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Examining Racial Bias within the Items of the MacArthur Competence Assessment Tool – Criminal Adjudication

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Examining Racial Bias within the Items of the MacArthur Competence Assessment Tool –

Criminal Adjudication

by

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Examining Racial Bias within the Items of the MacArthur Competence

Assessment Tool (MacCAT-CA)
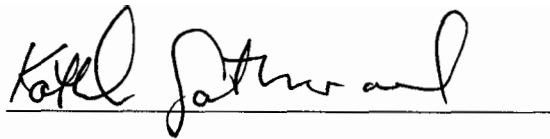
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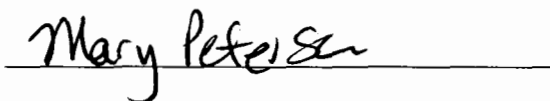Graduate School of Clinical Psychology

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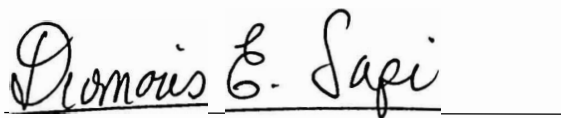as a Dissertation for the PsyD degree

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Abstract

The United States is the world's leader when it comes to incarceration rates, and racial disparities are significant within this system (World Prison Brief, 2020). The most significant factor proposed as influencing this disparity is the ongoing racial bias within and outside of the legal system. Throughout the legal process, there are several instances where the defendant's race may come into play when it comes to competency to stand trial evaluations. The first instance is during the referral process, and the second instance is during the competency evaluation itself. Several instruments have been developed to capture an individual's understanding of court proceedings based on the *Dusky* standard. The MacArthur Competence Assessment Tool - Criminal Adjudication (MacCAT-CA) is one of those measures. Although this instrument is used with increasing frequency, it has not been critically examined for racial bias. While research has shown that racial bias exists within the legal system, there are areas of the system that have not been thoroughly examined for bias.

The current study sought to explore the MacCAT-CA items to determine whether or not a racial bias exists favoring white or minority defendants. The results of the study showed that some bias exists favoring white respondents in the categories of reasoning and appreciation in the MacCAT-CA, with overall effect sizes being moderate in both subtests. While some items in the understanding subtest showed a small effect size, overall, there was no effect within this category. Limitations of the current study, future research, and implications of these findings are discussed.

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Chapter 1

Introduction

Institutional Bias and Legal Disparities

Institutional bias and structural stigma are macro-level issues that impact institutional policies, which lead to discrimination and the unfair restrictions to opportunities of particular groups of people. While institutional racism can sometimes develop from intentional biases, it does not require individuals support, intention, or awareness for discrimination to operate (Dovidio & Jones, 2013). An area where this often unintentional and implicit institutional bias is operating is within the legal system.

Within legal institutions life altering decisions are made every day. At a basic level, police officers need to make quick decisions whether an individual poses a threat, prosecutors need to determine whether or not to charge a suspect, and juries decide whether or not to convict. This process leaves a lot of opportunities for potential bias to creep in despite their high stake's nature (Sommers & Marotta, 2014). A study by Sommers and Marotta (2014), examined how unconscious racism influences legal practices such as policing. They found that of more than 4 million stops conducted by the NYPD between 2004 and 2012, 52% were African American, and 31% were Latino. Their data also showed that use of force occurred in 23% of the stops made for African Americans and 24% of the stops made for Latinos, but only 17% of stops made for Whites (Sommers & Marotta, 2014). A study by Sadler et al. (2012) likewise showed bias in

policing. Researcher found that minority individuals are incarcerated and shot at disproportionately higher rates compared to their white counterparts.

The United States is the world's leader when it comes to incarceration rates (World Prison Brief, 2020). Statistics show that 1 in 100 citizens are incarcerated in prisons and jails, a figure which reflects a tenfold expansion in less than four decades. Racial disparities are significant within this system, 1 in 8 black males between ages 20-29 are in prison or jail on any given day. This is compared to statistics that show 1 in 59 white males of the same age are in prison or jail on any given day (Levinson et al., 2012; Minton, 2013). The cause of this disparity has been analyzed in multiple studies; however, the answer is complicated and interrelated with structural and institutional factors. Some of these proposed factors include poverty, high rates of joblessness, low levels of educational attainment, and the clustering of blacks and Latinos in urban areas that are more heavily policed than white suburban and rural areas (Levinson et al., 2012). The most significant factor proposed for the ongoing racial disparities within the legal system is the implicit racial bias that may be held by the key actors, such as police, attorneys, and judges, in and outside of the system. Within the criminal justice system, it is proposed that these biases can lead to more arrests and harsher sentences for racial minorities as compared to their white counterparts (Fisher & Borgida, 2012; Levinson et al., 2012).

A Gallup poll taken in 2011 suggested that as few as one-quarter of US residents have confidence in the US legal system. This statistic is reflective of citizens not viewing the legal institution as fair, just, and trustworthy. Research has shown that African Americans who come in contact with the legal system view it as unjust, while their White counterparts are less likely to come in contact with the legal system and are more likely to view it as fair (Bobo & Johnson, 2004). These differences in perceptions are reflective of an underlying bias within the legal

system. While white individuals may be less likely to have negative experiences with the legal

system, racial minorities may be more likely to experience racial bias by police as well as other

legal authorities they encounter. The biases that racial minorities experience impact all racial

groups by creating cynicism and skepticism around our legal institution and the administration of

justice (Matsueda & Drakulich, 2009). Creating fair procedures within the criminal justice

system can help to increase the likelihood that citizens will see and experience the system as fair,

which according to Matsueda and Drakulich (2009, p. 165), "is essential for maintaining the

legitimacy of the social order."

Components of Competency and Racial Bias

Throughout the legal process, there a several instances in which the defendant's race may

come into play when it comes to competency to stand trial. Most frequently, competency

evaluations are initiated by the defense attorney who questions the competence of their client, at

which point the attorney will request a competency evaluation be done. Once the evaluation is

complete, the evaluator will offer an opinion with regard to the defendant's competence to stand

trial (Sundsmo, 2007).

The first instance where bias may occur is during the referral process. Literature suggests

that law students are more likely to refer African American clients for competency evaluations

than their White counterparts, however seasoned attorneys did not show the same level of bias

(Harris & Weiss, 2018). In addition, a study by Pinals et al. (2004) examined the referral process

within a forensic mental health system in Massachusetts. Their results found that when court

clinicians were screening defendants to assess if further competency evaluations were necessary,

black defendants were more likely than white defendants to be referred. In contrast, Hispanic

defendants were less likely than whites to be referred for further competency screenings within

an inpatient facility. When referrals were made to a strict security facility, black defendants were referred almost two times more often than whites, while Hispanics were also more likely to be referred than white defendants (Pinals et al., 2004; Sundsmo, 2007). The authors of this study concluded that Blacks and Hispanics are likely overrepresented when it comes to competency to stand trial evaluations (Pinals et al., 2004).

Another stage in the process where racial bias may take place is during the psychologists' or psychiatrist's competency evaluation of the defendant. Research has shown that the error rates of forensic evaluations are unknown, and that forensic evaluators are often influenced by multiple sources of variability and bias. These biases have been shown to be powerful enough for evaluators to form different opinions from one another about the same defendant (Guarnera et al., 2017). Research conducted by Nicholson and Kugler (1991) found that minority and unmarried individuals were more likely to be found incompetent compared to their white and married counterparts. According to a study by Sundsmo (2007), African American defendants were less likely than European American defendants to be found competent and were also more likely to be diagnosed with a psychotic disorder. In contrast, a study by Ho (1999) did not find a significant relationship between ethnicity and competency status. Instead, he found that males were more likely to be found incompetent than females.

While research in this area is both scarce and mixed, research does show that there is a lack of interrater reliability in forensic assessments and that African Americans are more likely to be diagnosed with psychotic disorders than Europeans Americans and therefore are more often found incompetent due to their diagnosis (Cooper & Zapf, 2003; Sundsmo, 2007). Given the bias of the evaluators themselves, formal assessment tools have been designed to address this subjectivity. One of the values of using assessment tools rather than clinical judgements is

because there is an assumption that assessment tools are less subject to bias than clinical judgements.

Measurement Bias in Assessment

The measurement of bias in assessment is important in order to ensure the measures we are using are appropriate for individuals across different demographics. Measurement bias in the field of psychology often occurs through cross-cultural differences in interpretation and meaning as well as in items that are used to measure various constructs (Teresi & Jones, 2013). According to Teresi and Jones (2013), both language translation as well as transfer across cultures impact the psychometric properties of a measure. This often occurs by impacting the difficulties of the items in the measure, the amount of information that is provided, and the range of traits that the measure can differentiate. An example of bias provided by Teresi and Jones (2013), is the item "no if, ands, or buts." This item is often used to measure difficulties in repetition of constants. While this item is a tongue twister for English speakers, it is easier for Spanish speakers when literally translated. In the field of psychological assessment, it is important to determine whether differences in responses are reflective of actual differences or if they are reflective of an item bias. In order to identify true item bias studies of factorial variance and differential item functioning are needed (Teresi & Jones, 2013).

MacArthur Competence Assessment Tool – Criminal Adjudication

The MacArthur Competence Assessment Tool – Criminal Adjudication (MacCAT-CA) is a tool that has standardized administration and criterion-based scoring. It is a psychometrically reliable and valid assessment tool that was developed in 1998 to conform to the essential abilities defined in the *Dusky* standard (Poythress et al., 1999). The measure was normed on 729 felony defendants in eight states and consists of 22 items. In the first 16 items, the examiner presents the

defendant with an initial hypothetical case involving an aggravated assault case at a pool hall. The remaining 6 items require that the individual compare the hypothetical situation with his or her own case (Poythress et al., 1999).

From a measure perspective, the MacCAT-CA consists of three main scales: understanding, reasoning, and appreciation. These three categories cover the factual as well as the rational criteria of *Dusky*. The understanding scale assesses the defendant's knowledge of the legal system and the process of adjudication. The reasoning scale assesses the defendant's ability to assist their counsel. It involves recognizing relevance and evaluating alternatives, as well as their ability to reason about two legal options. Finally, the appreciation scale evaluates the defendant's ability to appreciate their own legal situation as well as predict and comprehend the consequences of legal decisions (Poythress et al., 2002).

Limitations in the Literature

Research into racial bias in competency evaluations is limited. Few studies have looked at biases and stereotypes among the clinicians who perform competency evaluations, and how these biases may impact the results. Even fewer studies have taken a critical appraisal of the assessment instruments themselves and how these instruments may be carrying their own biases. When it comes to racial bias within competency to stand trial instruments, to date, there is no research looking specifically at racial bias within competency assessment subtests and items.

Purpose of Current Study

The purpose of the current study is to analyze the MacCAT-CA items to determine whether or not a racial bias exists favoring white or minority defendants. While research has shown that racial bias exists within the legal system, there are areas of the system that have not been thoroughly examined for bias. There are currently no studies that have examined the

relationship between race and competency tool items. Given this lack of research, it is imperative to identify whether and where bias may exist. In identifying these biases, we can better develop practices, and strategies aimed at identifying and reducing their effect (Levinson et al., 2012).

Chapter 2

Methods

Participants

This study employed archival data from a previous study (Jureska, 2010). Thirty

participants were selected from that data set of 113 prison inmates for the present study.

Selection criteria involved having both completed all items on the MacCAT-CA as well as

having identified the participant's race during the clinical interview.

Of population of approximately 13,900 prison inmates, 140 potential subjects were

randomly selected to participate in the original study. The participants were post-adjudicated

Oregon Department of Corrections (ODOC) inmates who had been classified by ODOC as

having an intellectual deficit. Of those selected participants, 27 did not qualify after the initial

contact with the researchers (e.g., unwillingness to sign the Informed Consent document,

evidence of sensory impairment, inability to maintain attention throughout the evaluation,

limited English knowledge). Of the remaining 113 participants, 97 were males (85.8%), and 16

(14.2%) were females. Participants in the original study ranged in age from 18 to 80 years ($M =$

36.7 years, $SD =$ 10.4. Twenty were African American (17.7%), 40 were European American

(35.4%), 12 were Asian American (10.6%), 29 were Hispanic American (25.7 %), and 12 were

Native American (10.6%). Participants were incarcerated for a variety of crimes including drug

and alcohol-related crimes such as possession and distribution ($n =$ 34, 30.0 %); robbery and ID

theft ($n = 31$, 27.4%); assault ($n = 27$, 23.8%); murder ($n = 13$, 11.7%); and sex crimes ($n = 8$, 7.1%).

In the present secondary analysis, participants were categorized as white and non-white. Fifteen of the participants selected were white (50%), while the other 15 were non-white (50%) from various ethnic backgrounds. It is important to note that none of the participants had been exposed to the MacCAT-CA instrument prior to the current study.

Materials

The MacCAT-CA (Poythress et al., 1999) is a 30-minute, 22-item interview that assesses Competence to Stand Trial. It is presented in a vignette format and classifies the information into the three competence subscales which parallel the competency standards laid out in Dusky v. United States (1960): understanding, reasoning, and appreciation. According to Zapf, Skeem, and Golding (2005), internal consistency for the MacCAT-CA ranged from .81 to .88 (.81 for Reasoning, .85 for Understanding, and .88 for Appreciation), and interrater reliability ranged from very good to excellent (.75 for Appreciation, .85 for Reasoning, and .90 for Understanding). In addition, an analysis of correlations between the three scales revealed a strong relationship between understanding and reasoning (.92), reasoning and appreciation (.73), and understanding and appreciation (.62) (Zapf et al., 2005).

A forensic psychologist research team consisting of the primary investigator, a doctoral candidate forensic psychology student, and two pre-master's clinical psychology students administered and scored the MacCAT-CA and the other measures. The researchers conducted data collection in the same room, while 20% of the data collected by the pre-master's level researchers was audited by the doctoral candidate under the supervision of the forensic

psychologist to ensure data collection reliability and consistency. The reliability co-efficent of the original audited data was 0.90.

Procedure

The Institutional Review Boards (IRB) of the ODOC and George Fox University approved the original research project. This study followed the American Psychological Association's ethical guidelines to protect the confidentiality of participants' records, including the de-identification of data. The informed consent statement confirmed that consent to participate was voluntary and that participants could discontinue participation in the study at any time without penalty.

The procedure of the original study consisted of completing the MacCAT-CA with participants. Participants were randomly selected by the correctional facility using the Research and Evaluation Unit-Random OSCI inmate identification program. Selected participants were notified and informed of the purpose of the study and were scheduled to meet for a period not longer than two hours with a break between the two hours. Refreshments were provided to inmates regardless of participation status. Participants met in a pre-selected room inside the prison designated for data collection. If the inmate met study criteria and gave consent, he or she participated in a short clinical interview and was administered four instruments: the Competence Assessment to Stand Trial for Defendants with Mental Retardation (CAST-MR), the MacCAT-CA, the Test of Memory Malingering (TOMM), and the Malingering Incompetence of Legal Knowledge (MILK). Following completion, the participant was debriefed using a script. A correctional officer then returned the inmate to his or her cell and brought in the next potential participant.

Chapter 3

Results

Descriptive Statistics

The current study used a nonparametric partial correlation, a statistical procedure that holds one variable constant while measuring the relationship between two other variables. Specifically, the MacCAT-CA subscale score was held constant while measuring the relationship between the subscale item score (correct / incorrect) and ethnicity (Euro-American / People of Color). This procedure was employed in order to determine whether an item bias exists for ethnicity among the items in the subscales of understanding, reasoning, and appreciation.

Independent-samples t-tests were conducted to determine whether or not significant differences exist between scores of white and non-white participants. Table 1 shows the means of Euro-American (EA) and non-Euro-American (POC) participants for the MacCAT-CA total impairment and all three subscale scores, as well as the t-test results and the effect sizes of the differences. Overall, there were no significant differences between EA and POC participants for the MacCAT-Ca scores.

Tables 2 through 4 summarize the partial correlations for each MacCAT-CA item and subtest. Within every subscale, items ranged from no correlation to a high positive correlation. Out of 22 partial correlations, 7 items showed a small effect, 7 items showed a moderate effect, and 4 items showed a large effect, for a total of 18 items indicating an effect of ethnicity on MacCAT-CA item performance. This suggests that item bias exists within each MacCAT-CA

subscale. Of the 18 items demonstrating item bias, 16 of the items showed bias favoring EA

participants, while 2 items displayed a small effect favoring POC participants.

Table 1

Euro-American and People of Color Participants' Scores for the MacCAT-Ca Total and Subscales

MacCAT-CA scale	Euro-American (*n* =15)		People of Color (*n* = 15)				
	M	*SD*	*M*	*SD*	*t*	*sig*	*d'*
total	24.07	4.83	26.60	6.33	1.23	.23	.45
Understanding	10.07	2.66	10.73	3.06	.64	.53	.23
Reasoning	11.07	3.49	11.73	3.79	.50	.62	.18
Appreciation	2.93	2.12	4.13	3.44	1.15	.26	.42

The item content with a moderate effect favoring the EA defendants includes item 1 from

the understanding subtest "Roles of the defense attorney and prosecutor," item 10 from the

reasoning subtest "mitigating the prosecution's evidence of intent," item 11 "possible

provocation," item 12 "Fear as motivator for one's behavior," item 13 "possible mitigating

effects of intoxication," item 14 "Seeking information," and item 20 from the appreciation scale

"likelihood of being found guilty." The item content with a large effects size included item 17

from the appreciation subtest "Likelihood of being treated fairly," item 18 "Likelihood of being

assisted by defense counsel," item 19 "Likelihood of fully disclosing case information to the

defense attorney," and item 22 "Likelihood of pleading guilty."

Table 2

Nonparametric Partial Correlation for Understanding

Item	Content	Correlation	Effect
1	Roles of the defense attorney and prosecutor	.30	Moderate
2		.07	None
3		.05	None
4		-.01	None
5		-.29	Small
6		-.26	Small
7		-.02	None
8		.26	Small
Overall		.0125	None

Table 3

Nonparametric Partial Correlation for Reasoning

Item	Content	Correlation	Effect
9		.27	Small
10	Mitigating the prosecution's evidence of intent	.34	Moderate
11	Possible provocation	.43	Moderate
12	Fear as motivator for one's behavior	.42	Moderate
13	Possible mitigating effects of intoxication	.35	Moderate
14	Seeking information	.35	Moderate
15		.27	Small
16		.24	Small
Overall		.33	Moderate

Table 4

Nonparametric Partial Correlation for Appreciation

Item	Content	Correlation	Effect
17	Likelihood of being treated fairly	.54	Large
18	Likelihood of being assisted by defense counsel	.51	Large
19	Likelihood of fully disclosing case information to the defense attorney	.56	Large
20	Likelihood of being found guilty	.36	Moderate
21		.26	Small
22	Likelihood of pleading guilty	.50	Large
Overall		.45	Moderate

Finally, results indicate that a moderate-size, positive mean partial correlation exists between items scores and ethnicity in both the subtests of reasoning ($\bar{x}$ = .33) and appreciation ($\bar{x}$ = .45), such that white participants were more likely to score as competent. No partial correlation between ethnicity and item scores was demonstrated on the understanding subtest ($\bar{x}$ = .01).

Chapter 4

Discussion

The current study sought to shed light on whether racial bias exists within the MacCAT-CA items and whether or not Euro-American (EA) individuals are favored. The data suggests that some bias exists in the categories of reasoning and appreciation in the MacCAT-CA, with overall effect sizes being moderate in both subtests. While some items in the understanding subtest show a presence of small effect size, overall, there was no effect within this category. Results suggest that there is a potential racial bias within the reasoning and appreciation subtest that favors EA participants. In order to explore why this bias may be occurring, it is essential to understand further what these subtests are asking of the defendant.

As discussed previously, the understanding scale tests the defendant's factual understanding of the legal system by asking questions around the roles of individuals involved in the legal process (e.g., judge, attorney, and jury) and other elements of the court proceedings. These questions are asked with a vignette; for example, they may ask, "Let's say John's case goes to court for a jury trial. What is the role of the jury?" (Poythress et al., 2002). The reasoning scale likewise uses a vignette to ask its questions. However, the reasoning scale is assessing the defendant's ability to assist their counsel. For example, questions in this subtest involve reading the defendant the vignette with two separate facts or choices and asking them which facts or choices would be most important to share with their lawyer or to pick.

The appreciation scale looks at the defendant's ability to appreciate their own personal legal situation. While in the previous subtests, the examinees are asked to comment on a hypothetical case, the appreciation scale has them examine their attitudes and beliefs about their own case. Each item within this scale looks at how the examinee expects to be treated throughout the course of adjudication. Questions such as, "compared to other people who are charged with the same offense as you, do you think you are more likely, less likely, or just as likely to be found guilty?" (Poythress et al., 2002). The examiner then goes on to explore whether or not the answer the examinee gives is plausible or if it signifies a mental disorder by asking, "What are your reasons for thinking that?" (Poythress et al., 2002). The defendant receives a high score if they both answer the question, and the answer appears to be plausible.

One reason the understanding subtest may not have shown significant bias is that it is less subjective and more based on factual information about the legal system. These facts are often straightforward, such as the role of a jury. The reasoning and appreciation scales leave room for subjectivity based on personal experiences, cultural background, and values. One potential reason that racial bias may exist within these two scales is that the answers are influenced by a majority-culture lens regarding what an appropriate response looks like. Racial minorities often come from different cultural backgrounds and may not agree with white westernized views of crime and the legal system.

Another reason the appreciation subtest may have shown a racial bias favoring EA responders is that it asks the defendant to compare their case to others. If minority defendants are comparing their case to their EA counterparts, then they are less likely to view the process as fair or equal. Minority individuals have historically been mistreated throughout the legal process, and therefore, may have a different perspective in answering these types of questions compared to

EA defendants (Sundsmo, 2007). Also, as previous studies have demonstrated, African Americans are more likely to be diagnosed with psychotic disorders compared to European Americans. One theory for this involves the marginalization and racism they have experienced, translating into fear and mistrust, which in turn may make them perceived as more paranoid (Sundsmo, 2007). The experience of racism and prejudice in the legal system may cause minority individuals to be more reserved and cautious when answering legal questions, especially those directed at their specific case.

Strengths and Weaknesses of the MacCAT-CA

Historically competency has been assessed in an unstructured or semi-structured interview. These types of approaches are vulnerable to bias', inconsistencies, and subjective opinions. A strength of the MacCAT-CA competency tool is that it minimizes the influence of clinical subjectivity and has theoretical imprints based on Bonnie's work. Bonnie (1992) established a theoretical "reformulation" of the construct of adjudicative competence. This approach looks at factors including psycho-legal abilities (e.g., capacity to understand charges, capacity to appreciate one's situation, and ability to relate pertinent information to counsel (Winick 1987, p. 243-285), and cognitive and adaptive skills (Zapf et al., 2005). The MacCAT-CA is one of the few tools that includes Bonnie's theoretical formulation reflecting the three requirements of the *Dusky* criteria.

Despite the strengths, the current research demonstrates some weaknesses of this instrument. When examining the subscales for racial bias, the appreciation and reasoning scales showed some bias favoring white defendants. These results demonstrated that there is bias within the MacCAT-CA that needs further examination. Previous research around item bias is limited, but the present study has shed light on potential limitations around the clinical utility of the tool.

Given that many people who come through the legal system are racial minorities, the MacCAT-CA would be most useful if examiners are aware and sensitive to the bias the items present.

Limitations

One of the major limitations of the current study was that the evaluations of competency were completed by a limited number of evaluators. The data collected relies on the judgements made by this small sample of evaluators. The results of this study are impacted by the subjective interpretation of each of these evaluators, making it unclear if bias exists within the MacCAT-CA itself or within the evaluators scoring the assessment and making the recommendations surrounding competence.

Another major limitation of the current study is the small sample size. The current study consisted of 15 EA participants and 15 POC participants. Given the small sample, those from racial minority backgrounds were clumped together. This did not allow for the study to look specifically at each ethnic background. While the inclusion criteria established that only participants whose English was sufficient to participate in trial could participate in the study, the wording of the test could have affected the participants' understanding of the material, especially concerning those of whom English is their second language. Another limitation is that the participants were post-adjudication. While the participants had not been exposed to the MacCAT-CA previously, having already been through the adjudication process may have impacted their performance.

Implications

The current study sheds light on an area of competency evaluations that largely goes unchecked in the literature, which is the potential for racial bias affecting the evaluation process. Competency evaluations are just one aspect of the legal process, with defendants running into

multiple opportunities to experiences discrimination and bias. Forensic evaluators need to do their part to not add to the bias that racial minorities experience throughout the legal process, and instead critically examine their own biases and that of the tools they are using.

Directions for Future Research

Given the protentional for subjective administrator conflation it will be important for future researchers to standardize the administration and interpretation of the MacCAT-CA. This could be done by having several evaluators interpreting the subjective data. It will also be important to replicate a similar study with a larger diversity of non-white evaluators and within different legal institutions throughout the United States.

Additionally, it will be important for future researchers to explore different racial and cultural backgrounds and where specifically bias exists within competency to stand trial items. In addition, it would be helpful to explore how the diversity and cultural awareness of the evaluator impacts competency evaluation reports and recommendations. The present study also raises additional questions for future research, including the relationship between competency evaluation tools and gender identity. Future research in this area could shed more light on the role that different identity markers play in the establishment of competency.

Conclusion

Despite the complexity of race and competency, the research in this area is limited. These limits in research affect a population that is already vulnerable within the legal system. A lack of research in this area would potentially be justified if there were a lack of minority individuals within the legal system, previous research has demonstrated that this is not the case, however. While further exploration into bias and the reformation of the legal system is beyond the scope of

this research, it is essential to encourage further research as this may ultimately help lead to

greater social justice, fairer legal practices, and deinstitutionalization.

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Appendix A

Curriculum Vitae

Isolde M. Hughes
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Colorado Springs, CO 80906
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EDUCATIONAL HISTORY

George Fox University: APA Accredited
PSY.D. Clinical Psychology   Anticipated May 2021
M.A. Clinical Psychology   May 2018

George Fox University: CACREP Accredited
M.A. Clinical Mental Health Counseling   May 2016

Oregon State University
B.S. Psychology   September 2013

Chemeketa Community College
A.A.S Criminal Justice   September 2011
A.A.S Juvenile Justice   September 2010
Juvenile Corrections Certificate   September 2010

CLINICAL EXPERIENCE

Psychology Intern   August 2020 – Anticipated August 2021
Colorado Mental Health Institute - Pueblo
Pueblo, Colorado
Supervisor: Peggy Hicks, Ed.D. Director of Clinical Training
- Working on a four-month rotation with Court Services including conducing Competency to Stand Trial evaluations.
- Will work on a four-month rotation on a social learning unit providing assessment, individual therapy, and group therapy.
- Will work on a four-month rotation with a Sex offender Treatment and Evaluation Program (STEP) providing individual therapy and assist in sex offender and violence risk assessments.
- Yearlong minor rotations include; completing 5 neurocognitive screening assessments, completing 15 general assessments outside of assigned major rotations, and maintaining a caseload of individual therapy patients and trauma informed patients.

Assistant Student Director   July 2019 – May 2020
Assessment Clinic of the Behavioral Health Center
Newberg, Oregon
Supervisors: Glena Andrews, Ph.D., ABPP and Kenneth Logan, Psy.D.
- Worked as a Student Director of a community mental health assessment clinic.
- Triaged incoming assessments and assigned them to practicum and supplemental practicum students.
- Provided peer supervision and trained students on assessment selection, interpretation, and report writing.
- Partnered with individuals, schools, attorneys, and medical providers to provide academic, forensic, and neuropsychological evaluations.
- Assessments utilized included WAIS-IV, WISC-V, WIAT-III, FAS BeST, WCJ-A, WRAT, WCST, MMPI-A, MMPI-II, Rorschach, Roberts-2, CVLT-II, REY-O, WMS-IV, DKEFS, NEPSY, Jordan-3, TOMM, BRIEF, ABAS and ABCL.

Psychology Trainee   August 2018 – July 2019
Oregon State Hospital
Salem, Oregon
Supervisors: Sabine Hyatt, Ph.D. and Terri Fernandez-Tyson, Ph.D.
- Worked collaboratively as an interdisciplinary team member on an inpatient geriatric neuropsychiatric unit.
- Served patients who were awaiting competency restoration to aid and assist in their trial, those who were civilly committed, and those who have been found guilty except for insanity (GEI).
- Provided individual therapy and psychoeducation groups.
- Conducted neurocognitive and psycho-diagnostic testing for diagnostic clarification.
- Assessments utilized include D-KEFS, NAB, RBANS, CVLT-II, WMS-IV, WAIS-IV, WASI-II, WCST, WRAT-IV, WIAT-III, LEITER-3, TOMM, MCMI-II, MMPI-II, MMPI-II RF, PAI, BRIEF and CASE.

Behavioral Health Consultant   February 2018 – February 2020
George Fox University in collaboration
with Yamhill County Mental Health
Newberg, Oregon
Supervisors: Mary Peterson, Ph.D., ABPP; Bill Burrow, Psy.D.; Luann Foster, Psy.D.
- Provided on-call behavioral health consultation services for Providence Newberg Medical Center and Willamette Valley Medical Center.
- Assessed mental health needs in various hospital departments including suicidal ideation and intent, homicidal ideation and intent, self-injurious behaviors, cognitive decline, and psychosis.
- Used diagnostic tools including the C-SSRS and MOCA to determine cognitive status and level of risk.
- Coordinated discharge planning and provided resources for follow-up care.
- Collaborated with supervisors, medical staff and Yamhill County Mental Health to provide ongoing integrative care.

Psychology Trainee   June 2017 – July 2018
Oregon State Hospital
Junction City, Oregon
Supervisors: Julia Howe, Ph.D. and Breanne Martin, Psy.D.
- Provided services to severely mentally ill patients who have been civilly committed or have been found guilty except for insanity (GEI).
- Worked collaboratively with interdisciplinary teams to coordinate patient care.
- Provided individual therapy using a Person-centered and CBT for psychosis framework.
- Led and co-led therapy groups and cognitive remediation groups.
- Utilized testing and assessment tools to determine intellectual and cognitive abilities of patients as well as risk of future violence.
- Testing measures included HCR-20 v.3, START, PCL-R, SAPROF, MMPI-II, MCMI-III, and MCCB.

Student Therapist   January 2017 – May 2017
George Fox University, Graduate Dept. of Clinical Psychology
Supervisor: Glenna Andrews, Ph.D., ABPP
- Worked from a Person-centered framework providing intakes and counseling services to two college-aged students.
- Administered ORS and SRS after services.

Student Therapist   October 2016 – June 2017
Rural Child and Adolescent Psychological Services
Yamhill Carlton, Oregon
Supervisor: Elizabeth Hamilton, Ph.D.
- Worked in a rural school district providing therapy and assessment services to high school and middle school students.
- Worked from a Person-centered framework while utilizing CBT, ACT, and solution focused therapy techniques.
- Provided behavioral observations and utilized assessment measures including the Wechsler non-verbal intelligence scale, the BASC-3, and the MMPI-A.

Intern Therapist   May 2015 – April 2016
Polk County Youth and Family Behavioral Health
Salem, Oregon
Supervisors: Cynthia Johnson, MSW, LCSW and Wendy Bruton, Ph.D.
- Provided mental health therapy services in a rural county setting to individuals up to age 22 and their families.
- Theories and strategies of treatment included CBT, DBT, play therapy, and parent training.
- Led therapy groups including, DBT skills training, Parent Training, and depression and anxiety management.
- Conducted mental health intakes, risk assessments, and treatment planning.
- Worked with DHS and other interdisciplinary team members to collaborate client care.

Intern Therapist   September 2015 – April 2016
Polk County Adult Behavioral Health
Salem, Oregon
Supervisors: Cynthia Johnson MSW, LCSW and Wendy Bruton, Ph.D.
- Worked as a therapist in a county mental health setting conducting adult mental health screeners and assessment updates, suicide risk assessments (CAMS), and treatment planning.
- Worked with therapists, psychiatrists, case managers, and other interdisciplinary team members to collaborate client treatment needs.

RELATED EXPERIENCE

Victim Advocate   May 2012 – June 2014
Marion County Victims Assistance
Salem, Oregon
Supervisor: Kathie Beach
- Provided advocacy services by responding to the Salem hospital and police department to provide crisis intervention and support to victims of sexual assault.
- Attended court proceedings with victims of sexual assault and domestic violence.
- Provided resources to victims while collaborating with attorneys, hospitals, and police departments.

RESEARCH AND PROFESSIONAL PRESENTATIONS

Dissertation:
Hughes I., Gathercoal, K., Peterson, M., Safi, D., (2020, May). *Examining Racial Bias within the Items of the MacArthur Competence Assessment Tool (MacCAT-CA).* Publication in process.

Hughes I., Hegeman, C., Gathercoal, K., Brown, S., (2019, May). *Exploring the Construct Validity of the Native Self Actualization Placement Assessment (NSA-PA).* Poster presented at Oregon Psychological Association, Eugene, Oregon.

Hughes, I., Hampton, C., David A., (2019, February). *Faithfully LGBTQ: A History of Queer Experiences.* Presented at Newberg Emerging Friends Church, Newberg, Oregon.

David, A., **Hughes, I**., Goodworth, M-C-., Mueller, R. (2018, July). *Race and the Prevalence of ADHD Symptoms and Academic Success.* Poster presented at the American Psychological Association Division 45 Research Conference, Austin, TX.

Colunga, A., Andrews, G., **Hughes, I** (2018, Nov). *FAS BeST: Creating Awareness in Other Cultures.* Poster presented at Caribbean Regional Conference of Psychology, Kingston, Jamaica.

ADDIONAL RESEARCH EXPERIENCE

Data Collector   September 2019 – May 2020
George Fox University
Advisor: Glena Andrews, Ph.D., ABPP
Project: Looking at fetal alcohol syndrome and cognitive deficits in a forensic sample.
- Presented at Yamhill County Parole and Probation department in order to recruit individuals on probation to participate in the study.
- Administered the FAS BeST, WASI, PAI, DKEFS, and WMS-IV on study participants.
- Provided a brief summary of assessment results and interpretations.

Data Collector   September 2018 – May 2019
George Fox University
Advisor: Glena Andrews, Ph.D., ABPP
Project: Looking at EEG results of undergraduate athletes before and after 8 sessions in Solution Focused Therapy.
- Provided solution focused therapy to 4 student athletes.

Data Collector   November 2016 – June 2017
George Fox University
Advisor: Elizabeth Hamilton, Ph.D.
Project: Looking at non-verbal intelligence and mental health in elementary school children.
- Administered mental health rating scales and the Wechsler non-verbal intelligence scale to a random sample of elementary school children.

TEACHING EXPERIENCE

Teaching Assistant   January 2020 – May 2020
George Fox University, Graduate Dept. of Clinical Psychology
Newberg, Oregon
Supervisor: Mary Peterson, Ph.D.
- Teaching assistant for PSYD591 Consultation and Program Evaluation.
- Aided students in working with psychological organizations, articulating effective consultation questions, conducting qualitative data analysis, and in professional writing skills.
- Graded project presentations and provided feedback.

Guest Lecturer   October 2019 – October 2019
George Fox University, Undergraduate Dept. of Psychology
Newberg, Oregon
Professor: Nancy Thurston, Ph.D.
- Guest lectured twice in PSYC 400 Psychological Testing. Lectured on cognitive testing including the history, domains, and utility of the WAIS-IV and WISC-V.

Teaching Assistant   August 2019 – December 2019
George Fox University, Graduate Dept. of Clinical Psychology
Newberg, Oregon
Supervisor: Kenneth Logan, Ph.D.
- Teaching assistant for PSYD 524 Comprehensive Psych Assessment.
- Supervised students in assessment instrument selection, test interpretation, and in report writing.
- Graded integrated psychological reports and provided feedback.

Teaching Assistant   August 2019 – December 2019
George Fox University, Graduate Dept. of Clinical Psychology
Newberg, Oregon
Supervisor: Kathleen Gathercoal, Ph.D.
- Teaching assistant for PSYD 631 Integrative Topics.
- Duties included grading papers and aiding students in exploring particular topics of interest in health service psychology, while they consider elements of spirituality and how that might intersect with their topic.

Teaching Assistant   January 2018 – May 2018
George Fox University, Graduate Dept. of Clinical Psychology
Newberg, Oregon
Supervisor: Kathleen Gathercoal, Ph.D.
- Teaching assistant for PSYD 578 Christian History in Psychology.
- Duties included grading papers surrounding the exploration of Christian history and the intersection of psychology.

COMMITTEE MEMBERSHIP

Student Counsel Representative   September 2016 – May 2018
George Fox University
Newberg, Oregon
- Helped the GSCP student body by caring for students intellectually and psychologically.
- Worked to foster a healthy community and be an active voice and advocate for student needs to faculty and administration.

PROFESSIONAL AFFILIATIONS

American Psychological Association, Student Member

American Psychological Law Society, Student Member