. You may also go to our web site: [forensicpsychonline.com](http://forensicpsychonline.com) for a link to make your hotel reservation online. The hotel fax number is 415-391-0513. The hotel is located at 905 California Street (at Powell), Nob Hill, San Francisco, CA 94108.

**Room reservations must be received by March 26, 2010.** Reservations made after March 26, 2010 are subject to availability at the prevailing hotel rate which will be considerably higher than the group rate.

### SYMPOSIUM REGISTRATION INFORMATION

Please complete and return the registration form below with your credit card information or a check for the appropriate amount payable to American College of Forensic Psychiatry.

\$495 College Member (by March 19)

\$545 College Member (after March 19)

\$545 NonCollege Member (by March 19)

\$580 NonCollege Member (after March 19)

Resident or Fellow Fee: \$200 (Please provide proof of resident or fellow status)

One Day Registration: \$195 Please circle day: Thurs. Fri. Sat. Sun.

**College Membership:** If you wish to join the College at this time and attend the meeting, please add \$225 to the appropriate College member registration amount. Registration fees cover the meetings each day, continental breakfast each morning, coffee breaks, Thursday night's Welcome Reception, and conference materials. **Spouses/Guests:** A spouse or guest who wishes to attend the meetings may register by paying the appropriate fee, less \$100 discount. This discount applies only to the four-day registration fees, not to one-day registrations. **Cancellations:** Requests for registration refunds must be sent in writing to the College by March 19, 2010 and are subject to a \$35 service charge. No other refunds are permitted. CME: 23 Category 1 credits

### SYMPOSIUM REGISTRATION FORM

Please clip or xerox and return with your payment:

AMERICAN COLLEGE OF FORENSIC PSYCHIATRY  
28th ANNUAL SYMPOSIUM • April 15-18, 2010 • SAN FRANCISCO

NAME: \_\_\_\_\_

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