

Editor:

In a recent letter to the *Journal* (33:280–1, 2005), Dr. Carré and Dr. Papapietro misinformed readers about The Depravity Standard research that I am coordinating. The authors also characterized incorrectly the motivations behind my research. To inform readers of the *Journal* who are otherwise unfamiliar with The Depravity Standard, I offer the following corrections of fact:

1. The development of The Depravity Standard is not designed to diminish—let alone disregard—consideration of a person’s diagnosis, who a person is, or why a person did what he or she did.^{1–3} “Who” and “why” evidence, and the vehicles for each, are already well established in parallel, and I have never proposed to replace them.

This instrument is being developed because judgments of the relative severity of “what” a person did are presently contaminated, indeed prejudiced, by details of “who” and “why”—to the detriment of defense, prosecution, and justice. Without intruding on other established aspects of the sentencing process, The Depravity Standard informs a singular aspect of sentencing decision-making. It is an evidence-based guideline that provides triers-of-fact with a reference point for the degree to which a given crime’s intents, actions, victimology, and attitudes reflect a heinous crime.²

2. The severity of a crime has long been a factor in sentencing and release decisions, with judges and juries confronting without guidance such ambiguous terminology as “heinous,” “atrocious,” and “depraved.”³ Since there has been to date no effort to force accountability for such determinations, decisions about whether a crime is depraved are left to media manipulation and courtroom theater.^{1–3} The Depravity Standard forces such determinations to be evidence-based, encompassing input from the range of forensic sciences whose study informs a reconstruction of events.^{1–3} It supplants simplification with a more substantive exercise.

3. The Depravity Scale research is the antithesis of “complicity” with any regime. In fact, it is defense attorneys who have expressed the most frequent in-

terest in using a finalized Depravity Standard in cases. Those who study the project closely will come to appreciate the detachment of the Depravity Standard research from any advocacy agenda.³

4. The Depravity Standard research will assist in sentencing and release decision-making in a broad range of violent and nonviolent crimes; its utility is not limited to death penalty cases. Our 70-person advisory board includes scientists from over 15 disciplines—both committed opponents and supporters of capital punishment—including defense attorneys, prosecutors, and judges. It is a politically nondenominational project, and tireless efforts have been invested by all to keep it that way.

While I respect opposition to the death penalty, zealots who cloak themselves in the banner of “medical ethics,” demanding professional adherence to their belief system, earn no moral entitlement to misrepresentations.

In my professional opinion, the forensic sciences, including forensic psychiatry, have a responsibility to develop solutions for the justice system’s imperfections. Even in a free society, courts do not consistently deliver fairness when uninformed and reliant on unavoidable biases. In contrast, forensic scientists seek and accept the whole truth, even if facts are unpalatable. History has repeatedly demonstrated, in this regard, that science and evidence hold justice accountable to serve the greater good.

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3. Frequently asked questions. Depravity Scale Research website: Available at <http://depravityscale.org>. Accessed 2004