

Forensic psychology aids in a conviction on behalf of elizabeth smart

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Forensic psychology is a field that combines both psychology and the law.

Advancements in technology have accelerated created tremendous

popularity for this science. Furthermore the media, who has become

obsessed with forensics, through television shows movies and books,

depicting heroes solving mysteries in under an hour. While depictions of

forensic psychologist are popular and dramatic, the media does not portray

an accurate definition of this science. Typically, a forensic psychologist deals

with both areas: psychology and law. In many cases, people working within

forensic psychology are not necessarily " forensic psychologists. " These

individuals might be school psychologists, neurologist or counselors who lend

their psychological experience to provide testimony, analysis or

recommendations in legal or criminal cases. Forensic psychologists usually

deals with clients who are not there of their own free will. Due to this forensic

psychologist face great difficulty in making assessments, diagnosis and

treatment plans. (Cherry, 2009) Forensic psychologist can play key roles in

the criminal justice system. Immediately following a crime a forensic

psychologist may be asked to act as a criminal profiler. Criminal profiling

involves the psychologist's use of human behavior, motivation, and

pathology so that he or she can create a profile, which is often accurate, of

the offender. From observations of the crime scene one can infer the

behavioral characteristics of an individual who created it. To a profiler

everyone is a slave to their own psychological make-up. In turn, profilers use their knowledge of how the typical offender reacts, their characteristics and then predict not only how the investigators can expect the offender to behave in the future, but also what their physical appearance will likely be. While profiling may seem like a very exciting field, it is not often used. However, forensic psychologists are often asked to evaluate a 3 Forensic Psychology Aids in a Conviction On Behalf Of Elizabeth Smart defendant for competency. Competency assessments can serve a number of purposes. First, a defendant can be assessed for the ability to stand trial and/or make a legal decision on their behalf. These types of decisions have been frequent in the news. (Forensic psychologically, essay, 2013). Most recent cases are for example, Brian Mitchell, who was arrested and prosecuted on the kidnapping of Elizabeth Smart. Brian Mitchell was a self-proclaimed “angel” from heaven, who was sent to Earth to serve the destitute and correct the Mormon Church by restoring it back to its fundamental values. Mitchell and his wife, Wanda Barzee, are accused of kidnapping then 14 year old Elizabeth Smart and holding her captive for nine months. In the early morning hours of June 5, 2002, 14 year old Elizabeth Smart, woke up to find a man holding a knife to her neck. She was taken from her bed and marched up a rugged mountain path to a remote camp site. Mitchell performed some type of marriage ceremony with the teenager and he raped her repeatedly. Smart was forced to live in a life of captivity hidden behind a veil for months until she was discovered in a college campus. Smart testified in trial that Mitchell told her their marriage was preordained and that she would be by his side as he took seven wives and successfully battled the Antichrist. (CNN

Wire Staff, 2011). Brian Mitchell's defense managed to have him declared incompetent to stand trial. During Mitchell's 10 day competency hearing last October, Mitchell had to be repeatedly removed from the courtroom because he would break into song. However, through superior skill and revelation that the defense's key psychologist had lied, Dr. Michael Welner's testimony was key in winning a conviction. 4 Forensic Psychology Aids in a Conviction On Behalf Of Elizabeth Smart Dr. Michael Welner, one of the country's top forensic psychologists, testified that he believed Mitchell was competent. Welner said he spent 1, 500 hours investigating the self-proclaimed prophet's mental state. " It was gratifying, " Welner said of the decision. " An ounce of fact is worth a pound of expertise. In this case there were many facts available, but they required an active and energetic effort to seek out the truth. These are the responsibilities of the forensic psychologist. " (Burke, 2010) U. S District Judge Dale Kimball wrote that Mitchell, 56, " does not presently suffer from a mental disease or defect that impedes his rational and factual understanding" of the proceedings against him. Kimball's ruling was applauded by Brett L. Tolman, the former U. S. Attorney for the state of Utah. Tolman stated, " the ruling sends a message to the victims that they can be an important part of a case. This case began and ended with important testimony from Elizabeth Smart. " Tolman believed that Smart's testimony made all the difference in determining that Mitchell was competent to stand trial. " This case presented significant challenges, " Tolman said, " It had already gone through the state system and at it was at a standstill. Mitchell was found incompetent in the state system. One of the biggest concerns for me was that there were sides not presented in the state

trial that needed to be brought out. Mitchell is a master manipulator. " Judge Kimball had determined that Smart's testimony was necessary because Mitchell had refused to submit to any psychological evaluations or diagnostic tests. Brian David Mitchell was found guilty of kidnapping Elizabeth Smart on May 25, 2011. Although this case was ultimately a victory for the scientific community, not every effort to use forensic psychology to solicit an accurate conviction is successful. 5 Forensic Psychology Aids in a Conviction On Behalf Of Elizabeth Smart References Burke, Mary (2013) Untitled. [online] Available at: <http://abcnews.com.go.com?TheLaw/brian-mitchell-suspect-elizabeth-smart-case-found-compet> [Accessed: 15 Feb 2013]. Cheryy, Kendra. About. Com (n. d.) What Is Forensic Psychology?. [online] Available at: <http://psychology.about.com/od/branchesofpsycholog1/f/forensicpsychology.htm> [Accessed: 15 Feb 2013]. CNN Wire Staff. (2011) Elizabeth Smart abductor sentenced to life in Prison [online] Available at: <http://www.cnn.com/2011/Crimes/05/25/utah.smart.sentencing/index.html> [Accessed : 15 Feb 2013] Customessaymeister. com (2013) Forensic Psychology research paper, Psychology essay, term paper. [online] Available at: <http://www.customessaymeister.com/customessays/Psychology/16303.htm> [Accessed: 15 Feb 2013]. Montaldo, (1953) Brian David Mitchell. [online] Available at: http://crime.about.com/od/current/p/brian_mitchell.htm [Accessed: 15 Feb 2013]. Mylifeofcrime. com (n. d.) Untitled. [online] Available at: <http://mylifeofcrime.com/2011/04/05/guess-post-five-remakable-forensic-psychology-cas> [Accessed: 15 Feb 2013].

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