

Review of Houck, *Behavioral Analysis*

On Making People

Review of *Behavioral Analysis* (2018)

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The phrase *making people* has at least several substantive and contextual referents. There's the God-like behavior of bringing people into existence. Secular counterparts involving evolutionary theories and natural causes. A conflation or other mixture of the sacred and secular. A slang variant as to engaging in interpersonal sex. Another slang variant—knowing what someone looks like and/or that someone's modus operandi well enough to later murder them or otherwise render them some sort of criminal victim—brings us close to the topic of Houck's *Behavioral Analysis*.

And *Behavioral Analysis* is not a Watsonian nor Skinnerian approach to psychology, nor a behaviorist approach to therapy. It's a volume within the *Advanced Forensic Sciences Series* "...that cover the breadth of forensic science..." (p. xiii) bearing on crime. According to Max Houck—the editor of the present volume and *Series* with titles such as *Forensic Chemistry*, *Forensic Biology*, *Forensic Anthropology*, as well as *Behavioral Analysis*—his intention is to "...provide expert

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information, useful teaching tools, and a ready source for instruction, research, and practice...” (p. xiv). In the case of the present volume, however, there is only partial success—the biggest problem is what’s left out, even given almost 200 pages of actual text.

There’s irony here in that Houck, a forensic chemist and forensic anthropologist, begins his Overview with a quote he attributes to Freud—“...So do not let us underestimate small indications; by their help we may succeed in getting on the track of something bigger” (p. xv). In the context of Freud’s corpus of work, the allusion is to slips of the tongue and various nonverbal behaviors which contemporary researchers on deception detection (cf. Vrij, 2008) attribute to emotional arousal, attempted behavioral control, and cognitive load. In other words, verbal slips and nonverbal behavior may take us quite a way towards understanding and explaining richly conceived mental dynamics and a royal road to the unconscious. But I’ll maintain in this review that *Behavioral Analysis* contains only small indications when there

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could have been much larger ones, taking us much farther down the road of identifying, understanding and explaining crime.

The biggest problem is that Houck has ignored yet another referent of *making people*. This referent has been popularized by the philosopher of scientific concepts—especially the biopsychosocial—Ian Hacking (2006; 1995) and involves (1) formal authorities of knowledge and members of the general public (viz., the labelers) making up a label attributed to people (viz., the labelled) with certain psychological characteristics; (2) a proliferation of labelers and labelled embracing the label as part of their respective identities and as cues for action; (3) divergences in the label's putative characteristics occurring and recurring among labelers and the labelled; and (4) the shelf-life of the label, labelers, and the labelled varying according to social utility. In essence, the types and kinds of people studied are made up.

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So applied researchers on the psychology of crime may have the challenge of studying people—e. g., serial murderers, child abusers—who have been made, made up, and can shape-shift, wax, and wane. Ignoring Hacking’s work on *making people* leaves Houck and his colleagues trying to shed light on static and traditional constructs that are dynamic and dialectical. And these constructs may (1) have very problematic ontological bearing, (2) service the needs of authorities and the general public, and (3) ironically require the authorities to recuse themselves in that the people *made*—criminal types or kinds—are crucial to the very existence of experts’ social identity and status.

Now to comment in the context of this daunting challenge on the five sections of *Behavioral Analysis*. Within the first section, Introduction, Houck’s chapter “Interpretation/The Comparative Method” (pp. 13-17) does not cover psychological nor behavioral assessment.

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Instead it briefly describes how inanimate objects with criminal utility, e.g., hammers, with different components can still be identically classified or labelled. An application to psychological issues like how people can be optimally aggregated as having committed a specific criminal act or impelled by a specific motivation is not made. What this chapter needs is guidance on how people with similar and different characteristics can identically be classified and labelled as pedophiles, or murderers, or generally law-abiding. As well, at least some reference should be made to the vast literature on interpretation in the human sciences—viz., the historico-interpretive methods, hermeneutics, qualitative analysis, and problems flagged by deconstruction in developing the meaning of words within a text for tasks of ostension, extension, correspondence, and representation. These would seem crucial in matters of offender profiling and investigative psychology.

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But the chapter does contain facile philosophical references, a disappointment given Houck's assertion that *Behavioral Analysis* and other volumes in the *Advanced Forensic Science Series* are

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"...philosophically grounded yet professionally specialized..." (p. xiii).

For example, we read that "Aristotle is considered the first to approach comparison as a way to arrange the world" (p. 13). I contend that Aristotle himself would not believe this, let alone the Sophists, Pre-Socratics, and classical Chinese and Indian sages. And there's a quote from Wittgenstein's *Tractatus logico-philosophicus* that "Roughly speaking, to say of two things that they are identical is nonsense, and to say of one thing that it is identical with itself is to say nothing at all" (p. 17). This quote is employed to reinforce "...the need for a statistical evaluation of the strength of a comparison, either inclusive or exclusive" (p. 17). But who would doubt such a need, and is there a direct relevance between Wittgenstein's statement and Houck's statistical

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purpose? And at the time of writing the *Tractatus*, Wittgenstein was trying to solve philosophical problems through the careful parsing of language not through statistical analysis.

I'll more briefly mention Hollin's chapter "Forensic Psychology" (pp. 31-36). In these very few pages, Hollin describes the field as largely covering eyewitness testimony, confessions, and jury selection. But if one turns to the 4th edition of *The Handbook of Forensic Psychology* (Weiner & Otto, 2014), the table of contents alone suggests a much larger field of inquiry including child custody and parenting evaluations; personal injury evaluations; assessing civil capacities, criminal responsibility, specific intent, diminished capacity, and violence risk; applying hypnosis, writing reports testifying in court, and much more.

Within the chapter Hollin's very brief comments on research only cite the need for generalizability, reliability, and both lab and field studies. The reader might be excused for not appreciating the thriving

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forensic research arena demarcated by Rosenfeld and Penrod (2011) in *Research Methods in Forensic Psychology* including selections on meta-analysis, internet-based data collection, research approaches to validate methods detecting malingering, the development of unique measures, and various statistical principles.

Within the second section, Investigations, I'll choose Turvey's chapter "Criminal Profiling" (pp. 69-75), both because he's written a successful textbook on the topic, *Criminal Profiling: An Introduction to Behavioral Evidence Analysis* (Turvey, 2011), and because I teach a criminal profiling course to graduate and upper-level undergraduate students. The first disappointment is that common and very brief vignettes from profiling's history—e.g., the North American witch trials and the *Malleus Maleficarum* on witches, the Spanish Inquisition and *conversos*, writings on criminal investigations by the Italian physician Cesare Lombroso and the Austrian jurist Hans Gross, New York's Mad Bomber case, and the Federal Bureau of Investigation's Behavioral

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Science Unit—will take the reader well into p. 73. The rest of the chapter which ends near the bottom of p. 75 very cursorily covers several generalizations about three generic approaches to profiling—diagnostic evaluation, criminal investigative analysis, and behavioral evidence analysis. But there's a rich scientific literature not addressed including, provocatively, whether criminal profiling can even meet basic scientific cannons of validity (Harcourt, 2008; Kocsis & Palermo. 2015; Wineman, 2004; but see Kocsis & Palermo, 2016).

As well, Turvey defines criminal profiling as only the quest to identify traits pertaining to individuals who have committed crimes. Yet profiling may relate to who will commit, is committing, and has committed crime. And as the psychobiographers tell us, profiling is practiced not just to identify dispositional traits, but as well various adaptive phenomena like social cognitions and also self-constructed life narratives within various ever-changing contexts (cf. McAdams, 2005).

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Profiling also is founded on the two long-time orientations of personality research—nomothetic based individual differences and the idiographic life history. Turvey does very briefly discuss the nomothetic-idiographic distinction, but ascribes the idiographic to diagnostic evaluation and criminal investigative analysis, nomothetic to behavioral evidence analysis, when idiographic and nomothetic can both be applied to all three profiling approaches. Finally, he does not cover the basic scientific caveats involving (1) personality-situational interactions especially those involving the press of stimuli and the needs of the individual, (2) individual developmental stages, (3) escalatory sequences of behavior leading to the crime, and (4) the transience of moderating and modifying relationships among variables in the context of individual differences and individual life history. All are crucial to predicting behavior and understanding and explaining why behavior is occurring or has occurred.

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I'll also comment on Farwell's chapter "Lie Detection" (pp. 83-88).

On the positive side, Farwell is quite informative on the different formats employed with polygraphy—viz., Relevant Questions, Irrelevant Questions, Comparison Question Test, and the Guilty Knowledge Test. He also cites the two significant US Government-funded studies—both that of the Office of Technology Assessment and the National Research Council—seriously questioning the scientific reliability and validity of common uses of polygraphy. And he does note that common commercially available psychophysiological methods, e.g., voice stress analysis, lack significant empirical support.

However, he pushes his own approach to lie detection—brain fingerprinting (based on what he calls the P300 Memory and Encoding Related Multifaceted Electroencephalographic Response)—in a manner I find hard to believe. To wit, Farwell writes "In laboratory and field research and applications at the Central Intelligence Agency, the Federal Bureau of Investigation, the US Navy, and elsewhere, brain

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fingerprinting has been over 99% accurate. It has never produced a false negative or false positive error” (p. 84). When I read the 99% figure, I think of official electoral results for authoritarian leaders like Ramzan Kadyrov in Chechnya.

As well, my review of the American Psychological Association’s *PsycNET* suggests that only Farwell and colleagues ((Farwell et al., 2013; Farwell & Richardson, 2013; Farwell, 2012) support his results; these publications only are in one journal, *Cognitive Neurodynamics*, of which Farwell is listed on the Editorial Board; and Meijer et al. (2012) and Rosenfeld (2005) have serious issues with his data, analysis and interpretation.

In the third section, Deaths and Violence, Mutzel’s chapter “Sexual Violence” (pp. 135-139) addresses rape and abuse but ignores the psychology of how to interview alleged victims beyond citing the need for appropriate case management. It instead covers the physical presentation of an alleged victim including appropriate victim physical posture for an examination,

variants of hymen status relevant to supporting an abuse and/or rape allegation (with little about how one physical presentation leads to a specific inference), and methods to secure semen from an alleged victim. A useful distinction between hands-on and hands-off abuse, the latter referring to behaviors like making a pornographic film of a minor, watching pornography with a minor, exhibitionism, or employing sexually violent terms might have led to how to infer the commission of acts leaving little if any physical markings. But this is not covered.

In the fourth section, Abuse, most disappointing is H Vogel's chapter "Torture" (pp. 165-176). It leaves out significant psychological research on the effectiveness of torture based on surveys by professional interrogators (Russano et al., 2014), the negative consequences of common torture techniques on neuroanatomical and neurophysiological substrates of memory (O'Mara, 2015), and the psychology of the torturer including psychopathological consequences for the latter (Dee, 2017; Olson, 2014). Instead, the chapter concentrates on specific torture techniques and their accompanying damage to the body—a partial list including testes injury due to squeezing (p. 175), increased bone metabolism due to beating (p. 174),

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kneecapping via handgun (p. 172), toe destruction after toe compression (p. 171), and edema and hematoma due to falaka (p. 170, caning or whipping the soles of the feet). Also, there are demonstrations of extreme postural torture that may leave little permanent physical damage (p. 169). Although such knowledge may help an evaluator or investigator move to the hypothesis of torture employment, where's the psychology?

As in the first section 1, I was hoping Kaye's chapter "Interpretation" (pp. 179-184) would cover issues and challenges in developing inferences from data. There are very brief and rudimentary comments on elements of Bayesian analysis, probability, likelihood, and null hypothesis significance testing (NHST). What would have been valuable and amenable to even brief coverage would be a few pages on the basic definitions of concepts like NHST, power, effect size, signal detection theory, Bayesian analysis, and, more importantly, a discussion on the reliability and validity trade-offs based on the needs and biases of researchers. Another page or two could have covered the contemporary replicability controversy in psychology and initiatives like transparency and openness promotion guidelines, open science

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frameworks, and questionable research and publication biases and practices (Open Science Collaboration, 2015; Schmidt & Oh, 2016).

Back to *making people*, up or otherwise. Perpetrating, deterring, controlling, influencing, adjudicating, understanding, and explaining crime are exciting crucibles for testing the viability of various psychological theories, methods, and the implications of data. A future version of *Behavioral Analysis* that more closely addresses the psychology of intrapsychic and external behavior within the philosophy of biopsychosocial concepts will better “...provide expert information, useful teaching tools, and a ready source for instruction, research, and practice...” (p. xiv) in matters of the psychology of crime.

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