

and communicate in a manner that best reflects and articulates their position when testifying in court.

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Trauma versus Immorality: A Review of *The Sinner*

Developed by Derek Simonds. A Midnight Choir Inc., Zaftig Films, Iron Ocean, and Universal Content Production. USA Network. First episode of three seasons aired on August 2, 2017.

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In the crime drama series, *The Sinner*, the first season is based on the German novel by Petra Hammesfahr (New York: Penguin Books, 1999). Now in its third season, Bill Pullman plays Harry Ambrose, an empathic police detective who is a constant throughout the series. Each season is a discrete story, and thus other characters change with each new season's storyline. Season Three premiered on February 6, 2020, and was not yet complete at the time this review was submitted.

The first season of *The Sinner* begins as Cora Tannetti (Jessica Biel) visits a beach with her husband and young son. A playful couple is sitting in front of the family listening to music. The song "Huggin and Kissin" by Big Black Delta is played, and it appears to unleash a dramatized dissociative state in Cora, who then stabs the man sitting in front

of her, in view of many eyewitnesses, with the knife she was using to cut her pear seconds earlier. She is subsequently arrested and charged with second-degree murder. Although the motive is unclear, her guilt appears clear-cut to most. This opinion is not shared by Detective Ambrose, who believes there is a deeper reason behind Cora's actions. As Detective Ambrose begins to search for a motive, often extending beyond the scope of his job with actions that border on unethical, the audience learns about Cora's childhood traumas. In the book (but not in the USA series), this includes a father who was a former Nazi and who molested her. In both the book and the television series, her mother is abusive. In the show, Cora is eventually found guilty and sentenced to a minimum of 30 years in prison. Later, through Detective Ambrose's work, the judge determines that Cora "acted under extreme emotional disturbance" (Season 1, Episode 8). Extreme emotional disturbance is a diminished-responsibility defense in New York state (where the show takes place) that, if accepted, can lower a charge of murder I or murder II to manslaughter. In the show, the criteria for establishing such a defense are not defined. In reality, someone who is convicted of manslaughter usually serves time in prison. In the show, despite previously having been sentenced to prison, Cora is sent to serve her sentence in a psychiatric facility.

In the second season of *The Sinner*, 13-year-old Julian Walker (Elisha Henig) is traveling to Niagara Falls with his parents. In the first episode, he murders them with jimson weed. As in the first season, Detective Ambrose believes there is a bigger picture. As the season unfolds, a woman claiming to be his real mother comes forward and describes a utopian commune (really a sinister cult) and explains that the people he murdered were not actually his parents but former members of the cult attempting to escape. Detective Ambrose delves deeper into the story of the commune, its relationship to the community, and its effect on Julian. Although found guilty, Julian, "in light of extenuating circumstances" (Season 2, Episode 8), is sentenced to a treatment facility rather than prison.

Multiple unifying themes from the first two seasons make *The Sinner* interesting from a forensic psychiatry perspective, including public misperceptions about competency to stand trial, the insanity defense, and *mens rea* defenses, as well as boundary violations,

questionable interviewing techniques, cults, and sexual masochism. Both seasons send an erroneous message that if an individual commits a heinous act, mental illness is likely involved. The series does an unclear job of delineating the difference between competence to stand trial and pleading not guilty by reason of insanity. Each defendant undergoes a competency to stand trial evaluation, the portrayal of which is quite concrete. Cora is asked about her mental health history, her understanding of a trial, and whether she has any thoughts of self-harm. She is also asked what, as an adult, she would like to say to her teenage self. Julian is asked about his life in the commune, his understanding of the murders, and ideas of what happens after death. Detective Ambrose reads about schizophrenia (Season 1, Episode 3) and meets with the psychiatrist who performed Cora's evaluation. The psychiatrist states, "She passed, because technically she should pass. She's lucid, she's aware of her circumstances, her judgment isn't compromised" (Season 1, Episode 3). Detective Ambrose then asks the psychiatrist about the possibility of a song that "drove her to kill" (Season 1, Episode 3). The psychiatrist responds, "It sounds like PTSD psychosis, we see it in combat veterans a lot" (Season 1, Episode 3). Detective Ambrose and the psychiatrist subsequently perform two meditation sessions with Cora to revisit past traumas for possible clues about what led Cora to kill. Although not explicitly stated, the show hints at the idea of PTSD, specifically "PTSD psychosis" as a means for self-defense. The judge rules in each case that Cora and Julian would benefit from psychiatric treatment rather than prison, insinuating that their actions were secondary to psychiatric illness. In reality, diversion is rarely an option for someone who commits a violent crime.

The show's misperception of psychiatric evaluations and boundary violations compounds the misunderstandings the lay viewer may already have of court proceedings. The show uses jargon in an attempt to establish legitimacy, such as a "730 exam" to describe a competency evaluation. In New York, fitness examinations are referred to as "730 examinations" after Criminal Procedure Law Article 730.¹ In contrast, the independent evaluating psychiatrist would never actually say, "she passed" (Season 1, Episode 3) or consult with the detective. The show also contributes to a misperception that the psychiatrist and detective are working together to help defendants rather than taking separate, objective, and ideally unbiased

approaches. The show then uses the non-DSM-5 term "PTSD psychosis" and the unsupported method of "guided meditation" (Season 1, Episode 4) to extract clues for the case. The same psychiatrist who completed the competency evaluation appears to be the treating psychiatrist in the jail, violating one of the ethics principles of our field. Ethics boundaries are further crossed when Detective Ambrose is allowed to sit in during the meditation sessions. It is made clear that Detective Ambrose is an advocate for the defendant when he states, "I'm on your side" (Season 1, Episode 4). He is seen visiting and calling the defendants outside of work functions and sharing personal information. Although portrayed as admirable, these representations distort the realities of police and forensic work.

Despite the many misconceptions of forensic psychiatry and the law, *The Sinner* is well acted and an attention-grabbing piece of entertainment. It does adequately reveal the negative impact of trauma, and it challenges viewers' thinking about how this should affect the disposition of criminal cases. It also allows for a different definition of a "sinner." If the viewer (even a forensic psychiatrist) can suspend disbelief, just as in other works of fiction, *The Sinner* can be enjoyed for its dramatic acting and clever storylines despite the inaccuracies and misperceptions of psychiatry and the law.

Reference

1. N.Y. Crim. Proc. Law § 730 (2019)

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Munchausen's Syndrome by Proxy, Medical Child Abuse, and Darling Rose Gold

By Stephanie Wrobel, New York: Berkley, 2020. 320 pp. \$26.00.

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