

# AAPL EXAMINER



American Academy of Psychiatry and the Law

WINTER 2025

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## 2024 AAPL Presidential Address

*Britta K. Ostermeyer, MD, MBA, DFAPA*



**Dr. Charles C Dike, MD, MPH, FRCPsych:**  
**“Applying AAPL Ethics & Mission in Forensic Treatment. *There is a time for everything and a season for every activity under heaven...Ecclesiastes 3:1.*”**

Dr. Charles C. Dike, MD, MPH, FRCPsych is AAPL's 50th President. He is a Professor of Psychiatry and the Co-Director of the Law and Psychiatry Division at Yale School of Medicine as well as the Chief Medical Director, Office of the Commissioner, Connecticut Department of Mental Health and Addiction Services. During AAPL's opening ceremony, he was introduced by his wife, Mrs. Ulari Dike, who is a nurse.

## **AAPL Annual Meeting**

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#### **AAPL Photographer**

Eugene Lee, MD

This year's AAPL presidential meeting theme was entitled "Forensic Treatment, Ethics, and Administration." Dr. Dike dedicated his presentation to ethical treatment and advocacy for patients in forensic settings and intended to create awareness of "what is happening in forensic treatment environments."

At first, Dr. Dike discussed highly disturbing past events of significant neglect, sexual abuse, and/or physical abuse of patients by forensic hospital staff at different forensic facilities. Some of which took place at Whiting Forensic Institute and were even recorded on video.

He pointed out that while the abuse was perpetrated by staff members, psychiatrists as treatment team leaders and hospital administrators "cannot escape blame."

He proposed that "applying AAPL's Ethics and Mission will likely decrease patient abuse in forensic psychiatric institutions."

Dr. Dike himself worked at Whiting Forensic Institute, Connecticut's secure forensic psychiatric facility, for 12 years. In 2002, he started as a staff psychiatrist, was promoted to the facility's Medical Director and then Director, then moved up to the central office of Connecticut's Department of Mental Health and Addiction Services (DMHAS) in 2014 and became the Connecticut statewide Chief Medical Officer in 2016.

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## **President's Column**

### **Transparency: Looking Within**

*Ryan C. Wagoner, MD, MBA, CPE, DFAPA*



AAPL is a wonderful organization. But we can be better. Academic organizations have faced a new reality in recent years with struggles to maintain membership, purpose, and direction. I want to share a vision of how we can work over the next year to enhance this organization and thrive in years to come. We can do this by not only focusing on what great accomplishments the AAPL and members achieve, but on how we operate this organization.


As many of you are aware, the theme this year is Transparency. Often, this has become a buzz word within organizational behavior and business to describe a vague concept. Without a clear definition and focus, the term itself is relatively meaningless.

In an article from 2017, Bernstein described several constructs hidden within this term that describe a myriad of directions that transparency can go. For our organization, the construct of transparency as process visibility is most helpful in identifying an area of focus. The definition for process visibility can be a complicated, but Bernstein summarizes it well with the definition of “watch our workflow.”(1)

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AMERICAN ACADEMY OF  
PSYCHIATRY AND THE LAW



**BOSTON**  
**2025**

*Save the Date*

AAPL Annual Meeting:  
**October 30 – November 2**

Forensic Psychiatry Review Course:  
**October 27 – 29**

## Medical Director's Column

**Forensic Psychiatric Implications of Political Transitions**

Debra A. Pinals, MD



AAPL's mission is focused on education. It was amazing to see so many people eager to share their knowledge through presentations and posters, and support each other through learning at the Annual Meeting in Vancouver. The outgoing president, Dr. Charles Dike, and the program chair, Dr. Cheryl Wills, are to be commended for their successful event, full of thoughtful topics that enriched each of us that joined. I continue to be inspired by the people within AAPL and the amazing work you all do!! And still, with all that has been going on in the world and with US politics as they are, I feel like the end of October was a world away. The elections are now behind us, and the

presidential appointments are solidifying for the Trump administration as I write this article. Anyone who knows me knows that I have truly relished my role as an "inside advocate" and an "outside advocate" working to improve policy and practices from both inside state government roles and outside to help guide strategy for improving community and hospital forensic services and clinical care in carceral settings. And I am also not one to jump up and down about political views (even though I have my own). Similarly, one thing that I personally enjoy about AAPL members, is that we just keep plugging away, thinking and learning and teaching about some of the hardest issues society faces between mental health and the law and the systems that serve the traditionally neglected populations.

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### Attending Psychiatrist, Forensic Court Evaluation Unit

Worcester Recovery Center and Hospital (WRCH), Worcester, MA

- Immediate opening for board eligible/board certified psychiatrist at Massachusetts' premier state behavioral health hospital.
- The attending psychiatrist is responsible for the full spectrum of clinical psychiatry services including psychiatric assessment and treatment, court testimony, and cross-disciplinary collaboration.
- In addition to a comprehensive state employee benefits package and a flexible, family-friendly schedule, the position includes a faculty appointment within the Department of Psychiatry at UMass Chan Medical School.
- Moonlighting and opportunities to conduct forensic evaluations are also available.

*\*This position is eligible for a state-sponsored loan forgiveness program\**

For more information and to apply, please visit: [www.umassmed.edu/psychiatry/](http://www.umassmed.edu/psychiatry/)

Email inquires may be made to Brian Daly, MD, Vice Chair, Public Sector Psychiatry at [Brian.Daly@umassmemorial.org](mailto:Brian.Daly@umassmemorial.org) or Margarita Abi Zeid Daou, MD, Associate Facility Medical Director WRCH at [Margarita.AbiZeidDaou@mass.gov](mailto:Margarita.AbiZeidDaou@mass.gov).



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## Editor's Column

### On The Turning... Away

*Chinmoy Gulrajani, MD, DLFAPA*



This fall I visited Vancouver for the first time to attend the annual meeting of AAPL. I arrived a day early and was lucky enough to walk through the city in my spare time. What a fun and beautiful city it is! From vintage wines to modern architecture, this city has it all. A true melting pot of cultures where you can sample cuisines from almost all continents on a single street. A confluence of geographies where mountains slide seamlessly into water bodies and glitzy designer showrooms co-exist with floating logs and pasture animals. The meeting itself was vibrant with broad diversity in speakers and topics presented. But what stood out to me most was that on any block in the city you could find maple leaves that were pale yellow to a

vibrant red, and every shade in between. Just as the turning of leaves in Vancouver signaled a change in seasons, elsewhere too, change was on the cards. AAPL did away with the keynote speaker lunches and evening receptions at the annual meeting, opting instead for a single joint reception. AAPL Council elected new leadership and the country elected a new president. And yes, the Examiner transitioned to an online publication.

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## Ask the Experts

### Ask the Experts

*Neil S. Kaye, MD, DLFAPA; Graham Glancy, MB, ChB, FRC Psych, FRCP;  
Ryan C.W. Hall, MD*

We will answer questions from members related to practical issues in the real world of Forensic Psychiatry. Please send questions to [nskaye@aol.com](mailto:nskaye@aol.com). This information is advisory only, for educational purposes. The authors claim no legal expertise and should not be held responsible for any action taken in response to this educational advice. Readers should always consult their attorneys for legal advice.

**Q. Do mandate reporting laws apply to forensic evidence?**

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## In the Media

## **Cannabis: My Blunt Opinion**

*Natalie Martinez-Sosa, MD*

In this edition of In the Media we investigate cannabis, its effects on mental health and recent movement towards widespread legalization throughout the United States. Cannabis is the third most commonly used drug across the world, after alcohol and tobacco (1). The cannabis plant has its main psychoactive cannabinoid, delta-9-tetrahydrocannabinol (THC), and main anti-inflammatory agent, cannabidiol (CBD). Cannabidiol has been used medicinally with proven benefits in patients who suffer from different neurological conditions such as Lennox Gastaut, Dravet syndrome and tuberous sclerosis, as it addresses seizure control (2). Dronabinol is a synthetic cannabinoid like THC that is approved to stimulate appetite in patients with anorexia associated with acquired immunodeficiency syndrome (AIDS) and as an anti-emetic for patients with chemotherapy-induced nausea (3). Although cannabis has medical uses, it is also known to cause mental health effects. Furthermore, concentrations of THC in cannabis products have increased in recent decades which makes it essential that we understand the health effects of this higher potency substance.

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## **Annual Meeting Workshop**

### **Autism Spectrum Disorder, Cybercrime and the Criminal Justice System**

*Kenneth J. Weiss, MD*

*Committee on the Developmentally Disabled*

This workshop was conducted by Mary Riggs Cohen, PhD, Elizabeth Kelley, Esq., and Kenneth J. Weiss, MD. At the 55th annual meeting of AAPL in October 2024 held in Vancouver. It focused on aspects of Autism Spectrum Disorder (ASD) requiring collaboration between attorneys and mental health professionals. Dr. Cohen is a psychologist specializing in ASD. In the first segment, she discussed cybercrime, focusing on persons with ASD as victims. Dr. Weiss provides forensic assessment and testimony in cases involving developmental disabilities. In the second segment, he highlighted problems in police-citizen interactions, whereby persons with ASD in the community have had lethal encounters. Ms. Kelley is a legal advocate for persons with disabilities. In the third segment, she shared her extensive experience in representing disabled persons, including ways in which experts can participate.

Dr. Cohen's emphasized that characteristics of autistic persons may lead to encounters with criminal justice—both as criminal suspects and as victims of cybercrime. An international policy brief noted: "Autistic individuals are increasingly interacting with the criminal justice system as both victims and offenders. Neurodiverse groups are needed to generate policy change in the criminal justice system, which disparately harms minority communities." Worldwide, persons with ASD facing criminal charges are denied adaptations that help them navigate the system—from confessions to trial strategy to

sympathetic counsel. Part of the reason is the ASD phenotype: appearing uncooperative, evasive, and guilty; confessing to things that they did not do; sensory overload; rigid and self-protective behavior; and misunderstanding the motives of others (such as prosecutors).

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## After Lunch Talks

### **Dr. Gwen Adshead: Killing Time**

*Susan Hatters Friedman, MD, MSt*

Gwen Adshead, MBBS, FRCPsych, MA, MSt gave a thought-provoking keynote to a packed audience at AAPL's Vancouver meeting. A consultant forensic psychiatrist and psychotherapist at Broadmoor Hospital in London, she has spoken at AAPL dating back to 1996. Dr. Adshead recently wrote the popular book *The Devil You Know: Encounters in Forensic Psychiatry* in which she brings to the general public many forensic psychiatric concepts, the sorrows of human violence, and the importance of empathy for our patient population.

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### **Her Honor: My Life on the Bench - What Works, What's Broken, How to Change it**

*Neil S. Kaye, MD, DLFAPA*

It was an honor and a pleasure to dine with the Honorable LaDoris Hazzard Cordell before her lunch talk at AAPL. A true "groundbreaker," Judge Cordell is the first African American woman to sit on the Superior Court of Northern California. Before becoming a lawyer, Judge Cordell graduated from Antioch College with a BA. She then received her JD from Stanford Law School in 1974. In 1975, Cordell was the first person in the Western United States to serve as the Earl Warren Intern at the NAACP Legal Defense and Education Fund. From 1976 to 1982, she practiced as a private attorney in East Palo Alto, California, specializing in criminal defense law, personal injury law, family law, and federal civil rights law. From 1978 to 1982, she was assistant dean for Student Affairs at Stanford Law School.

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### **The Honorable Kim Pate: Reconciliation Requires us to Decolonize, Decriminalize, and Decarcerate**

*Karen B. Rosenbaum, MD*

The Saturday, October 26 speaker for the 55th Annual AAPL meeting in Vancouver, BC Canada was the Honorable Kim Pate, Senator in the Senate of Canada. Senator Pate has numerous degrees including six honorary doctorates, and numerous awards including the Canadian Bar Association's Wilson Touchstone Award. She was appointed to the Senate of Canada in 2016. She is widely credited as the driving force between the Inquiry into certain events at the Prison for Women in Kingston, headed by Justice Louise Arbour.

Her talk centered on a publication she was instrumental in writing about the injustices experienced by twelve indigenous women in the Canadian prison system called *Injustices and Miscarriages of Justice Experienced by 12 Indigenous Women: A case for Group Conviction Review and Exoneration by the Department of Justice via the Law Commission of Canada and/or the Miscarriages of Justice Commission.*

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## Committee Perspectives

### Targeted Perspectives: Prey to Predator

*Mark Concordia, CTM; Bradford Hutcheson, MD; Adrienne Saxton, MD; Layla Soliman, MD*  
*Criminal Behavior Committee*

“Ultra-low frequency attack is what I’ve been subject to for last three months. And to be perfectly honest that is what has driven me to do this...” (1). These words, found on the Washington Navy Yard shooter’s laptop offered some insight into Aaron Alexis’ motive for the 9/16/13 tragedy that left 13 dead, including the perpetrator, and four others wounded. Investigation into the incident revealed that in the weeks before the shooting, Alexis believed that he was being stalked, harassed with microwave signals, surveilled, pinned to his bed with an ultrasound machine, implanted with a chip, and repeatedly harmed with ultra-low frequency (ULF) electromagnetic waves. Unfortunately, multiple individuals and organizations had information suggesting Alexis could pose a risk in the weeks leading up to the shooting, but no risk mitigating intervention took place. A combination of factors may have contributed to the failure to intervene including siloing of information, stakeholders’ poor understanding of the relationship between his symptoms and violence risk, privacy concerns, and a limited understanding of possible interventions. We cannot help but wonder whether the outcome would have been different if Alexis’ employer had a threat assessment team with forensic mental health expertise.

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## Watching Bad Women



*Juliette Dupré, MD; Cathleen Cerny-Suelzer, MD; Karen B. Rosenbaum, MD; Katie Kruse, MD; Susan Hatters-Friedman, MD*  
*Gender Issues and Media & Public Relations Committee*

The AAPL Gender Issues and Media & Public Relations Committees were excited to present *Watching Bad Women* to a very engaged audience on October 26, 2024. The presentation analyzed accurate and inaccurate portrayals of fictional and fictionalized female aggression. We reflected on how those portrayals impact public perception in ways that can reinforce bias and inequities in use of investigative resources, risk assessment, and punishment of women convicted of wrongdoing.

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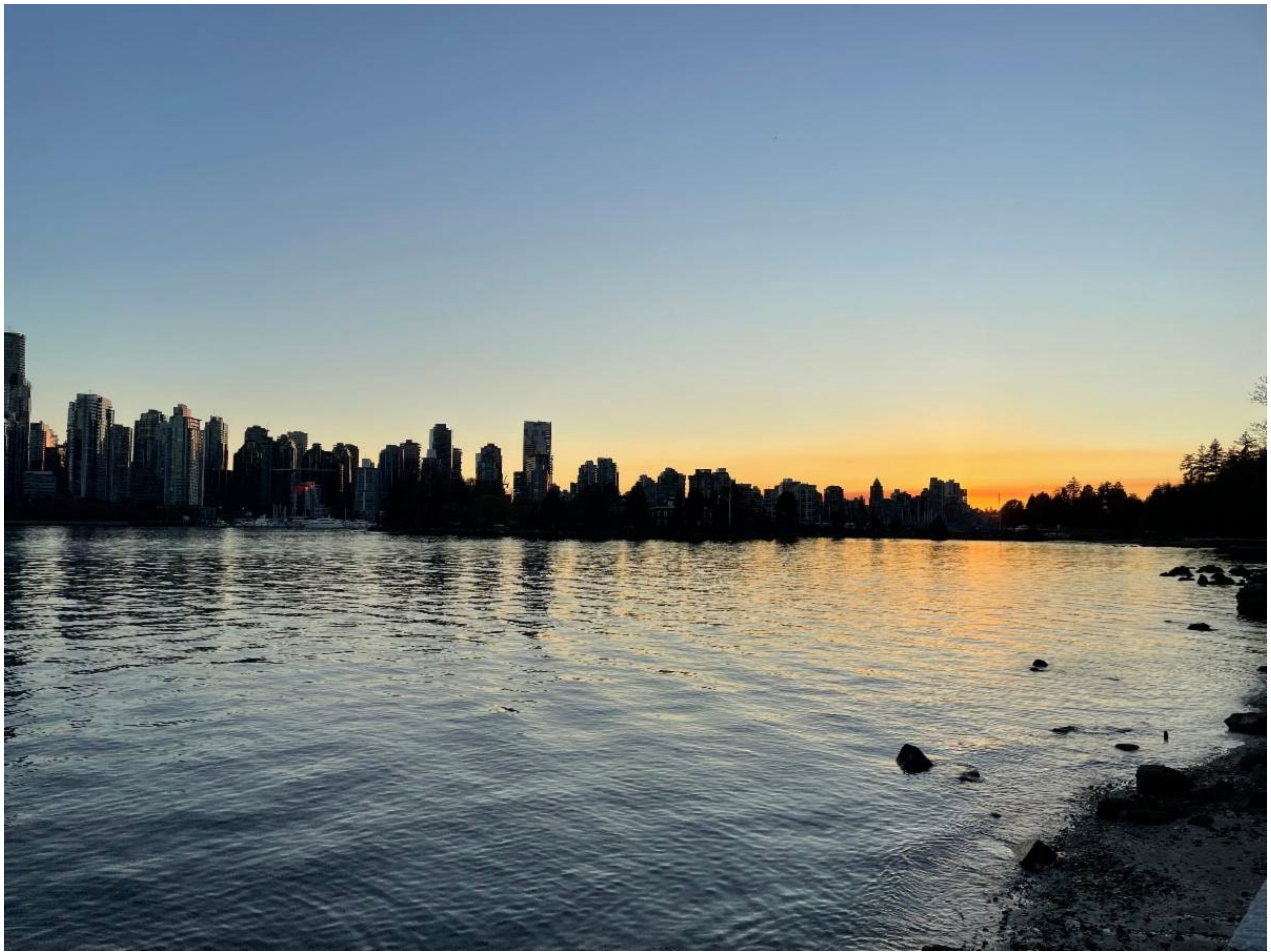
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## **AAPL Annual Meeting - Vancouver Vibes**

Our annual AAPL Meeting was held in vibrant Vancouver, BC. We experienced the Presidential handoff, welcomed our new AAPL Executive Council members and enjoyed spectacular scenery while networking.







## APA Assembly Report

### APA Assembly Report

*Danielle B. Kushner, MD*

The Fall APA Assembly meeting was held November 1-3, 2024 in Chantilly, Virginia. This was my last meeting as AAPL representative after serving for the past six years. It has been a pleasure and honor to represent AAPL members and the organization at the APA Assembly. I truly valued the opportunity to serve, learn about both organizations, and make an impact on our patients and the field. Out of a slate of truly superb candidates, I am proud to announce that Ariana Nesbit Huselid, MD, MBE was elected as the next APA Assembly representative.

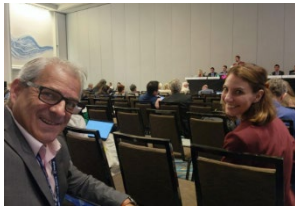
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## AMA Interim Meeting

**Americal Medical Association Interim Meeting**

*Jennifer Piel, MD, JD, Delegate to the AMA*



The American Medical Association's (AMA) 2024 Interim meeting was held in November 2024 in Orlando, Florida. Physicians and medical students gathered to debate resolutions that impact clinical practice, education, payment and public health topics. The meeting started with the presidential speech by Bruce Scott, MD, an otolaryngologist from Kentucky.

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## **In Re Benson: Right to Waive Counsel in Civil Commitment Proceedings**

*Olalekan Olaolu, MD MPH*

In *Faretta v California*, the Supreme Court held that a defendant in a state criminal trial has the right to refuse appointed counsel and proceed pro se if they make such a decision voluntarily and intelligently. (1) In *Godinez v Moran*, the Supreme Court ruled that the standard to waive constitutional trial related rights, specifically the sixth amendment right to the assistance of a counsel, is not greater than the standard for competency to stand trial. (2) Both *Faretta* and *Godinez* were criminal proceedings. Similar clarity does not exist in civil commitment cases. However, these cases are important because civil jurisprudence often derives from criminal precedents. In *re Benson*, in a 4-1 opinion, the Minnesota supreme court ruled that "a civilly committed person may waive the right to counsel granted in Minnesota Statutes section 253D.20 (2022), provided that the person is deemed competent to enter a knowing and intelligent waiver." (3)

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## **A look at Jillian's Law: Understanding the History and Landmark Cases for the concept of Criminal Competency to Proceed**

*Judith J. Regan, MD, JD, MBA; Donald N. Pyle II, DO, FASAM; Mousa Botros, MD; Renee L. Stewart, Esq; Kendyl L. Stewart, MD; Rebecca S. Stenersen, DO*

On July 1, 2024, Tennessee enacted HB1640, known as Jillian's Law. Under the Law, individuals charged with a Class A misdemeanor or felony and found incompetent to stand trial due to mental illness or intellectual disability are presumed to be dangerous and prescribed judicial commitment. It also further restricts the ability of such individuals to purchase or possess firearms knowingly. This analysis seeks to review landmark legislation foundational to the concept of criminal competency, to discuss changes to commitment procedures modified by Jillian's Law in Tennessee, and to provide a synopsis of commentary and discourse surrounding this novel legislation.

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## Faces of AAPL

### Faces of AAPL: Viviana Alvarez-Toro, MD

*Philip Candilis, MD*



**Viviana Alvarez-Toro, MD**

Born and raised in Puerto Rico, Viviana Alvarez-Toro was exposed to Medicine early on. Having fled the Cuban revolution as a child, her father became an OB/GYN, while her mother practiced gastrointestinal medicine, serving as a fellowship director in the Veteran's Administration. Viviana began to explore her academic interests attending high school in Puerto Rico and then college at Georgetown University in Washington, D.C.

The legal and policy features of D.C. and Georgetown triggered Viviana's interest in Medicine and Law. She was already pre-med, studying psychology and its manifestations in illegal behavior. It "gave me direction," she recalls. She appreciated seeing culture, medicine, and law through her parents' eyes, returning to Puerto Rico for medical school and using her Spanish (and French) to enrich her community and her training.

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## In Memoriam

### Charles A. Meyer, Jr., MD, SFO

*Vikram Kumar, MD*



AAPL mourns the passing of Dr. Charles Meyer, who died on December 26, 2024. A passionate advocate for carceral mental and medical health care, Dr. Meyer was born in Philadelphia, PA and since 1976, lived in Augusta, Georgia. Dr. Meyer graduated from Villanova University in 1963 and Jefferson Medical University in 1967. He was the Chief of Psychiatry in the Department of Veterans Affairs Medical Center, Augusta, and had been an Associate Clinical Professor in the Department of Psychiatry and Health Behavior at the Medical College of Georgia. He also served on the Board of Directors of the Richmond County Medical Society.

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