

Dissociative Identity Disorder in the Courtroom: A Guide to Forensic Testimony



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(Payton Miller)


DISSOCIATIVE IDENTITY DISORDER IN THE COURTROOM: A GUIDE TO FORENSIC TESTIMONY


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CreateSpace Independent Publishing Platform. Paperback. Book Condition: New. This item is printed on demand. Paperback. 172 pages. Dimensions: 10.0in. x 8.0in. x 0.4in. Dissociative identity disorder (DID) is a rare disease for what general practitioners have no code. It however has a heavy weight in forensic research. Experts are divided on whether DID warrants an acquittal for not-guilty-by-reason-of-insanity (NGRI) defense. Over the past century, DID has been raised to defend a variety of offenses, from a parking ticket to the first degree murder, or to manipulate with the civil suits for monetary relief. Applying traditional rules of criminal culpability or civil liability to these cases poses a significant challenge. The concepts of personhood and identity create a havoc in determining the insanity. Diagnostic exclusions are scarce, with exceptions of the explicit memory transfer to be the key to deny the dissociated identity, whereas the absence of implicit memory transfer helps to think of personality dissociation. Retrograde amnesia comes to be a central symptom and with its variations it helps to differentiate the alters of identity from the alters of personality. There is currently no consensus within the USA legal system as to the extent to which individuals with DID can or should be held responsible for their actions. Courts that are receptive to the DID diagnostic construct have used one of three approaches to assess criminal responsibility in such cases: alter-in-control approach, each-alter approach, and host-approach. Amidst the above complexity, the legal system must also deal with potentially conflicting mental health testimony, especially given enduring controversies about the DID diagnosis. DID challenges the Model Penal Code hierarchy of mens rea (purpose, knowledge, recklessness, negligence), the concept of evidence, material facts, and estoppel of duress. From the Frye test, witness categories (educating, reporting, interpreting), types of evidence (bolstering, attacking, rehabilitating), malingering and...

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