

The aging of the U.S. population will inevitably lead to an increase in the prevalence of dementias; a subset of these patients will run afoul of the law. In the conflicts in Afghanistan and Iraq, the high rate of traumatic brain injuries, primarily related to a combination of tactics used against American troops (e.g., improvised explosive devices placed to explode under vehicles) and advanced medical care (survival of wounded service members who would have died in earlier eras), is likely to result in an increase in the proportion of relatively young men and women in society who have brain injuries. Some of these soldiers have been or will be charged with criminal offenses. In these types of cases and many more, neuropsychological evaluation has an important role to play, and it behooves the competent forensic psychiatrist to recognize this need and to communicate it to the retaining attorney or the court.

The opening three chapters of the book describe the principles underlying the sub-specialty of criminal forensic neuropsychology. The book's editors authored Chapter 1, "Constitutional, Judicial, and Practice Foundations of Criminal Forensic Neuropsychology," which summarizes the mechanics of the American criminal justice system and discusses key constitutional matters as well as the most important landmark Supreme Court decisions. This concise, informative review should be essential reading for the trainee or beginning practitioner and would also be useful to mental health professionals practicing in the criminal forensic setting. Chapter 3, "Admissibility of Neuropsychological Evidence in Criminal Cases: Competency, Insanity, Culpability and Mitigation," also provides valuable information for neuropsychologists, psychologists, and psychiatrists.

Seven chapters focus on specific topics within the field. These include assessment of malingering, evaluation of confessions, trial competency, sanity and diminished capacity, assessment of aggression and violence, sentencing in capital cases, and evaluation of juveniles. Again, there is much useful information, even for those who are not neuropsychologists, including reviews of essential concepts such as legal standards for insanity, discussions about when and what type of neuropsychological testing may be useful in a particular case, and descriptions of the tests that are available. The reader will gain an appreciation of the strengths, weaknesses, and potential ambiguities in interpretation of these tests.

The final chapters provide practical advice on working in the field, from first contact with the retaining attorney, to evaluating the defendant, to the written report and court testimony. These chapters are well written and thorough and contain useful information for any psychologist or psychiatrist interested in performing criminal forensic evaluations.

Clinical Neuropsychology in the Criminal Forensic Setting does contain some sections that will be of interest primarily to its main target audience, such as discussions concerning the release of raw test data and methodologies. However, there is much here that will enhance the knowledge base of forensic psychiatrists, who, as mentioned earlier, will undoubtedly encounter more and more defendants with neuropsychological diagnoses such as traumatic brain injury and dementia in the years ahead.

References

1. *Atkins v. Virginia*, 536 U.S. 304 (2002)

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Public Health Law: Power, Duty, Restraint

By Lawrence O. Gostin. Berkeley, CA: University of California Press, 2008. 767 pp. \$45.00.

This is a revised and expanded second edition of the original text that was published in 2000. It is one of a series of books regarding health and the public sponsored by the Milbank Memorial Fund to help decision-makers use the best available evidence to inform health care policy change.

The author of this scholarly text, Lawrence Gostin, is Associate Dean and Professor of Global Health Law at the Georgetown University Law Center, as well as Professor of Public Health at Johns Hopkins University and Visiting Professor at Oxford University. He indicates that this volume is primarily designed for scholars and practitioners in public health, legislators, and public health law teachers. He distinguishes this treatise from the narrower literature on law and medicine through discussion of the government's responsibility to advance the public's health, the conflict

between government coercion and setting limits on state power, and by partnering with other stakeholders in the public health system.

In this book, Gostin examines complications that occur when government strives to prevent injury and disease or to enhance the public's health. He notes that the government may opt to persuade, use incentives, or sometimes compel individuals and businesses to promote health and safety standards in the interest of public safety. He contends that this power and obligation form the basis of public health law.

The book is organized into four major parts: Conceptual Foundations of Public Health Law, Law and the Public's Health, Public Health and Civil Liberties in Conflict, and The Future of the Public's Health. In Part 1, Gostin explains his theory and definition of the field of public health and offers a systematic evaluation of public health regulation. In Part 2, he describes and discusses legal concepts of constitutional, administrative, tort, and global health law. In Part 3, he provides a representative sample of public health practices, as well as the conflicts with individual rights and interests, and in Part 4, he gives his vision of the future of public health law.

The author covers a host of public health topics, including infectious disease (HIV, pandemic influenza, severe acute respiratory syndrome (SARS), and anthrax), vaccination, and quarantines. Bioterrorism is reviewed as a matter of public health and national security. The roles of international treaties and multiple international health organizations, such as the World Health Organization, World Trade Organization, and United Nations, are described. Several public health topics may be of interest to health care professionals, including litigations related to tobacco, obesity, firearm prevention, and product liability. The duty to warn people who unknowingly have been exposed to HIV is of particular interest to forensic psychiatrists, as are confidentiality, privilege, and the Health Information Protection and Portability Act (HIPAA). Concise commentaries are provided about civil commitment, the right to refuse treatment, and *Daubert*¹ requirements for expert witness testimony. In these discussions, the author examines each problem, summarizes the current legislative and regulatory guidelines regarding each one, and often outlines relevant conflicts be-

tween governmental intervention and individual liberties. Each discussion concludes with recommendations for future public health measures.

In his discussion of the right to refuse treatment, Gostin describes the elements of informed consent that are necessary to initiate treatment. Embedded in this concept is the patient's right to refuse treatment, but the right is not absolute. A summary of case law contains exceptions to the right to refuse treatment in special circumstances, such as inmates in corrections systems and mentally ill defendants who are adjudicated incompetent to proceed with trial. Public health justifications for mandatory treatment are set forth, including preservation of health and life and prevention of harm to others.

The text is dense with case studies, tables, diagrams, photographs, and summaries that will assist the reader who seeks to research specific topics in greater detail. There are over 200 pages of notes connected with the chapters, as well as an extensive bibliography and list of the court cases referred to in the text. This book is timely, given the current debate regarding national health care and the conflict between mandatory participation and individual choices. *Public Health Law* is a comprehensive work that represents a major contribution to the public health policy literature.

References

1. *Daubert v. Merrell Dow Pharmaceuticals, Inc.*, 509 U.S. 579 (1993)

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A Dangerous Method: Ethics at the Dawn of Modern Psychiatry

Screenplay by Christopher Hampton. Directed by David Cronenberg. Produced by Jeremy Thomas. A German/Canadian co-production distributed by Universal Pictures (Germany/Austria), Lionsgate (UK), Sony Pictures Classics (US), BIM (Italy), and Mars (France). Released in the United States November 23, 2011. 94 minutes.

David Cronenberg's movie, *A Dangerous Method*, is based on Carl Jung's historically known sexual entanglement with his patient, Sabina Spielrein. The