

ASD and Sexual Offenses

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Goals:

- A) aid forensic professionals in identifying hf ASD
- B) identify relevant clinical/legal issues pertaining to their cases
- C) provide suggestions when dealing with hf ASD

Plan Carefully!



Autism – DMS IV Criteria

1. Qualitative impairments in social interactions

- A. Use on nonverbal behaviors: eye-to- eye-gaze, body posture, gesture to regulate social interactions

Autism – DMS IV Criteria

1. Qualitative impairments in social interactions

- B. Failure to develop peer-appropriate development

Autism – DMS IV Criteria

- 1. Qualitative impairments in social interactions

- C. Impairments of expression of pleasure in other people's happiness

Autism – DMS IV Criteria

- 1. Qualitative impairments in social interactions

D. Lack of social and emotional reciprocity

2. Impairments in Communication:
(One)

A. Delay/lack of spoken language (with no attempts to communicate by other means).

2. Impairments in Communication:
(One)

B. In individuals with adequate speech, impaired ability to initiate/sustain a conversation

**2. Impairments in Communication:
(One)**

C. Stereotyped/repetitive use of language or idiosyncratic language

**2. Impairments in Communication:
(One)**

D. Lack of varied spontaneous make-believe play or social imitative play appropriate to age level

Delays or Abnormal Functioning in at Least One of the Following Areas – Before Age of Three:

A. Social interactions

Delays or Abnormal Functioning in at Least One of the Following Areas – Before Age of Three:

B. Language as used in social communications

Delays or Abnormal Functioning in at Least One of the Following Areas – Before Age of Three:

C. Symbolic or imaginative play

Napoleon



Triad of Impairments

- Deficits in reciprocal social behavior
- Communication deficits
- Deficits in imaginary activities (play)

Assessment

- A. History
- B. Autism quotient

Assessment

- C. Social responsiveness scale
- D. Autism diagnostic observation

Assessment

D. Empathy quotient

Prevalence in Forensic Samples

A. HfASD: 1.5% to 2.3%

B. ASD: 2.4% (Scragg and shah, 1994)

Prevalence in Forensic Samples

C. ASD: 15% and PDD NOS: 17% (Siponmaa et al, 2001)

Relevancy to Criminality

- Deficits in theory of mind (tom)
- Abnormal, repetitive, narrow interests

Theory of mind

Abnormal interests

David

- 14 year old – but interests of much younger boys and girls. He likes to jump rope, play tag, and ride bikes with them. One day he could not find them. He began looking through the windows: where are they? One neighbor called the police. Arrested as a peeping tom

Steve McCollum (Steals Locomotives!)

- Obsessed with trains/impersonator
- 1/3 of his life (41 years) behind bars
- At 15 years drove the E train to the WTC from herald square
- (NY times, 11-11-06)



Mind Reading Ability

- A. People possess beliefs, wishes, intentions that operate inside their heads.



Mind Reading Ability

- B. The ability to appreciate others' intentions play a central role in understanding the world.



Mind Reading

- C. Pragmatic aspect of communication allows us to handle non-verbal interaction (i.e., Turn taking by gaze, reading emotional states).



Mind Reading



Mind Reading

“Show me your work”

Aspies



Case 1 – Mr. A

- Middle aged sub – child annoyance
- Shoulder area – in full view
- As adolescent: no friends – slow
- MS in chemistry – rigid, pedantic
- Girlfriends?
- Guilty of child annoyance
- Probation

Case 2 – Mr. B

- Deaf man, difficulty making friends,
- Propositioned male strangers for sex in public rest rooms, fixated on black males, interested in elevators, computers, and construction sites
- Skewed social interactions
- Impaired communication skill

Overview of Cases

- History of no real friends, bullied, no social cues, social difficulties (no jobs),
- Impaired pragmatics, unresponsive face, “weird”, restricted interests,
- Mindblindness: misses social subtleties, others’ perception of the situation,

ASD and Remorse

- Lack of empathy (social perspective) Or interpersonal resonance
- Compromised experience of remorse: sentencing

ASD and Forensic Professionals

- A. Social cues/conventions
- B. Self-centeredness

ASD and Forensic Professionals

C. Understanding on emotions

D. Interests: unusual and intense

ASD and Forensic Professionals

E. Routine and consistency

F. Age appropriate friendships

ASD and Forensic Professionals

G. Sensory input

H. Fascination with water/lights...

ASD and Forensic Professionals

- I. Stereotyped: spinning/twisting
- J. Speech

ASD and Forensic Professionals

- K. Laughing/giggling inappropriately
- L. Preoccupation with parts of objects

ASD and Forensic Professionals

- M. Blunt tactless statements
- N. Stubborn, defiant

ASD and Forensic Professionals

- O. Clumsiness
- P. Sarcasm, humor, small talk

ASD and Forensic Professionals

- Q. No pleasing others or sharing experiences
- R. lack of desire to communicate

ASD and Forensic Professionals

- S. Lack criminal intent to cause harm (*actus non facit reum nisi mens sit rea*)
- T. Not criminally responsible for their actions and unfit to stand trial

ASD and Forensic (Cont.)

Accepted by courts (Katz & Zemishlany, 2006)

Differential Diagnosis!



We May Not Always Get What We See



ASD Individuals...

- A. Accountable for behavior
- B. Some behavior outside their control

ASD Individuals...

- C. Sensory overload
- D. Sensitive to touch

ASD Individuals...

- E. False confessions
- F. Difficulty cooperating
- G. Offenses: social situations

ASD Individuals...

- H. Sentencing:
prevention/punishment
- I. Confinement is not appropriate

ASD Individuals...

- J. Use their talents for “redemption”
- K. Not appearance of remorse

Evaluation – Interviews

- Obtain assessment
- Reduce sensory input

Evaluation – Interviews

- Allow stereotyped movements
- Moderate tone of voice

Evaluation – Interviews

- No touch without asking
- No metaphors – avoid pronouns
- Body language

Evaluation – Interviews

- Lack of eye contact
- Repeat questions in a different way

Evaluation – Interviews

- Open ended questions
- One issue at a time – no compounds
- Shorter interviews are better

“Rapist Avoid Jail Due to AD”

- 27 year old Adelaide man pleaded guilty to rape
- Kim Andrew parsons raped her after consensual fondling

“Rapist Avoid Jail Due to AD”

- Apologize to her via mobile phone
- Obsession: mobile home
- 3 years for a 12 month home detention (07/15/2004)

Empathy Test




