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MENTAL EXAMINATION OF POLICE AND COURT CASES.¹

ROBERT M. YERKES

The group of cases constituted by those individuals who fall under arrest is far more heterogeneous than the inexperienced person usually supposes. It includes, among others (1) persons of widely varying age, who, although physically and mentally normal, are victims of untoward circumstances; (2) individuals who are mentally deranged, temporarily or permanently, and who must be classified as psychopathic or definitely insane; (3) mental unfortunates, representing various sorts of defect—imbeciles, morons, the mentally ill-balanced; (4) victims of drugs, among whom those who have fallen prey to alcohol, morphine, hashish, are conspicuous; (5) wrecks, who, although mentally sound, are physically unable to shift for themselves and accidentally fall into the hands of officers of the law.

This incomplete analysis merely suggests the variety of human material in the stream which flows endlessly through our police systems, our courts, reformatories, prisons, and such other institutions as offer shelter to those who rightly or wrongly are suspected of criminalistic acts or inclinations.

Largely because of the extreme heterogeneity of the group of court cases, our preliminary methods of examining must be general and relatively superficial rather than special and intensive. They should supply data for classification, provisional diagnosis, and the necessary basis for further study.

It may seem needless to insist—and yet actual practice and the published reports of many individuals who are engaged in mental examining argue otherwise—that the mental examination alone is

¹Being S. B. I. Contribution No. 1916.4 (whole number 146). The previous contribution No. 1916.3 (145) was by E. E. Southard, entitled "On the Application of Grammatical Categories to the Analysis of Delusions" *Philosophical Review*, May, 1916.

At the request of the editor, I am expressing my opinions concerning certain aspects of the examining of individuals who have fallen under arrest. These opinions are based upon varied experience obtained in our Boston Psychopathic Hospital, our public schools, and to a less extent, in other city and state institutions. I have tried to formulate the chief conclusions to which my observations have led me rather than to theorize or to picture an ideal examination.

wholly inadequate for the solution of such complicated human problems as court cases almost invariably present. To be sure, the mental examination should be as complete and accurate as may be, and should, above all, stand on its own merits, but in my opinion the individual who is charged with the study of a court case, whether he be psychologist, physician, sociologist, or all of these combined, should obtain, either by his own observation or by the aid of assisting experts, adequate data concerning various important aspects of the life of the individual. Indeed, I should go so far as to contend that no examining expert should formulate diagnostic statements and prescribe treatment or advice for a court case without carefully considering in their varied relations the following five groups of facts: (1) the family history, heredity, or genetic relations of the individual; (2) the environmental or individual history, including conditions and course of life in home, school, and occupational or vocational centers; (3) the physical and medical history of the individual from birth, and his present status; (4) social reactions, character, and dominant mental traits as exhibited especially in vocational relations; (5) mental constitution as revealed by psychological examination.

It is quite possible, and for many reasons desirable, that a single expert obtain these varied sorts of information and correlate the several facts with a view to obtaining a thorough understanding of his human problem and of gaining such insight into the life of the individual as will render possible wise advice or treatment as well as reliable objective description. For, however much we may be impressed by the need of specialization, we yet must recognize that the human individual is unitary and must, for best results, be dealt with as a whole, infinitely complex in constitution and relations—an object, moreover, toward which the examiner must take an attitude of sympathetic interest if he is to be of human service rather than merely a gatherer of scientific information. But whether the facts concerning a given court case have been gathered by few or many observers, in the end a single highly trained, highly experienced, sympathetic and wise person should analyze and synthesize them in order to go as far as possible toward solving the problem of social maladjustment or conflict.

I am not attempting to magnify the importance of heredity, individual history, and social relations, as contrasted with mental constitution, but instead to plead for due regard to these several aspects of life. The psychological description of an individual seems the

more difficult and the more important to me as my experience increases and I would have the psychological examiner aided in all possible ways or taught to aid himself by broadening his horizon and deepening his human interests and insight.

This much by way of preliminary to the actual psychological examination of a court case. Assuming that an adequately trained and experienced psychologist is at hand, the following procedure would seem both reasonable and profitable. The examination should be divided into two parts: First, a general survey of the intellectual and affective characteristics of the subject; second, a special examination whose character and extent should be determined by the results of the general survey. Let us now consider in more detail the procedure in each of these parts of the examination.

The general survey, made, as I have suggested above, in the light of invaluable general information concerning the individual, should consume relatively little time, preferably not more than thirty minutes. It should be conducted along the lines of a well established routine, with thoroughly standardized procedure and the use of varied and reliable norms. In the present status of our methods of examining, it seems fair to say that a scale for the measurement of intellectual characteristics constructed on point-scale principles and a similar scale for affective characteristics might be used to great advantage for this preliminary mental survey. The results would, at best, be inaccurate, and yet they should be roughly indicative of the intellectual caliber, affective constitution and dominant mental characteristics of the individual, and should definitely guide the examiner in the second part of the examination.

Moreover, a considerable number of cases should be satisfactorily diagnosed on the basis of such a general intellectual and affective point-scale examination as has been suggested. Among the types of case which would thus be eliminated by the first part of the examination are: (1) Intellectual dependents—imbeciles, morons; (2) the insane; (3) certain mentally normal individuals whose arrest was more or less accidental, or who can be clearly shown to be in some wise victims of circumstance. By this process of elimination the number of cases for special and detailed psychological examination should be reduced by at least two-thirds.

Every examiner who has had experience with delinquents, whether they be criminalistic in the usual sense or not, knows that only a certain minority of them, possibly under twenty-five per cent, are

intellectually inferior to a degree which might adequately account for their social behavior. In the remaining seventy-five per cent or more of this group of individuals, there are recognized numerous cases of peculiar mental constitution, and especially of overdeveloped, underdeveloped, or exceptionally related affective, emotional, or instinctive traits. It is the great task of progressive psychological examiners to devise and perfect valuable methods of studying them. For when all has been said, they stand forth as at once the most difficult, the most perplexing, and the most dangerous to society of all court and institutional cases.

In view of the above facts, it is surprising indeed that we should, today, almost completely lack methods of measuring, or indeed of analyzing, affective and instinctive processes. For the measurement of intellect we have numerous methods and a few measuring scales, which although unsatisfactory from certain scientific angles are proving of great practical value when intelligently used. Most of our methods are at best crude practical devices, as they are used in mental examining. Now, along with these demonstrably serviceable devices for determining the intellectual status of an individual, we need correspondingly useful devices for measuring the affective or instinctive aspects of life. That these characteristics are measurable is certain; that we shall ultimately succeed in measuring them is, to my mind, equally certain. But the task is a difficult one, and our present attempts are even more crude than were those of Binet and his co-workers in measuring intelligence.

In calling attention to the intellectual dependent and the affectively defective types of court case, I have not lost sight of that relatively small group whose social difficulties may fairly be attributed, not to mental or physical constitution, but to unfortunate environment. Nor am I purposely leaving out of account those strictly medical cases in which physical deformity, disease, or degeneration is chiefly responsible for asocial conduct. Difficult problems, it is true, may appear in connection with either of these groups, but I must repeat that my information, directly and indirectly acquired, forces me to emphasize again and again the extreme importance to society of the careful study and wise treatment of affectively peculiar delinquents or criminals.

To be employed as described above, the preliminary portion of a psychological examination for court case must, clearly enough, be used with skill and insight by a thoroughly competent person. No non-psychological "tester," however thoroughly trained in a routine

and relatively mechanical procedure, can do justice to such cases. We professional psychologists cannot too strongly or too persistently condemn the practice of appointing inadequately trained persons to positions as psychological examiners. Especially in connection with court and other criminalistic work, thorough training in several of the medical sciences and in psychology should be demanded as a background for the special professional training of the examiner in methods of mental measurement and individual analysis. Slowly but surely we are coming to appreciate the fact that our human problems demand the very highest type of intellectual ability, character, and technical training. If our police systems, courts, and penal institutions are to utilize the methods of psychology at all, it should be through the service of adequately trained professional psychologists.

The second and special portion of our psychological examination should, I am convinced, be relatively free from the characteristics of a routine procedure. The examiner should suit his methods to the particular case in hand and should concentrate his attention on solving his human problem rather than on accumulating statistics by certain prearranged or prescribed rules of measurement. The solution of the problem should be approached, it may be argued, by special measurement of those aspects of mind which have been indicated by the preliminary examination as underdeveloped, overdeveloped, or exhibiting peculiarities of relationship which may be of practical importance. The outcome of the special and detailed part of the examination should be something similar to Rossilimo's psychological profile of the individual. It should be a reliable picture of the mental constitution and status of the subject. Incomplete, it necessarily will be, but practically serviceable because representing the chiefly important groups of mental functions in their relations.

For my own part, I prefer to speak of a formula for the mind of the individual rather than a profile, and I earnestly hope that our progress in the development and use of methods of mental measurement may shortly enable us to describe the human mind, wherever such procedure is socially demanded, by means of a formula in which appear as numerators the values of particular mental functions or groups of functions for a given individual, and as denominators the normal or expected values (norms) for these same functions. I have already suggested this method of psychological description in a previous publication,² using a very simple formula in which provi-

²A Point Scale for Measuring Mental Ability. Baltimore, 1915, p. 167.

sion is made for only four groups of mental functions. It is needless to insist that, as our methods of psychological examining improve, we shall tend to subdivide our groups of functions, thus increasing the complexity of the formula and correspondingly increasing its serviceableness for practical purposes.

At the present moment, it is sufficiently obvious that the special portion of an examination for court cases should take adequate account of at least the following groups of functions, or aspects of behavior. To the list, other and perhaps less important functions may be added, or reason may appear at any time for increasing the list by subdividing certain categories. This is almost certain to hold true of the memory processes, possibly also of reasoning and of affective characteristics. But however that may be, it would seem to be worth while to suggest the following categories: (1) motor ability, tested by means of definite measurements of degree of coördination, accuracy, speed, etc., of movement, in the case of each of a number of important forms of response; (2) sensory or receptive functions, degree or state of sensory development, defects and acuity in the more important sense modes; (3) perceptual characteristics, including speed, span, and accuracy, of various sorts of perceptual process; (4) attention, measured in several of its forms and aspects; (5) memory, again measured in several forms and with respect to several aspects; (6) imagination; (7) ideation, including determination of the number of ideas, their nature, and relations; (8) associative tendencies; (9) judgment; (10) reasoning; (11) volitional control and suggestibility; (12) instinctive tendencies, classified and dealt with separately according to the practical need; (13) affectivity, including simple feelings, emotions, sentiments, measured as to their time-relations and strength; (14) reliability, including so far as possible, measurements of moral judgments and honesty.

Not until norms have been established for the various important mental functions can even the most experienced examiner work to good purpose. It is only fair, therefore, in the present status of mental measurement, that we should recognize the disadvantage of the examining psychologist and make reasonable allowance for the undue weight which he must give to his own experience and to more or less inadequate statistical materials. The situation seems in the main encouraging, for despite the unintelligent use of certain methods of mental measurement, despite, also, extravagant claims of practical serviceableness for psychology, it is plain that steady prog-

ress is being made toward better methods and more valuable results. Nowhere in the realm of practical psychological examining is there need for greater circumspectness and conservatism than in connection with our court and criminalistic cases. I firmly believe that psychology can serve our courts and penal institutions far beyond the limits of our present achievements. But if we are to progress safely in our study of asocial individuals, we must take into account the complexity of the human problem, the necessity for further work on methods of examining, and the training, mental capacity, and character of the examiner. In other words, we must act wisely and not overhastily, however great may seem the need and the prospect of useful information.