

# **The Reality of Forensic Psychology**

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Forensic psychology has gained recognition as a result of the entertainment media's fascination with the intersection of psychology and law. In crime dramas, the forensic psychologist is often portrayed as the omnipotent seer with the clairvoyance to diagnose pathology instantaneously, capture even the most brilliant criminals, and manipulate the opinions of the most punitive jurors. Although forensic psychology certainly makes for an entertaining storyline, its reality is just as compelling. Of course, the real experts are not endowed with a sixth sense into criminal minds. Contrary to popular opinion, they do not need it. While the media's imagination remains fixated on criminal minds and chasing runaway juries, the study of psychology and law provides researchers and clinicians an interdisciplinary framework for both scientific exploration and pragmatic application.

The legal system strives to define, control, and punish illegal behavior in an objective manner while still accounting for the increasing plurality of American. The diverse dynamics of values, traditions, and behaviors grow and change as swiftly as new ones form. The law, however, must take great care to avoid structuring policies that inherently rely on intuitive, albeit inaccurate, psychological assumptions or commonly held beliefs.

Through the use of systematic research and practical observations, psycholegal researchers strive to understand the suppositions that provoke bias or uninformed beliefs. There are, in fact, a multitude of opportunities available for research and application in forensic psychology which offer a valuable service to many areas of the justice system. Psychological research on public policy, criminal behavior, crime investigations, interrogation, courtroom procedures, juries, corrections, and mental health law are a few broad categories of inquiry and application. These topics draw together the expertise of various fields outside of psychology and the law, including criminology and criminal justice, sociology, philosophy, communications, psychiatry, and even neuroscience.

The areas of research that peaked my interest the most — eyewitness memory and juror decision-making — have rightfully gained much attention in the entertainment media.

Eyewitness testimony is a compelling determinant of guilt for many cases both fictional and real. Unfortunately, memories are highly susceptible to error, vulnerable to many sources of influence, and often lead to false convictions. The dependency on accurate memories not only includes the risk of wrongful conviction, but its failure to hold guilty parties accountable (Loftus, 2003). An eyewitness whose hesitant testimony lacks unequivocal confidence in a memory is no less susceptible to error than a testimony presented with unwavering conviction. The expression of confidence has no bearing on the validity of a report, but may influence a juror — already highly reliant on eyewitness testimony — to alter their decision (Loftus, 2003). As a result, memory distortion has gained recognition in the legal setting, including its concomitant effect on juror decisions.

The juror decision-making process is an essential component to courtroom procedures and, of course, to good courtroom dramas. Ideally, it not only allows the verdict to be decided by a group of peers, but,

ostensibly, an objective decision should prevail. Psycholegal researchers seek to understand how verdicts are influenced by subjective interpretations of facts, group dynamics, societal influences (such as the media) and by other dimensions of inquiry that occur before the trial or during juror selection, courtroom procedures and juror deliberations (See Levett et al. 2005).

The detection of deception is key to success in a forensic setting. But, detection procedures, such as polygraph testing, draw upon resources from outside the psychological spectrum. Deliberate manipulation and tactical deception are interesting manifestations of individual motivation, reserved exclusively for human interaction (Spence et al. 2004). Successful deception depends on a convincing presentation and the control over behavioral cues. Some behavioral cues — such as perspiration and body language — not only betray a lie, but a misconstrued statement of honesty as well (Spencer et al., 2004). This potential for ambiguity necessitates a new approach to more accurately detect deception. An approach, for example, that could seek an understanding of the cognitive neurobiology that underlies deception and integrate expertise outside the sphere of psychology and law.

Spencer et al. (2004) theorized that if the truth is a baseline response, a lie requires additional cognitive effort involving executive functions (See Spencer et al., 2004). This demonstrates the potential for cognitive neurobiology — in collaboration with experts in social psychology, cognitive psychology, philosophy, law enforcement and other areas of the law — to develop a line of research into what occurs when people lie. This research, however, is not without moral implications. The right against self-incrimination and coercive confessions should be weighed against potential benefits of detecting deception (Spencer et al., 2004). This philosophical discussion is beyond the breadth of this article, but well within the realm of forensic psychology.

The interdisciplinary collaboration of psychology and law draws our attention to the power of science with a problem-centered approach. The implication of legal procedures and the outcome of the system's decisions harbor great consequence; unwarranted assumptions and mistakes in the law are inexcusable. Forensic psychology research not only provides a framework for general knowledge but also focuses on application to address societal concerns and improve the quality of the legal system.

The media's portrayal of forensic psychology is indicative of the public's genuine concern yet naive fascination with the legal system. The entertainment media may accentuate the importance or, at least, the pervasiveness of forensic psychology, but at the same time, misrepresents its true scientific base. ?

### **Additional Information for Students**

Career opportunities in Forensic Psychology:

[http://www.wcupa.edu/ACADEMICS/sch\\_cas.psy/Career\\_Paths/Forensic/Career08.htm](http://www.wcupa.edu/ACADEMICS/sch_cas.psy/Career_Paths/Forensic/Career08.htm)

Graduate programs in Forensic Psychology:

[http://www.gradschools.com/programs/forensic\\_psychology.html](http://www.gradschools.com/programs/forensic_psychology.html)

### **References**

- Levett, L., Danielsen, E., Kovera, M.B., & Cutler, B.L. (2005). Juror decision making. In N. Brewer & K. Williams (Eds.), *Psychology and law: An empirical perspective* (pp. 365-406). New York: Guilford.
- Loftus, E. (2003). Our changeable memories: legal and practical implications. *Science and Society*, 4, 231-234.

Spence, S.A., Hunter, M.D., Farrow, T.F.D., Green, R.D., Leung, D.H., Hughes, C.J., & Ganesan, V. (2004). A cognitive neurobiological account of deception: Evidence from functional neuroimaging. *Philosophical Transactions of the Royal Society of London, Series B: Biological Sciences*, (2004) 359, 1755-1762.