



Psychiatry & Behavioral Sciences Section – 2006

I3 Mental Retardation and the Death Penalty: Issues in the Assessment of Adaptive Functioning

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After attending this presentation, attendees will understand the limitations of current methods for the assessment of adaptive functioning in the determination of Mental Retardation in death penalty proceedings.

This presentation will impact the forensic community and/or humanity by demonstrating how to utilize multiple adaptive functioning assessment approaches in evaluations of defendants facing capital litigation.

This presentation will address the problems encountered in efforts to evaluate the Adaptive Functioning of capital defendants in assessments of Mental Retardation pursuant to *Atkins v. Virginia*. A diagnosis of mental retardation generally involves three prongs: significantly sub-average intellectual functioning; deficits in adaptive functioning; and onset during the developmental period. Approaches to the assessment of adaptive functioning are often particularly problematic in death penalty cases. The extant published measures will be discussed with attention to the limitations in their design and applicability in the forensic arena. Alternative approaches to the assessment of adaptive functioning utilizing interview methods, investigative techniques, and review of records will be discussed. An integrative approach, drawing on convergent data from multiple sources is advocated.

Mental Retardation, Death Penalty, Adaptive Functioning