Malingering uncommon psychiatric symptoms among defendants charged under California’s “Three Strikes and You're Out” Law

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Abstract

This paper describes an epidemic of uncommon psychiatric symptoms among nine criminal defendants charged under California’s new “Three Strikes and You're Out” law. The defendants were facing a minimum sentence of 25 years to life in prison. The defendants exhibited the following uncommon psychiatric symptoms: coprophagia (eating feces), eating cockroaches and many reported seeing little green men. The defendants, all of whom we believe were malingering, were evaluated by the authors for competency to stand trial. Thus far, eight of the nine defendants were found competent to stand trial; only one defendant was found incompetent to stand trial. The authors created a database which included information on the defendants from court documents and from our interview with the defendants. We summarized the data and outcomes of the cases. Also included is a brief review of the “Three Strikes Law” and a paradigm for how we ruled out relevant psychiatric diagnoses before we arrived at our opinion of malingering.

Author Information:

Sharma, KK
Jaffee and Sharma (1998) investigated malingered psychiatric symptoms among criminal defendants charged under California's "Three Strikes and You're Out" law. Malingering defendants were found to exhibit more uncommon psychiatric symptoms such as corprophagia, eating cockroaches, and seeing "little green men." The evaluating psychiatrist should determine whether a defendant is malingering psychosis at the time of the offense only or is alleging continued psychosis through the time of the examination (Hall, 1982; see Table 7). The importance of the differentiation...