

# Reel Forensic Experts: Forensic Psychiatrists as Portrayed on Screen

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The lay public is much more likely to have encountered a forensic psychiatrist on television or in the movies than to have encountered a real one. Thus, by way of popular culture, the jury's perceptions and expectations of forensic expert witnesses may have been formed long before they take the stand. We describe a typology of five categories of forensic experts portrayed in fiction: Dr. Evil, The Professor, The Hired Gun, The Activist, and the Jack of All Trades. As art imitates life, these categories (aside from Dr. Evil) mirror real-life criticisms that have been made about forensic experts.

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Attorney: Doctor, you assessed this patient. Could you give the court your impression of the man?

Testifying psychiatrist: I'm sorry, I don't do impressions. My expertise is in psychiatry.—*Airplane II: The Sequel*<sup>1</sup>

We live in an age where entertainment is defined by water cooler moments, plots ripped from the headlines, and reality TV. Popular culture does not just influence style trends and DVD sales. It shapes public opinion, including that of forensic psychiatry. Being a forensic expert also means being an educator, and whether educating trainees or juries, in the interest of correcting misconceptions, experts may have to face off with their fictional counterparts. To help forensic psychiatrists with this task, we have developed a typology for depictions of forensic experts in fiction.

Irving Schneider, psychiatrist and film scholar, opined, "If psychiatry had not existed, the movies would have had to invent it" (Ref. 2, p xv). Popular culture is robust with examples of mental health experts who function in a variety of ways, including

providing exposition and plot twists. Schneider grouped film portrayals of psychiatrists into three self-explanatory categories: Dr. Dippy (named for the first cinematic psychiatrist in *Dr. Dippy's Sanitarium*, 1906), Dr. Wonderful, and Dr. Evil. When Glen Gabbard, MD, and Krin Gabbard, PhD, published their second edition of *Psychiatry and the Cinema*, in 1999, they identified nearly 450 American films that featured a psychiatrist or psychiatrist-like figure at work.<sup>3</sup> The Gabbards described seven distinct attributes of fictional psychiatrists: faceless, active, oracular, social agent, eccentric, emotional, and sexual. They then discussed examples of the good psychiatrist and the bad psychiatrist for each. For example, the active film psychiatrist can be portrayed as effective and caring (good), but alternatively as manipulative, criminal, and vindictive (bad).

Another important consideration in formulating our fictional forensic expert typology is the real-world criticism of our field. In 1986, Resnick<sup>4</sup> described perceptions of psychiatric testimony by the public, lawyers, and psychiatrists. He identified five major criticisms of forensic experts: psychiatrists excuse sin; always disagree; give confusing, subjective, uninformed, jargon-ridden testimony; dictate the law; and give conclusory opinions. A quarter century later, these criticisms remain valid.

Our typology combines the work of prior psychiatrist film scholars with historical criticisms of forensic experts. We propose five categories: Dr. Evil, The Professor, The Hired Gun, The Activist, and The

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Jack of All Trades. Although we think we have identified distinct types, some fictional characters refuse to be contained in just one category and display facets of several, perhaps in keeping with the multiple hats often worn by forensic psychiatrists.

## Typology Categories and Examples

### Dr. Evil

Dr. Evil, unfortunately, is a favorite of novelists and screen writers. Fictional Dr. Evils are unethical boundary violators who use deceit and manipulation to achieve their goals, and their role as forensic psychiatrists makes them particularly well equipped to do so. Dr. Evil uses his psychological savvy to seduce his victims. Capitalizing on their vulnerabilities, he may lure them into trusting him, making it easier for him to execute his diabolical plans. He also makes use of his medical training, particularly his knowledge of anatomy and pharmacology, to harm others.

One of the most celebrated characters is Dr. Hannibal Lecter. He was conceived in a series of four books by Thomas Harris, all of which have been brought to life on the silver screen.<sup>5-8</sup> Dr. Lecter, memorably portrayed by Anthony Hopkins (who won an Oscar for the role), is a brilliant forensic psychiatrist with a dark secret: cannibalism. When his crimes are discovered, he is sentenced to prison, but the FBI still reluctantly needs his skills as a profiler. Throughout the series, he is depicted performing heinous acts. He encourages a patient to cut off his own face and feed it to a dog. When the FBI agent working with him on the profile of a killer discovers that the good doctor is the perpetrator, Dr. Lecter makes plans to eat the agent's heart.

Dr. Peter Teleborian, forensic child psychiatrist, from Steig Larsson's very popular trilogy including *The Girl Who Played With Fire* (also both novels and movies) is another Dr. Evil. He uses his psychiatric position to restrain young girls and feed his hidden sadism. He escapes discovery and reprimand because of his profession.<sup>9</sup>

Some works leave the perception of Dr. Evil to the viewer's discretion. The novel *Shutter Island*<sup>10</sup> became a Martin Scorsese film in 2010.<sup>11</sup> Teddy Daniels (played by Leonardo DiCaprio) is a U.S. Marshall sent to the island-based forensic psychiatric hospital to investigate the disappearance of a patient who committed triple filicide. Right until the very end of this intricate story, it is unclear whether the

institution's forensic psychiatrists are well-intentioned healers or the epitome of evil Nazi-esque experimenters.

### The Professor

The Professor is known for his lengthy monologues and attempts to educate those less knowledgeable. At his best, The Professor is a helpful guide through the world of psychiatry. At his worst, he is a long-winded, jargon-spouting, confusing, condescending bore. Hitchcock's 1960 masterpiece, *Psycho*<sup>12</sup> features psychiatrist Dr. Fred Richman (played by Simon Oakland), who attempts to make the mind of Norman Bates understandable to law enforcement and the victim's family. Dr. Richman's descriptive dialogue in the film is a beautiful example of The Professor doing what he does best.

Dr. Hannibal Lecter also displays professorial tendencies in both his novel and film depictions. He gets great satisfaction from mentoring Clarice Starling and instructs her, "Read Marcus Aurelius. Of each particular thing ask: what is it in itself? What is its nature? What does he do, this man you seek?"<sup>5</sup>

In the current television series, *Law and Order: Special Victims Unit*,<sup>13</sup> Dr. Huang, the forensic psychiatrist and profiler, primarily fits into The Professor category. The depiction is positive overall. Dr. Huang instructs police, attorneys, and juries on topics including eliciting confessions, mental illness, profiles, competency, and sanity. However, in one notable scene, he informs the detectives that serial killers have a special stare.

### The Hired Gun

Perhaps the most damaging to public perceptions of forensic experts is The Hired Gun (assuming the public does not take Dr. Evil seriously). The Hired Gun is paid (or bribed) for his opinion. There is no attempt to reach a conclusion based on an unbiased assessment of the evidence. For example, in *Trial and Error*, a comedy starring Jeff Daniels and Michael Richards, the attorney states, "Trust me, if we pay them, they'll agree with us."<sup>14</sup>

Another example of a hired gun is the defense expert in the movie *A Time to Kill*.<sup>15</sup> In this film based on a John Grisham novel, the defense attorney (Matthew McConaughey) "needs" a psychiatrist to testify that the defendant (Samuel Jackson) was insane at the time he murdered the two Klansmen who brutally raped his daughter. McConaughey's mentor

(Donald Sutherland) conveniently finds a psychiatrist who “owes [him] a favor.”

Yet another notable example comes from the popular, long-running sitcom *Frasier*.<sup>16</sup> The namesake protagonist is a popular radio call-in psychiatrist, and his younger brother Niles is a psychiatrist in clinical private practice. In one episode, Niles is hired as a forensic expert on a high-profile case regarding guardianship of an eccentric, elderly entrepreneur. Frasier is seduced into testifying for the other side. Courtroom hilarity ensues and the inward-looking brothers re-evaluate their narcissism in the closing scene.

### **The Activist**

The Activist is a boundary violator of a different sort than Dr. Evil. For The Activist, everything is personal, and his judgment is superior to everyone else's. This leads him to operate outside of the usual parameters followed by forensic experts. For example, he may conduct his own investigations into crimes or reveal inappropriate personal information to an evaluatee to push forward his own agenda. The Activist is a crusader, who rationalizes that these violations are acceptable because ultimately, a greater good will be achieved. This behavior may contribute to the public's perception of psychiatry as a pseudoscience.

*Stephanie Daley*,<sup>17</sup> an award-winning independent film, follows the relationship between a young woman charged with neonaticide and the forensic psychologist assigned to perform her culpability evaluation. Both have troubled family relationships. The expert soon discloses that she herself had recently lost an unborn child. The *New York Times* movie review columnist described their relationship: “If one weren't grilling the other, you could imagine them as mentor and protégée”<sup>18</sup> and a writer on the Internet Movie Database commented on a “mutual, unspoken understanding they share.”<sup>19</sup> At the conclusion of the film, the defendant discloses what really happened to her neonate, and the visibly pregnant expert hugs her.

In the movie *Primal Fear*,<sup>20</sup> also originally a novel, Dr. Molly Arrington (Francis McDormand) is a psychologist retained by the defense to evaluate murder suspect Aaron Stampler (Edward Norton). Dr. Arrington firmly believes Aaron suffers from multiple personality disorder due to childhood abuse. She passionately lobbies defense attorney Martin Vail (Rich-

ard Gere) to put her on the stand so she can convince the jury of her diagnostic assessment.

### **The Jack of All Trades**

The Jack of All Trades forensic expert conducts clinical interviews of defendants, interrogates suspects, investigates cases in the field, testifies in court, and provides clinical treatment. His activities extend far beyond the scope of forensic psychiatry and may explain why some members of the public think forensic psychiatrists are part of crime scene teams, such as those on *CSI*. Dr. Laszlo Kreizler, the forensic psychiatrist in Caleb Carr's *The Alienist*, performs his own autopsies, in addition to profiling.<sup>21</sup> Novelists Jonathan Kellerman, Stephen White, Keith Ablow, and Anna Salter are mental health professionals themselves, who have created protagonist forensic psychiatrists and psychologists who are Jacks of All Trades.<sup>22–25</sup>

James Patterson's detective series features forensic psychologist Dr. Alex Cross, played by Morgan Freeman in movies based on the books.<sup>26,27</sup> The fictional Cross obtained his PhD from Johns Hopkins and has published in both *The American Journal of Psychiatry* and *Psychiatric Archives* (fictitious). Cross is a profiler, who has worked with the Violent Criminal Apprehension Program (ViCAP) as a liaison between the Washington, D.C., police and the FBI, as well as a consultant to the Major Case Squad. In *Along Came a Spider*, Dr. Cross instructs an undercover officer through an earpiece about what to say in a sting operation and receives a phone call at home from the kidnapper of a senator's daughter, before personally delivering the ransom.

In *88 Minutes*,<sup>28</sup> Dr. Jack Graham (Al Pacino) has received a threat that he has only 88 minutes to live. He suspects that he is being stalked by a defendant against whom he testified and who is on death row facing imminent execution. Dr. Graham spends much of the film doing police work to discover the identity of his stalker. Even more improbably, Dr. Graham himself is unsure of whether he is a psychiatrist or psychologist. In the initial moments of the film, he identifies himself on the stand as a forensic psychiatrist. Later in the film, he talks about his dissertation, and his office placard states that he is part of the Department of Psychology. It is little wonder that the public has a skewed perception of the forensic psychiatrist's scope of practice.

## Conflicts Illustrated on the Big and Small Screens

In addition to the categories noted above, various conflicts for psychiatrists practicing in a forensic arena have come to the public's attention through film. For example, the pressure to go beyond an area of expertise is commonly seen in courtroom dramas. In addition, dual agency, blurring of the lines between forensic and clinical practice, concerns related to ethical practice, experts being victimized by evaluatees, and, conversely, experts becoming attracted to or involved with evaluatees have been showcased.

In the television series, *Monk*, the protagonist is a former detective rendered unfit for duty due to obsessive-compulsive disorder. Instead, he works as a police consultant.<sup>29</sup> His personal assistant, among other duties, carries antibacterial handwipes for him. His relationships with his treating psychiatrists cross boundaries, such as his psychiatrist being called to crime scenes to help him. The dual-role conflict (which may cause treating psychiatrists to become activist/crusaders) comes into play when determinations about fitness for duty are made in his case. The treating psychiatrist also develops a relationship with Monk's employer and becomes emotional about Monk's potential return to duty.

The television series *Bones*<sup>30</sup> is an offshoot of a series of novels written by Kathy Reichs, PhD, former vice-president of the American Academy of Forensic Sciences. Forensic anthropologist Dr. Temperance Brennan focuses on solving crimes with the help of various forensic professionals. Dr. Gordon Wyatt and Dr. Lance Sweets are recurring forensic mental health experts, who have some unusual practices. When Dr. Wyatt is asked to evaluate Special Agent Booth for fitness for duty (after Booth shot at an annoying ice cream truck), he has his evaluatee build him a barbeque pit and psychodynamically interprets to Booth the rationale for the shooting. In addition to his job of profiling, Dr. Sweets helps mediate when Agent Booth and Dr. Brennan are unable to get along.

While Dr. Huang's testimony on *Law and Order: Special Victims Unit* is ostensibly fair, he is also overwhelmingly prosecution oriented. Although employed by the police department, he threatens in one episode to testify for the defense because he believes a mentally ill defendant was treated unethically. And from the *Sopranos*,<sup>31</sup> one learns that attorneys are

allowed to be present when mafia bosses are evaluated by government forensic experts for competency and sanity. However, there are limits, because when, during the evaluation, the defense attorney instructs the evaluatee that his offense would not have been "intentional" and that he was "confused and disoriented" at the time, he is asked to refrain from coaching the defendant.

Experts terrorized by defendants highlight inherent risks in our profession. Fortunately, a counterpoint to *88 Minutes* is *Copycat*,<sup>32</sup> with Sigourney Weaver as Dr. Helen Hudson, a respected expert on serial killers. One night after giving a university lecture, Dr. Hudson is brutally attacked by Daryll Lee Cullum (Harry Connick, Jr.). Her psychological training does not shield her from experiencing post-traumatic stress disorder and agoraphobia. Dr. Hudson must confront her fears when a new copycat serial killer victimizes San Francisco and her expertise is needed.

In *Basic Instinct II*,<sup>33</sup> the all-too-human forensic psychiatrist is both seduced and victimized, in addition to having dual-role conflicts. The female protagonist/femme fatale is arrested after her passenger dies in a car wreck caused by engaging in a sex game at 110 mph. Dr. Michael Glass is appointed to evaluate her. With her "risk addiction," he testifies that "I suspect the only limit that would stop her is her own death." Legal technicalities lead to her release. She approaches Glass ostensibly because of the effect of his courtroom testimony on her. Glass subsequently agonizingly agrees to become her therapist, even though he realizes that she is murderous, narcissistic, and brilliant. Seduction and murders transpire. In her *coup de grace*, she tells him "Don't take it so hard. Even Oedipus didn't see his mother coming." Dr. Glass is himself institutionalized as unfit to stand trial for murders that he may not have committed, while the femme fatale protagonist writes a best-selling novel based on the events.

## Criticism of Real and Reel Forensic Experts

In courtrooms and consultation rooms, real experts may face the stereotypes of forensic psychiatrists portrayed in popular media. Art is part of the public discourse, both mirroring and shaping public perception. Each of the five types of forensic psychiatrist in fiction has a real-life counterpart.

Fortunately, Dr. Evil, one of the most famous character types in fiction, makes few appearances in serious criticism of forensic psychiatry. Some of the antipsychiatry literature attempts to paint psychiatrists as Dr. Evils and use anecdotal evidence of psychiatrists who have committed criminal acts, but this is not a mainstream criticism. Forensic psychiatrists who are vulnerable to this line of criticism have much larger problems than credibility on the stand.

The Professor, a pompous expert who uses jargon to conceal “junk science,” is also a frequently encountered criticism. Psychiatric testimony has been called psychobabble, jargon, and gobbledegook. Stein and Foltz<sup>34</sup> argue that more rigorous standards for expert testimony may force an overhaul of clinical psychology. They contend that “psych experts” provide testimony in criminal cases that is “confusing juries and judges by intermingling issues of fact with mental state” (Ref. 34, p 104). The core concept underlying the professor criticism is that psychiatric expert testimony is a confusing sophistry that lacks scientific basis.

The Hired Gun, or the idea that experts lack integrity and form their opinions to please the retaining party, is among the most frequently encountered criticisms of forensic psychiatrists. Mossman<sup>35</sup> reviewed 567 legal opinions, searching for derogatory references to forensic experts in court transcripts that included the terms prostitute, whore, or hired gun in proximity to psych. He identified 45 opinions that termed or compared expert witnesses to hired guns, whores, or prostitutes. Prosecutors made the plurality of comments. Although appellate courts often expressed disapproval of the remarks, the appellate courts themselves were the second most common source of disparaging remarks. Hagen, in *Whores of the Court*,<sup>36</sup> criticized the methods of clinical assessment and psychological testing and argued that mental health testimony is business rather than science. And according to University of Michigan law professor Samuel Gross, “The contempt of lawyers and judges for experts is famous. They regularly describe expert witnesses as prostitutes.”<sup>37</sup>

The Activist is a partisan, closely related to The Hired Gun, who sheds the cloak of objectivity for a pseudolegal role of vigorous advocacy. Writing in *The New York Times*, Liptak<sup>37</sup> contended that expert witnesses in the United States are partisan. He described a contested competence to stand trial case in which two mental health experts, each of whom had

testified extensively for one side, reached opposite conclusions, both about the defendant’s competence and whether he was mentally deficient.

Finally, far less glamorous than Dr. Alex Cross, the real-life Jack of All Trades is a treating psychiatrist who also testifies as an expert witness. The legal community and the public alike generally are not familiar with the concerns regarding the ethics of the dual role. Plaintiff’s attorneys often seek out treating psychiatrists as expert witnesses. Presumably, the treating psychiatrist is predisposed to help his patient in the courtroom setting and knows the patient better than the independent medical examiner, who is disparaged as a hired gun. So, The Jack of All Trades is more likely to encounter professional than popular criticism.

## Conclusions

The categories of portrayals of forensic psychiatrists in fiction are not all distinctly positive or negative; nevertheless, they combine to give the public (general psychiatrists and attorneys included) an inaccurate and skewed perception of what we do at the interface of law and psychiatry. Hannibal Lecter, the prototype Dr. Evil, has enthralled audiences for decades through films and books. The Professor reminds us of the risk of lapsing into confusing jargon. The criticism of experts as hired guns is commonly encountered in the legal community and in the popular press. Activists remind us of the dangers of losing objectivity. The Jack of All Trades is larger than life, sometimes acting out of personal terror. However, viewers of modern crime shows may believe that this is what forensic psychiatrists are. Real forensic experts can edify while reel forensic experts keep them entertained.

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