

## Psychopathy

### Introduction

The concept of psychopathy is very important to forensic work, and forensic evaluators need to be conversant with it. Psychopaths generally do not go for therapy, and when they do they are usually able to fool their therapists into believing that they are warm caring individuals who are unappreciated and mistreated by those around them. Clinicians have little way of knowing whether the person is telling the truth and tend to believe their patient. Clinicians who do couple's therapy will at times run into situations in which the spouses present markedly differing stories and one of the spouses will be accusing the other of behavior which fits the psychopathic mold. The therapist, however, usually has little means of finding out who is telling the truth and is likely to believe that both parties are putting remarkable spin on events, or to believe the version of events provided by the charming psychopath, rather than the anxious and traumatized partner.

In doing forensic evaluations it is very important to be familiar with the existence, signs and symptoms of psychopathy. These individuals' charm and verbal abilities present a high risk of fooling the forensic evaluator. Moreover, the impact of being fooled can be very serious for those with a stake in the legal process. In custody battles psychopaths have an enormous capacity to convince people that they are caring parents who have been falsely accused of being harsh and inappropriate, and that they are the victim in the marriage, rather than the problematic spouse. The result is that the children are placed with a very disturbed parent. In personal injury suits evaluators need to beware lest the psychopath's charm leads to overlooking evidence indicating that the suit is based on false complaints. In criminal cases, psychopaths may convincingly turn attention away from themselves even though they are the most dangerous of criminals, since all else being equal, psychopaths are more likely to engage in violence and to offend again than are non psychopaths.<sup>1</sup>

Many psychopaths are criminals. Many, however, are not. Robert Hare Ph.D. writes of subcriminal or white collar psychopaths, people who are callous, manipulative and egocentric, but who have sufficient social skills, intelligence and education to present as normal and function in professional positions. While many people are unscrupulous in business dealings while empathetic and fair in their personal lives. Subcriminal psychopaths engage in their problematic behaviors in all facets of their lives.

### Description of Psychopathy

The most prominent features of psychopathy are (1) the ruthless pursuit of what they wish through manipulation and aggression, (2) lack of concern for the rights and well-being of others or the impacts of their actions on others, and (3) a remarkable propensity for risk taking. Their risk taking appears to be fueled by a combination of a failure to learn from experience and a desire for excitement.<sup>2</sup>

In Without Conscience, Robert Hare writes that psychopaths are "Completely lacking in conscience and in feelings for others, they selfishly take what they want and

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<sup>1</sup> Wahlund K, Kristiansson M. Aggression, psychopathy and brain imaging - Review and future recommendations. *Int J Law Psychiatry*. 2009 Jul-Aug;32(4):266-71.

<sup>2</sup> Cooke DJ, Michie C. Refining the construct of psychopathy: towards a hierarchical model *Psychol Assess*. 2001 Jun;13(2):171-88

do as they please violating social norms and expectations without the slightest sense of guilt or regret.” They appear to lack the social emotions of empathy, guilt and remorse which normally inhibit people from engaging in instrumental aggression.<sup>3</sup> They have a remarkably able to externalize blame and rationalize their actions. The lack of true empathy and caring for others is hard to comprehend since empathic responsiveness is so central to the human experience and to having relationships. The psychopath does not feel others’ pain, even of those they allegedly love.

For a psychopath love is about what one gets and not about what one gives. For a psychopath love consists of wanting the person to be part of their life and to obtain things from the other person (companionship, affection, respectability, attention, an audience). In real love, people value the other person’s well-being and happiness as much as their own and at times sacrifice their personal preferences to promote the well-being of the person they love.<sup>4</sup>

The ability of the psychopath to understand the feelings of others on an intellectual level, at the same time that they do not feel an empathic connection and a need to respond to others’ needs, provides them with considerable power.<sup>5</sup> Unrestrained by actual caring, psychopaths use their understanding of the feelings of others to manipulate and deceive. The psychopath may feign concern and say the socially appropriate thing, but their actions show that their expressions of warmth and concern for others are hollow. They only respond to the needs of others when it is convenient for them, or they are likely to directly benefit from being responsive by gathering the good will of observers. Gracious and generous when it will clearly benefit them. They will ignore strong and legitimate needs of those they allegedly love when it is inconvenient for them. A psychopath may profess love for their spouse and children and then not only have an affair, but engage in one that is particularly hurtful by doing it with someone their spouse and children are close to. A parent may spend lavishly on gifts that bring praise, and then fail to provide needed essentials. If a child or spouse is ill the psychopath may give TLC if it is convenient, but will ignore it or even deny there is a problem if it interferes with what the psychopath wishes to do that day.

Their self-centeredness is extreme, since there is no real love for others. Or rather, love for them consists of needing someone else, rather than valuing the other person’s well-being. The psychopath is totally indifferent to the hardship he or she wreaks on those he professes to care about. He may speak the right words and utter the right emotions at times, but there is no substance behind it. He may express appreciation and even apology but the words are not followed by deeds. They may engage in showy acts of generosity to gain praise, but then fail to fulfill important obligations that cause great difficulties for those they are obligated to.

Another emotional deficit in psychopathy is a markedly impaired ability to learn from experience. Painful and destructive experiences that would lead most people to

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<sup>3</sup> Glenn AL, Raine A. Psychopathy and instrumental aggression: Evolutionary, neurobiological, and legal perspectives. *Int J Law Psychiatry*. 2009 Jul-Aug;32(4):253-8

<sup>4</sup> Eric Fromm *Art of Loving*

<sup>5</sup> Dadds MR, Hawes DJ, Frost AD, Vassallo S, Bunn P, Hunter K, Merz S., Learning to 'talk the talk: the relationship of psychopathic traits to deficits in empathy across childhood. *J Child Psychol Psychiatry*. 2009 May;50(5):599-606.

avoid risky courses of action do not deter psychopaths. Psychopathic individuals may appear wise when talking about what others should do and even about what they should do. Thought does not translate into wise actions, however. They may talk about what they need to do to succeed at work and to stay out of jail and to make a relationship work, but their spoken knowledge is not followed by appropriate actions. When presented with the actual situation the psychopath will rush ahead doing what he or she had said would be foolhardy. They will make the same mistake over and over, have affairs, steal, lie or do whatever seems convenient at the moment, even after they have been repeatedly caught and suffered consequences and clearly articulated the risks of these actions. Research indicates that there is impairment in their ability to develop conditioned responses.

Acting synergistically with the failure to develop conditioned fear responses is selective attention to information that is consistent with their goal and a tendency to bypass and not attend to discrepant information.<sup>6</sup> When it comes to weighing the risks and benefits of actually doing something psychopath's estimates are markedly overly optimistic for getting away with things. In addition, punishments also weigh less heavily on them than on the average person. Psychopaths do not suffer the guilt and self-criticism most people are subject to that inhibits us from engaging in overly risky acts. Therefore, their calculation of the potential cost of failure is reduced.

Further promoting their remarkable willingness to take risks is a desire for excitement to fill the void left by their inability to feel true closeness. They seek excitement and fulfillment by manipulating others.<sup>7</sup> They seek power for power's sake, and not simply for its ability to concrete ends. Lacking an instinctual sense of disgust at scenes of human suffering all that is left for them when faced with human suffering is excitement.

The excitement of getting away with something, and of making fools of those they are upset with (even if they also supposedly love them) can drive their behavior. For example, one charming psychopath not only had sex with one of his adult stepdaughters for years, but went on to have sex with her younger sister as well. This man, a professor, had access to innumerable coeds of the same age. The issue was far more than simply desiring to feel young by having sex with a younger woman. When I met with him his first words were that the women in the family were crazy. His externalization of blame is classic for psychopaths.

Psychopaths have a lust for power and feel rage toward those who challenge their power. Research has shown a strong correlation between psychopathy and indirect aggression among non criminal psychopaths, as well as a strong correlation between psychopathy and direct aggression in criminal psychopaths.<sup>8</sup> They desperately wish to cover over mistakes and do not apologize with any real sincerity.

The behavior of psychopaths vacillates from charming and poised to irritable and provocative. When engaged in trying to win someone over and hide that they are troublemakers they can be charming and poised. When closely observed and under scrutiny they get their excitement from being able to fool those they are with. When

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<sup>6</sup> Stroop test

<sup>7</sup> Herpertz SC, Sass H. Emotional deficiency and psychopathy. *Behav Sci Law.* 2000;18(5):567-80

<sup>8</sup> Warren GC, Clabour J. Relationship between psychopathy and indirect aggression use in a noncriminal population. *Aggress Behav.* 2009 Sep-Oct;35(5):408-21

things are smooth, however, they are likely to stir things up. Normal life is boring for them and stirring up trouble is a partial antidote.

Psychopaths are masters of impression management and can fool the greatest experts. They are very likeable and believable. While the average person may not be able to hide their distaste for someone, the psychopath has no problem acting and playing the game that is required to get what he wants. Their lack of respect for the truth facilitates glibness and an ability to make flattering statements and self-serving lies convincingly. Their emotions are very shallow. Able to focus on the presentation they wish to give, unburdened by anxiety or guilt or a need for a real connection with people, they come across as class acts and are charismatic. The psychopath noted above not only succeeded in sleeping with both of his stepdaughters, but remained in the family when his actions were discovered and continued to be embraced by all concerned. A particularly powerful experience for me was interviewing a man who had allegedly killed several people in cold blood. The reports were that he had responded with marked vengeance to small slights. When we met he was not only charming and poised with me, but reportedly was very well behaved in jail. I found it almost impossible to imagine him engaging in vengeful killings over tiny issues. Their ability to be charming and fool people, to be a wolf in sheep's clothing, makes them very dangerous.

If caught in lies and unmasked they will become very upset and may panic. Their emotional distress does not arise from guilt or shame but from fear that they will no longer be able to continue the complex game they are playing, and that their power and success may come crashing down. Their outbursts at these times may also be calculated and strategic. There is the old adage that when the facts are against you plead the law, if the law is against you pound on the table. The unusual show of emotion by someone who is generally under good control can shock people and effectively lead them to back away from their accusations.

Psychopaths have a remarkable lack of respect for the truth. Words are not tools of communication and connecting with another person. They are tools to obtain what one wishes. Psychopaths are not concerned that lying destroys the fabric of a relationship, since they do not forge the mutual bonds of responsibility and commitment that are the essence of friendships. Psychopaths will say what is convenient, whether or not it is true, without hesitation. Unfortunately, they are also very believable since they lack the anxiety and hesitation most people evidence when lying.

Psychopaths externalize all blame with amazing facility. A classic maneuver is to accuse their victim of doing what they themselves have been doing. They accuse their spouse of being harsh with the children, screaming and never being available, when it is in fact they who were doing these things. They come up with endless excuses for their actions. If you carefully track their logic you will find multiple contradictions. People rarely, however, have the inclination to carefully track them. Even if one does, the psychopath will claim that the situations are different and find a reason to excuse their own behavior and externalize blame.

Psychopaths do tremendous harm to those unfortunate enough to become close to them. They are drawn toward insecure and trusting people like bees to sweet smelling flowers. They play on their insecurities and hopes, tuning in to how to manipulate them with amazing skill. As their victims try to protest about how they are treated the psychopath skillfully convinces them that they are being unfair in their criticisms and

it is really they who are being unfairly treated. In time the person's self esteem falls lower and lower making it harder to escape. The result on others is to create immense confusion and rip at the fabric of the self esteem of those they are close to. The massive disconnect between espoused values and actual behavior leaves those they are close to questioning their perceptions of reality. These psychopaths are adept at painting those they hurt as the culprits and themselves as the victims. They are so charming and persuasive that they frequently succeed in turning others against their victims. Dr. Hare goes on to note that they often contradict themselves, but people tend not to notice or care. Their facility with words is excellent.

### Etiology

Core element of psychopathy appears to be a diminished emotional experience including a lack of empathic connection to others, a failure to experience disgust when seeing human suffering and a decreased conditioned fear response impeding learning from experience.<sup>9</sup>

Research has shown altered neurobiology in psychopathic individuals.<sup>10</sup> Twin studies show that callous-unemotional ways of relating to the world are heavily based on genetic factors. Moreover, anti social behavior in callous unemotional children is not mediated by environmental factors while anti social behavior in children who are not callous and unemotional are significantly affected by their environment.<sup>11</sup> A lack of behavioral inhibition has been hypothesized to be connected to psychopathy.<sup>12</sup>

Individuals with high scores on tests of psychopathy show reduced learning from punishment, as is found in patients with orbitofrontal lesions.<sup>13</sup> Non criminal psychopaths failed to develop conditioned responses when a foul odor and neutral faces were paired, while controls did develop a conditioned response indicating a problem in association formation.<sup>14</sup>

It has been hypothesized that problems in the amygdala and orbital/ventrolateral frontal cortex affects the individual's learning from socialization experiences and increases frustration based aggression.<sup>15</sup>

Using multiple psychophysiological measures to compare emotional responses to unpleasant and pleasant stimuli showed decreased electrodermal responsiveness,

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<sup>10</sup> Glenn AL, Raine A. The neurobiology of psychopathy. *Psychiatr Clin North Am.* 2008 Sep;31(3):463-75. Weber S, Habel U, Amunts K, Schneider F. Structural brain abnormalities in psychopaths-a review. *Behav Sci Law.* 2008;26(1):7-28. Review. Müller JL, Sommer M, Döhl K, Weber T, Schmidt-Wilcke T, Hajak G. Disturbed prefrontal and temporal brain function during emotion and cognition interaction in criminal psychopathy *Behav Sci Law.* 2008;26(1):131-50.

<sup>11</sup> Viding E, Blair RJ, Moffitt TE, Plomin R. Evidence for substantial genetic risk for psychopathy in 7-year-olds. *J Child Psychol Psychiatry.* 2005 Jun;46(6):592-7

<sup>12</sup> Newman JP, MacCoon DG, Vaughn LJ, Sadeh N. Validating a distinction between primary and secondary psychopathy with measures of Gray's BIS and BAS constructs. *J Abnorm Psychol.* 2005 May;114(2):319-23.

<sup>13</sup> van Honk J, Hermans EJ, Putman P, Montagne B, Schutter DJ. Defective somatic markers in sub-clinical psychopathy. *Neuroreport.* 2002 Jun 12;13(8):1025-7.

<sup>14</sup> Flor H, Birbaumer N, Hermann C, Ziegler S, Patrick CJ. Aversive Pavlovian conditioning in psychopaths: peripheral and central correlates. *Psychophysiology* 2002 Jul;39(4):505-18

<sup>15</sup> Blair RJ, Peschardt KS, Budhani S, Mitchell DG, Pine DS. The development of psychopathy. *J Child Psychol Psychiatry.* 2006 Mar-Apr;47(3-4):262-76. Review.

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less facial expression, and the absence of affective startle modulation in psychopathic individuals as compared to offenders with borderline personality disorder and controls. Emotional hyporesponsiveness was specific to psychopaths, since results for offenders with BPD indicate a widely adequate processing of emotional stimuli.<sup>16</sup>

Research has indicated a tendency for psychopathic individuals to fail to attend to information that is not deliberately integrated with information they are paying attention to and that is not compatible with what they are trying to accomplish. This may explain the failure to respond to risks as most people would.<sup>17</sup>

### Psychopathy Versus Other Psychiatric Disorders

Psychopathy can be seen as a combination of particular aspects of narcissistic and anti-social personality disorders. Narcissistic personality disorder entails a combination of grandiosity, the need for admiration and lack of empathy. The narcissism of psychopathy does not always include a need for admiration or grandiosity. Rather, the driving factor for psychopaths is a marked lack of empathy for others and willingness to callously sacrifice the well-being of others in pursuit of what they wish. Narcissistic individuals see themselves as demigods who do not have to follow the rules meant for mortals, whereas psychopathic individuals ignore the humanity, needs and rights of others. Narcissistic individuals seek to be idolized, whereas psychopathic individuals seek to dominate. Kernberg suggested that there is a continuum from narcissism to malignant narcissism to psychopathy.<sup>18</sup>

Some use the words psychopathy and sociopathy as synonyms. Others relate sociopathic behavior to anti social behavior and see the core of psychopathy the marked lack of empathy and ruthlessness in relationships and endeavors.

### Importance in Forensic Work

The concept of psychopathy is important in many areas of forensic work. All else being equal, an individual who meets the criteria for psychopathy is more likely to be violent than an individual who is not psychopathic. They are far more likely to engage in instrumental violence to achieve their objectives than non psychopaths are. Thrill seeking and sadism further add to their tendency to violence.

Their rates of recidivism are also higher, which has significant implications for parole decisions and letting people out of conditions for follow up after release. The recidivism rate for psychopathic individuals is high because they tend not to learn from negative experiences.

The issue of psychopathy is also very important in civil forensic issues. In custody battles, psychopathic individuals tend to present very well. They are charming and very likeable and you want to believe them. When faced with two parents giving discordant descriptions of the truth and fighting bitterly over the children there is a

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<sup>16</sup> Herpertz SC, Werth U, Lukas G, Qunaibi M, Schuerkens A, Kunert HJ, Freese R, Flesch M, Mueller-Isberner R, Osterheider M, Sass H. Emotion in criminal offenders with psychopathy and borderline personality disorder. *Arch Gen Psychiatry*. 2001 Aug;58(8):737-45

<sup>17</sup> Hiatt KD, Schmitt WA, Newman JP. Stroop tasks reveal abnormal selective attention among psychopathic offenders. *Neuropsychology* 18 (1): 50-9.

<sup>18</sup> Otto F., Kernberg (2004). *Aggressivity, Narcissism, and Self-Destructiveness in the Psychotherapeutic Relationship: New Developments in the Psychopathology and Psychotherapy of Severe Personality Disorders*. Yale University Press

tendency for the court to feel a plague on both your houses. Moreover, there is also a tendency to see the calm and charming psychopath as the healthier parent and the frustrated, and frightened victim as emotionally unstable and to hand the children to the psychopath. Only an excellent forensic can avert this disaster for the children.

### Identifying Psychopaths

Identifying psychopaths is difficult. Most of the time they present as either totally normal or as having high levels of virtue and mental health. They often present as agreeable and personable, genuine and well adjusted. They are often charming and poised. They present as having high levels of mental health and as being able to handle stressful situations well. They generally present themselves as warm and caring about others, if it suits their purposes. They may even speak about past mistakes in reasonable ways and about the risks involved in some paths of action. Robert Hare notes that they are so believable that they are generally able to convince people that the people they victimized are actually the culprits. Hervey Cleckley MD wrote an excellent book entitled the Mask of Sanity. He noted that psychopaths lack the outward manifestations of mental illness (anxiety, depression, delusions, hallucinations, obsessions or compulsions, disorganized thinking) but then behave in ways that are inexplicable to reasonable people. Cleckley noted that psychopaths tend to act in accordance with social norms when under careful watch, but will then behave with abandon if he or she thinks she can get away with it. They are reminiscent of Potemkin Villages providing only the outward form of normality. Look under the surface and what you see is distressing. Their actions belie their words. Gather information from others and you will find a history of irritability, irresponsibility, recklessness and violation of the rights of others. There is a massive disconnect between their stated values and their actions.

The most crucial steps in identifying psychopaths is being alert to the possibility and aware of the presentation. When faced with someone who is charming and well-spoken, rather than being charmed you need to consider that the individual is a psychopath. Reviewing the person's job and relationship history is likely to show a history of problems, instability, and externalization of all responsibility that is classic. Obtaining work assessments and papers from prior divorces can be very helpful in seeing if others have seen problems with anger and prevarication and instability. When asking about issues in relationships and in work, and about successes in work and their social life, you can see if they take all credit for themselves and externalize blame, or if they have a more shared way of dealing with credit and blame. Some psychopaths are sufficiently skilled to accept responsibility for mistakes. Their doing so, however, is not likely to include the appropriate emotional component. The words may be there but no sign of real feeling of having done wrong. They will not take real steps to make amends and will engage in the same hurtful behavior when convenient for them.

The psychopath will fail to show the normal levels of insecurity and self doubt that most people have, and which are expected to be particularly prominent in a forensic evaluation. There will be little sign of remorse or guilt, except that which is rehearsed. Asking about times in their lives when they felt guilty or remorseful, particularly outside of the issue at hand, is likely to catch them off guard. They may learn to say the right

things but there is a shallowness to their feelings. He will never show humiliation or regret although they may be able to claim that they realize they made a mistake and even that they wronged someone. You can also ask what the person did to make amends.

The next crucial step is to actively search for contradictions in what the person is reporting and for concrete information that contradicts what the person is saying. Information is often available. It may be about small things that do not seem crucial, nevertheless the issue that the person lied to you is crucial.

There is a tendency for psychopaths to engage in intense gazing and for their eyes to be expressionless, rather than the emotions appropriate to their words. This is certainly not diagnostic, but when you encounter someone behaving this way it should lead you to raise your antennae.

### Psychopathy Check List- Revised (PCL-R)

Robert Hare Ph.D. is the preeminent researcher on psychopathy. His Psychopathy Check List- Revised (PCL-R) lists 20 criteria which are scored 0, 1, or 2. Most are divided into one of two categories: interpersonal/affective and social deviance.

#### Interpersonal Affective

1. Glibness, superficial charm
2. Grandiose sense of self worth
3. Pathological lying
4. Conning/manipulative
5. Lack of remorse or guilt
6. Shallow affect
7. Callous/lack of empathy
8. Failure to accept responsibility for actions

#### Social Deviance

1. Need for stimulation, proneness to boredom
2. Parasitic lifestyle
3. Poor behavioral controls
4. Early behavioral problems
5. Lack of realistic, long term goals
6. Impulsivity
7. Irresponsibility
8. Juvenile delinquency
9. Revocation of conditional release

#### Additional items

1. Promiscuous sexual behavior
2. Many short term marital relationships
3. criminal versatility

Offender populations typically have scores of 22 to 24 with a standard deviation of 6 to 8.

### Treatment

Many consider psychopaths to be untreatable.<sup>19</sup> The same factors that impeded their learning from their experiences and learning true socialization (lack of empathic attachment to others and limited conditioned responses) interfere with their benefiting from therapy. They may learn skills to be better at pursuing their historic self centered

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<sup>19</sup> Harris, Grant; Rice, Marnie (2006), "Treatment of psychopathy: A review of empirical findings", in Patrick, Christopher, *Handbook of Psychopathy*, pp. 555–572

objectives and better at manipulating and fooling people, but they are unlikely to cease their risk taking and mistreatment of others.

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Theodore Millon, Erik Simonsen, Morten Birket-Smith, Roger D. Davis *Psychopathy: antisocial, criminal, and violent behavior*

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