

A History of the Assessment of Sex Offenders

This page intentionally left blank

A History of the Assessment of Sex Offenders: 1830–2020

BY

D. RICHARD LAWS

Pacific Behavioural Assessment, Canada



United Kingdom – North America – Japan – India – Malaysia – China

Emerald Publishing Limited
Howard House, Wagon Lane, Bingley BD16 1WA, UK

First edition 2020

Copyright © D. Richard Laws, 2020.
Published under exclusive licence by Emerald Publishing Limited.

Reprints and permissions service

Contact: permissions@emeraldinsight.com

No part of this book may be reproduced, stored in a retrieval system, transmitted in any form or by any means electronic, mechanical, photocopying, recording or otherwise without either the prior written permission of the publisher or a licence permitting restricted copying issued in the UK by The Copyright Licensing Agency and in the USA by The Copyright Clearance Center. Any opinions expressed in the chapters are those of the authors. Whilst Emerald makes every effort to ensure the quality and accuracy of its content, Emerald makes no representation implied or otherwise, as to the chapters' suitability and application and disclaims any warranties, express or implied, to their use.

British Library Cataloguing in Publication Data

A catalogue record for this book is available from the British Library

ISBN: 978-1-78769-360-9 (Print)

ISBN: 978-1-78769-359-3 (Online)

ISBN: 978-1-78769-361-6 (Epub)



ISOQAR certified
Management System,
awarded to Emerald
for adherence to
Environmental
standard
ISO 14001:2004.

Certificate Number 1985
ISO 14001



INVESTOR IN PEOPLE

Everything exists in some quantity and can therefore be measured.
Edward L. Thorndike (1874–1949)

This page intentionally left blank

Contents

List of Figures	ix
Acknowledgments	xi
Preface	xii

Part I: Introduction

Chapter 1	Contemporary Psychological Assessment	3
------------------	----------------------------------------------	----------

Part II: Assessment of Criminal and Sex Offenders: 19th and 20th Centuries

Chapter 2	Criminal Statistics and the Identification of Populations	15
------------------	----------------------------------------------------------------------	-----------

Chapter 3	Offender Classification and Registration	29
------------------	-------------------------------------------------	-----------

Chapter 4	Phrenology: Pseudoscience of the Mind or Precursor Science?	43
------------------	------------------------------------------------------------------------	-----------

Chapter 5	Criminal Anthropology: Lombroso's Search for Criminal Man	63
------------------	----------------------------------------------------------------------	-----------

Chapter 6	Anthropometry: Bertillon's Measurement of Criminal Man	89
------------------	-------------------------------------------------------------------	-----------

Chapter 7	Fingerprinting: A Document Complete in Itself	99
------------------	------------------------------------------------------	-----------

Part III: Assessment of Sex Offenders: 20th and 21st Centuries

Chapter 8	Penile Plethysmography: The Search for the Gold Standard	113
------------------	---------------------------------------------------------------------	------------

Chapter 9	Viewing Time: An Alternative to PPG	129
Chapter 10	Attention-based Measures: Supplementary Procedures	141
Chapter 11	Polygraphy: The Bogus Pipeline to the Soul	149
Part IV: Assessment of Sex Offenders: Possible Futures		
Chapter 12	Virtual and Augmented Reality: Being There	173
Part V: Conclusions		
Chapter 13	What We Learned in 190 Years: 12 Takeaways	195
Index		205

List of Figures

Fig. 1.	John Clay's (1839) <i>Prison Register</i> for the Preston House of Correction.	33
Fig. 2.	De Ville's (1841) Phrenological Head.	47
Fig. 3.	Bertillon's (1896) <i>Signalement Anthropométrique</i> .	93
Fig. 4.	Henry Fingerprint Classification System.	102
Fig. 5.	Affinity Archetype Ranking Task.	134
Fig. 6.	Affinity Image-rating Task.	135

This page intentionally left blank

Acknowledgments

Thanks are due to a number of people who have assisted me in preparing this book. I would like to thank the staff members of Emerald Publishing Limited, notably Julia Willan, who liked my original proposal and promoted it to senior staff; Philippa Grand and Rachel Ward who supervised the early stages of preparation, and Hazel Goodes and Alice Ford for the final stages. Other colleagues assisted at various stages of preparation, including Lawrence Ellerby, Richard Packard, Don Grubin, and David Glasgow. Throughout I enjoyed the support and encouragement of my late wife Cynthia Mills.

Conflict of Interest: The author, D. Richard Laws, has, and continues to benefit financially from several products discussed in the work including the 'Not Real People (NRP) stimulus set' and 'Affinity'. The author was a co-owner of the now-defunct 'Pacific Psychological Assessment Corp' which was used as the market vehicle for 'NRP'. Additionally, the author is the current representative for sales for North America of the product, 'Affinity'.

Preface

There are three related modes of inquiry that fall under the general rubric of criminal identification, which we might call forensic, archival, and diagnostic (Cole, 2001, p. 305).

- (1) *Forensic identification* seeks to link a specific criminal act to a specific criminal body. Using a physical trace of a body, an impression on an actual body part or remnant, it attempts to establish the presence of a body at the scene of a crime and hence establish authorship of a crime.
- (2) *Archival identification* seeks to link a particular criminal body to itself across space and time. In conjunction with a paper or electronic record, it aims to establish a history of past criminal activities that can be ascribed with confidence to a single body.
- (3) *Diagnostic identification* seeks to read the signs of past or potential criminal behavior in the body itself. On the basis of some biological theory of the etiology of criminality, it endeavors to prevent crimes before they occur by identifying and stigmatizing potentially criminal bodies.

This book is primarily concerned with the first two modes of inquiry. The third mode is well beyond the scope of the present work as well as beyond the imagination of the author.

Reference

Cole, S. A. (2001). *Suspect identities. A history of fingerprinting and criminal identification*. Cambridge, MA: Harvard University Press.