



## Psychiatry & Behavioral Science Section - 2016

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### **124 Stalking Charges Among Defendants Referred for Competency to Stand Trial and Criminal Responsibility Evaluations: A 10-Year Case Series**

*Christopher Fields, MD\**, Medical University of South Carolina, 29 C Leinbach Drive, Charleston, SC 29407; *Sheresa Christopher, PhD\**, Medical University of South Carolina, 29 Leinbach Drive, Charleston, SC 29407; *Diana Mullis, MD\**, Medical University of South Carolina, 29-C Leinbach Drive, Charleston, SC 29407; and *Adam Bloom, MD\**, Medical University of South Carolina, 27-C Leinbach Drive, Charleston, SC 29407

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After attending this presentation, attendees will: (1) be familiar with common typologies of stalkers advanced in the current literature; (2) understand the risks currently associated with stalkers of formerly intimate partners and psychotic stalkers; and, (3) become familiar with appropriate intervention measures for stalking perpetrators.

This presentation will impact the forensic science community by providing a review of current stalking literature, including epidemiological data, motivation of perpetrators, typologies of stalkers, and potential interventions for perpetrators. By focusing on a forensic sample referred for competency and criminal responsibility evaluations, attendees will gain a better understanding of the mindset of individuals charged with the most serious cases of stalking, those necessitating significant legal intervention.

Since 1990 when stalking was criminalized in California, there has been increasing interest in this complex phenomena.<sup>1</sup> Multiple definitions of stalking have been put forth with most indicating that a pattern of unwanted pursuit must exist followed by a perceived threat to the safety of the victim resulting in the induction of fear within the victim.<sup>2</sup> Stalking research has involved the investigation of multiple related factors, among them: epidemiology, psychopathology, motivation, typology, violence risk, victim impact, and neurobiology.<sup>3</sup> These studies have examined diverse populations of stalkers including clinical samples, forensic referrals, court-referred individuals, and community-based populations.<sup>4,5</sup>

The current study targets the review of forensic psychiatric records of pretrial detainees accused of stalking or aggravated stalking who were referred to an outpatient forensic program for Competency to Stand Trial (CST) and Criminal Responsibility (CR) evaluations in the past ten years. The study examined these outpatient forensic referrals in the context of typologies within the stalking literature encompassing psychotic, non-psychotic, acquaintance, stranger, and intimate stalking scenarios. The data were analyzed to identify primary psychiatric diagnoses, personality diagnoses, existence of psychopathy, and patterns of behavior that were potentially associated with the likelihood of being found incompetent, not criminally responsible, or impacting the risk for violence. Using a case series, the findings differences in traits among stalking defendants deemed competent, not competent, criminally responsible, and insane are described. Correlational research methods will be utilized to delineate the relationships among the various variables described. Implications of the data assessed will be discussed to stimulate future research directions.

#### **Reference(s):**

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4. Kienlen K., Birmingham D., Solberg K., O'Regan J., Meloy J. (1997). A comparative study of psychotic and nonpsychotic stalking. *Journal of the American Academy of Psychiatry and Law*, 25(3), 317-334.
5. Mohandie K., Meloy J., McGowan M., Williams J. (2005). The RECON typology of stalking: reliability and validity based upon a large sample of north american stalkers. *Journal of Forensic Sciences*. 51(1), 147-155.

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#### **Stalking, Psychiatry, Competency**