



Jurisprudence Section – 2006

E10 The Use of the Psychological Autopsy to Rebut a Defense of Suicide in a Prosecution for Murder

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By attending this presentation, attendees will gain an understanding of the current status of the psychological autopsy and the legal and evidential issues surrounding its use in a criminal prosecution.

This presentation will impact the forensic community by raising the visibility of the psychological autopsy and the utility of its use in a criminal prosecution in general. The presentation will also provide a structure for the use of a psychological autopsy as well as sources of authoritative information for both the psychiatric/psychological expert witness and the prosecutor/defense attorney. Specifically, the presentation will assist in presenting a psychological autopsy by the prosecution when a defendant accused of murder asserts that the decedent/victim committed suicide.

In a prosecution for homicide, where the accused contends that the victim committed suicide, the use of a psychological autopsy should be seriously considered in order to rebut that defense. In recent years the psychological autopsy has gained substantial recognition, both in the courts well as in the literature, as a means of determining whether the victim has committed suicide. However, the use of a psychological autopsy for such purposes creates certain legal procedural and factual problems which must be addressed in order to successfully introduce an expert's testimony on the subject into evidence.

Psychological, Autopsy, Prosecution