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I25 Incompetently Incompetent: The Use of Forged Forensic Evaluations to Avoid Conviction and Sentencing

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After attending this presentation, attendees will be familiar with: (1) the warning signs that indicate that a forensic psychiatric/psychologic evaluation report may be fabricated; and, (2) steps that can be taken within the forensic system if it is discovered that a forensic evaluation report has been fabricated.

This presentation will impact the forensic science community by enhancing the attendees' abilities to conduct forensic psychiatric/psychologic evaluations by increasing their knowledge of warning signs of fabricated forensic reports and by providing steps that can be taken if they believe a report may be fabricated.

Hypothesis/Proposition: This presentation will use a real-life case to illustrate the detection of fabricated forensic evaluation reports and provide guidance on what to do when such a report is discovered.

Synopsis: This presentation will begin with a brief overview of a criminal case from Fulton County, Atlanta, GA, involving the theft of vehicles left stranded on the roadways during the 2014 snowstorm that left Atlanta paralyzed. Two co-defendants were referred for forensic psychiatric/psychologic evaluations for competency to stand trial. The first defendant was opined incompetent to stand trial, largely based on a previous forensic evaluation report that was provided by his attorney. He was placed in the Fulton County Jail Competency Restoration Program, a unique, jail-based program, but was soon after declared to be not restorable regarding his competency to stand trial. The second defendant was evaluated by a different evaluator who realized there were significant inconsistencies in the previous forensic evaluation report that had been submitted by his attorney as collateral information.

It soon became clear that the previous forensic evaluation report submitted by the defendant's attorney was a forgery, and in comparing it to the previous forensic evaluation report submitted by the first defendant's attorney, it became evident that both evaluations contained numerous statements that were nearly identical and extreme enough that the validity of the reports was dubious. It was confirmed with the alleged authors of the two previous reports that neither had evaluated the defendants in question, let alone authored the forensic reports. This is the first case of forged forensic evaluation reports known in the state of Georgia and involves a fairly high-profile crime in the Atlanta area.

This presentation will educate attendees on signs within a forensic report that may indicate that a report has been fabricated. This presentation will also discuss steps that an evaluator can take to determine validity if an evaluator suspects that a report is forged and, if necessary, to alert the proper authorities.

Forensic Evaluations, Forgery, Competency to Stand Trial