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IN THE DISTRICT COURT OF THE SEVENTH JUDICIAL DISTRICT OF THE STATE OF IDAHO, IN AND FOR THE COUNTY OF FREMONT

STATE OF IDAHO,

Plaintiff,

VS.

LORI NORENE VALLOW AKA LORI NORENE DAYBELL,

Defendant.

CASE NO. CR22-21-1624

STATE'S OBJECTION TO DEFENDANT'S MOTION IN LIMINE

The State of Idaho, by and through the Fremont County Prosecuting Attorney's Office, objects to the Defendant's Motion in Limine as follows:

The State rejects the Defendant's contention that its Thirteenth Discovery Disclosure was late and calls the Court's attention to the following timeline regarding the discovery deadline.

- 1. December 8, 2022: The Court held a scheduling conference and scheduled trial in the Lori Daybell's case for April 3, 2023.
- 2. December 16, 2022: The Court issued a Notice of Trial Setting that set the discovery deadline "prior to the pre-trial conference" which the same Order set for February 27, 2023 at 1:30 p.m.
- 3. December 27, 2023: The Court held a Zoom scheduling conference with the parties. During this conference the Pre-Trial conference was re-scheduled to February 23, 2023. In response to the change, Ms. Blake inquired of the Court "Is discovery still due the

- 27th?" The Court answered "Yes" and then stated that no deadlines other than the pretrial date had changed.
- 4. December 27, 2023: An Amended Scheduling Order was filed by the Court stating: "All discovery must be completed prior to February 27th, 2023."
- 5. February 9, 2023: The Court held a hearing on Chad Daybell's Motion to Extend time to File Expert Reports. At that hearing, the Court stated: "There is a scheduling order that's been filed. It does have a cutoff for discovery completion by the time of the pretrial conference which is February 27th." However, as stated above, at this point, the Court had already re-scheduled the pre-trial conference to February 23rd. In that same hearing, in response to an oral motion by the Defendant the Court extended the time to provide disclosures. The Court stated it would: "grant a motion to modify the court's scheduling order deadlines from the December 16th scheduling order which required all discovery to be completed by February 27th. I'll extend that to March 13th in that case for two additional weeks. However, the extension on discovery does not apply to the expert witness disclosure requirements. Those will still remain on the February 27th scheduled deadline. The rest of the discovery can be and must be done by March 13th then, under the scheduling order." (Upon review, the State is unsure if the Court meant to extend the regular discovery deadline or the expert report deadline for this Defendant.)
- 6. February 9, 2023: The Court issued an Order "Modifying Court's Scheduling Order filed December 16, 2022" which states modified deadline to disclose expert witness reports shall be extended **from February 27, 2023** to a new deadline of March 13, 2023." (Emphasis added.) In the Court's previous scheduling orders no differentiation was made between discovery of expert materials and other discovery.

It was reasonable of the State to rely upon the comments made by the Court in hearings and its most recent scheduling Order. As such it was reasonable for the State to conclude that February 27th, 2023 was the discovery deadline. Due to the fact the pre-trial conference was moved up, but not the discovery deadline, it was reasonable for the State to believe it had the entire day to file the disclosure.

Even if the Court were to determine the State's disclosure was untimely, broad sanctions such as the Defendant is asking for are not automatic. The Court should look at the time of the delay, which at most is less than 24 hours. Further, the Court should evaluate what prejudice the Defendant will suffer. To aid in that determination, the State has provided information below regarding some of the witnesses and evidence the Defendant is attempting to strike. It is important for the Court to realize that with only a few exceptions, the reports of the witnesses complained about were turned over to the Defense at the beginning of this case.

In *State v. Kramer*, the State failed to produce Intoxilyzer 5000 certificates to a defendant until the day before trial. 278 P.3d 431, 433 (Idaho App. 2012) There, the Court held:

Whether to impose a sanction for a party's failure to comply with a discovery request, and the choice of an appropriate sanction, are within the discretion of the trial 185, 177 P.3d 397, 399 (Ct.App.2008). When an issue of late disclosure of prosecution evidence is presented, the inquiry on appeal is whether the lateness of the disclosure so prejudiced the defendant's preparation or presentation of his defense that he was prevented from receiving a fair trial. *State v. Pacheco*, 134 Idaho 367, 370, 2 P.3d 752, 755 (2000); *Allen*, 145 Idaho at 186, 177 P.3d at 400; *State v. Johnson*, 132 Idaho 726, 728, 979 P.2d 128, 130 (Ct.App.1999). The defendant bears the burden of establishing prejudice by showing that there is a reasonable probability that, but for the late disclosure of evidence, the result of the proceedings would have been different. *Pacheco*, 134 Idaho at 370, 2 P.3d at 755.

In *Kramer*, the Court cited to *State v. Allen* and said "establishing prejudice ordinarily requires that the complaining party demonstrate that the late disclosure hampered his ability to meet the evidence at trial, had a deleterious effect on his trial strategy, or that it deprived him of the opportunity to raise a valid challenge to the admissibility of evidence. *Allen*, 145 Idaho at 186, 177 P.3d at 400. *Id* at 434." In Denying *Kramer's* appeal the Court further stated, "If Kramer chose not to pursue the certificates in order simply to object to the foundation for admittance of the breath test result, as opposed to truly challenging the accuracy of the result, he was not prejudiced in any ability to meet the evidence. Kramer has demonstrated no prejudice by any late disclosure." *Id*.

In *State v. Rhoades*, the State failed to turn over two reports regarding potentially exculpatory material to the Defendant involving another potential killer. 820 P.2d 665, 673 (Idaho 1991) However, the State had provided a summary of the other potential killer's "confession" in a report to the Defendant. *Id.* On appeal, Rhoades claimed he was prejudiced by the failure to turn

over the two reports. *Id.* However, the Court found, "the defense had the information that there was a confession to the Baldwin murder, the identity of the confessor, the details of the confession, and the name of the officer who heard the confession. With that information they could have contacted Officer Christian and Kevin Buckholz to determine whether the confession was worth pursuing. The defense claims that had they received the two additional reports from the prosecution then they would have made more of an effort to locate Buckholz. We believe that the defense could have made that determination without the other two police reports. *Id.*

As the State has often said, discovery in this case is voluminous. The State has received reports from the Rexburg Police Department, the FBI, the Fremont County Sheriff's Department, the Idaho Attorney General's Office, and various Arizona jurisdictions. The State has been diligent in turning over information as it was received. Further, the State does not have the option of simply turning discovery off. Regardless of deadlines, the State must and will continue to provide information to the defense when it is provided to the State.

702 Reports

As part of it's Thirteenth Disclosure, the State filed disclosures to ensure it complied with Idaho Rules of Evidence 702-705. These witnesses have been previously disclosed in reports and other documents provided to the Defense. The State's final witness list is not due until 3-20-2023 and a deadline for expert reports was extended to 03-13-2023. The Defendant cannot claim prejudice regarding these disclosures and as such none of these witnesses should be prohibited from testifying.

Arizona Certified Documents

The Arizona documents were previously disclosed on 8-9-2021, Bates Nos. 19664-19692. They were simply disclosed again because the State had received certified copies of said documents. Because the Defendant was aware of these documents she cannot claim prejudice.

Astrea Dr. Green Report

The Defendant received these reports as the State received them. They were previously emailed to the Defendant on February 23, 2023. A subsequent report received by the State on the 27th was immediately provided to the Defense.

Dr. Welner

Dr. Welner's involvement in this case is not new. The Defendant has long been aware of the State's consultation with him during the Defendant's second commitment proceedings. During those proceedings, and due to comments by the Defense about an alleged conflict of interest on the part of Dr. Welner if he were to be involved in the commitment proceedings and the trial, the State filed a motion for a determinacy of conflict, putting the Defendant on notice that the State intended to possibly call him as a rebuttal witness if the Defendant raised a mental health defense.

Contrary to the Defendant's claim, the State does not intend to call Dr. Welner in guilt phase. That position would only change if the door is opened by the Defense calling into question the defendant's mental health as it relates to the state's burden to meet every element of the charged offenses. If that were to happen, the State would reserve the right to call Dr. Welner whenever necessary.¹

The State acknowledges the Defendant has filed a notice of intent to not rely on a mental health defense and/or call mental health experts during trial, and has made multiple representations that they do not intend to rely on a mental health defense. Assuming the Defendant's position remains the same through trial, the State will not be calling Dr. Welner at any time during guilt phase and will only call him during penalty phase. If the State had failed to disclose Dr. Welner, and the Defendant's position regarding I.C. 18-207 were to change during trial,² the State would be in the unfortunate situation of not being prepared to appropriately respond. Absent the disclosure, the State would not be able to present evidence at guilt phase.

The Defendant's contention in paragraph 12 of its motion that the "government wishes to call Welner in its case in chief, as he states in his affidavit" is demonstrably false. Please see the attached disclosure listed as Exhibit 1. Dr. Welner's affidavit/summary does not state he plans to testify in the State's case in chief. The State has continually held the position that Dr. Welner would not be called to testify in the State's case in chief, so long as, the Defense did not open the

¹ During the prior hearing regarding the State's Motion in Limine, the Defendant made the same request to exclude Dr. Welner from testifying. The State presented its position that it did not intend to call Dr. Welner unless the door was open by the Defense through cross-examination of witnesses and/or the presentation of the defense. The Parties have not seen an Order from that hearing on either the State's or Defendant's Motion in Limine.

² The State is not conceding the Defense would have the right to change their position regarding I.C. 18-207 during trial since the statute specifically requires at least 90 days advance notice prior to trial for use of an expert during trial.

door through cross-examination or the presentation of a mental health defense. Dr. Welner's affidavit/summary simply states that he is "prepared to testify at guilt and pre-sentencing proceedings." Even if Dr. Welner had stated what the Defendant has wrongly claimed, the Defendant's counsel should recognize that an expert's proposed summary does not control what the State does at trial.

The Defendant's conjecture regarding the State's position on the Defendant's mental health is misplaced. The State is relying upon the law in Idaho, including Idaho Code 18-207 and as instructed in Idaho Criminal Jury Instructions 1505 and 1506. The State has not asserted that the Defendant does or does not have a diagnosis, but asserts that her behavior in the charges filed was not controlled by a psychiatric illness. If the Defendant wished to present evidence contrary to that, she would have needed to file a notice pursuant to I.C. 18-207. Given that, the State is somewhat perplexed by the Defendant's statement in paragraph 9: "Instead of accepting the mental health evidence for what it is, the government wishes to change the title of their expert from "mental health expert" to "religious expert" and "expert on evil-doers." The Defendant contends she is "not presenting a mental health defense at the guilt phase portion of trial" but still expects the State to "accept mental health evidence for what it is." Regarding guilt phase, the State is unsure what mental health evidence the Defendant expects the State to "accept" if she isn't presenting a mental health defense.

The State has not "changed" the title or description of Dr. Welner from a "mental health expert" to "religious expert" and "expert on evil-doers." Nor does Dr. Welner's summary even contain those phrases. The summary provided by Dr. Welner does not support the Defendant's contention. Dr. Welner is not being proposed as a religious or theological expert, but as a mental health expert with experience in questions of hyper-religiosity as it relates to mental health claims and/or to criminal or deviant behavior. This is squarely within the customary subject matter of the intersection of psychiatry and the law that presents to a board-certified forensic psychiatrist. The Defendant's contention that Dr. Welner's proposed testimony would violate the ABA Criminal Justice Guidelines on Mental Health is unfounded, and her contention that Dr. Welner has opined a "canned mental health diagnosis" is false. Dr. Welner has not provided a diagnosis. While there has been significant forensic science and forensic psychiatry publication and research in the area of "evil" in recent years, Dr. Welner is not being proposed to testify in this or related areas. The word "evil" does not even appear in his declaration of proposed testimony.

The Defendant's claim that the Dr. Welner has not requested to examine the Defendant is false. As this Court is aware, during sealed proceedings regarding competency the State did request that Dr. Welner be allowed to examine the Defendant. Assuming the Defendant's position on I.C. 18-207 remains unchanged the State acknowledges that Dr. Welner would not be allowed to examine the Defendant. Should the Defendant's position change, the State would then make that request pursuant to I.C. 18-207.³

FBI

The vast majority of documents in the FBI file are deemed administrative by the FBI and are not regularly provided by the FBI. The State was not aware of these materials until late January 2023. Given the nature of this case, and the fact that it is a state case and not federal, the State requested that the State be provided these materials. The State even sent a representative to the FBI Office in Boise to review and obtain said materials on February 3rd and 4th, 2023, and immediately began preparing said materials for disclosure.

The Defendant asks the Court to exclude all witnesses identified in the FBI Reports. However, the Defendant has failed to provide critical information to the Court regarding said witnesses and discovery. In the FBI file there are 25 files related to interviews of witnesses. (Please see the list below providing the name of the interviewee, the approximate date of the interview, the substance of what was provided in the Thirteenth Disclosure, and when it was previously disclosed.) Of these 25 interviews with witnesses, the reports related to 24 of those interviews were previously provided to the Defense and 23 of those were provided in the State's first discovery disclosure on August 9, 2021. The Defendant has been in possession of these reports now for approximately 18 months.

In the Thirteenth Discovery Disclosure, two of the FBI disclosures are videos of interviews of Melanie Boudreaux and Paul Daybell. The reports of these interviews were disclosed on 8-9-2021. Both reports reference a video recording.

Of the 25 files related to witness interviews in the Thirteenth Disclosure, 22 of the files are simply the reporting agent's handwritten notes. Again, the reports of these interviews were previously disclosed. One of them was disclosed on 02-24-2022 and the rest were disclosed on 8-9-2021.

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³ Again, the State is not conceding the Defendant would be allowed to change her position at this juncture. The Defendant would have had to comply with the timelines set out in Idaho Code 18-207.

As stated, one report in the FBI file was not previously disclosed to the Defense. The Prosecutors discovered said report (and the vast majority of the other administrative items in the FBI folder) while performing an audit with the FBI on February 3rd and 4th of 2023. The State has been unable to ascertain why this report was not previously provided.

- 1. Melanie Boudreaux 2020-01-14. Video of interview. Report disclosed 8-9-2021, report references recording.
- 2. Paul Daybell 12-18-2019 Video of interview. Report disclosed 8-9-2021, report references recording.
- 3. Zachary Cox 02-13-2020, Hand Written notes of interview. Report and video previously disclosed on 8-9-21.
- 4. Adam Cox 02-13-2020, Hand Written notes of interview. Report and video previously disclosed on 8-9-21.
- 5. Jeanie Martin, 02-24-2020 Interview. Not previously disclosed.
- 6. David Warwick, 02-20-2020 Hand-written notes of interview. Report previously disclosed on 8-9-21.
- 7. Byron and Emily Gibb, 02-24-2020, Hand-written notes of interview. Report previously disclosed on 8-9-21.
- 8. David Barker, 03-11-2020, Hand-written notes of interview. Report previously disclosed on 8-9-21.
- 9. Jamie MacBain, 03-11-2020, Hand-written notes of interview. Report previously disclosed on 8-9-21.
- 10. William Lagioia, 05-01-2020, Hand-written notes of interview. Report previously disclosed on 8-9-21.
- 11. Braxton Boudreaux, 05-20-2020, Hand-written notes of child's forensic interview. Report and video previously disclosed on 8-9-21.
- 12. Janis Cox, 05-27-2020, Hand-written notes of interview. Report and audio previously disclosed on 8-9-21.
- 13. Rachel Doockstader, 06-02-2020, Hand-written notes of interview. Report previously disclosed on 8-9-21.

- 14. Dana Sheets, 06-09-2020, Hand-written notes of interview. Report and audio previously disclosed on 8-9-21.
- 15. Douglas Sheets, 06-09-2020, Hand-written notes of interview. Report previously disclosed on 8-9-21.
- 16. Robert Vallow, 06-15-2020, Hand-written notes of interview. Report and audio previously disclosed on 8-9-21.
- 17. Kailey Benesch, 06-02-2020, Hand-written notes of interview. Report previously disclosed on 8-9-21.
- 18. Julie Rowe, 07-02-2020, Hand-written notes of interview. Report and video previously disclosed on 8-9-21.
- 19. Kay Woodcock, 08-12-2020, Hand-written notes of interview. Report and video previously disclosed on 8-9-21.
- 20. Edgar Landazuri, 09-28-2020, Hand-written notes of interview. Report previously disclosed on 8-9-21.
- 21. Ashlyn Rind, 10-15-2020, Hand-written notes of interview. Report and video previously disclosed on 8-9-21.
- 22. Nelson Yanes, 11-05-2020, Hand-written notes of interview. Report previously disclosed on 8-9-21.
- 23. Virginia Mann, 02-11-2021, Hand-written notes of interview. Report previously disclosed on 8-9-21.
- 24. Tavia Womack, 04-15-2021, Hand-written notes of interview. Report previously disclosed on 8-9-21.
- 25. Joseph Williams, 02-24-2022, Hand-written notes of interview. Report previously disclosed on 5-31-22.

The Defendant's request to strike the above witnesses is not supported by law or fact. The Defendant has been on notice of these witnesses, most since 08-09-2021. The Defendant has not articulated a reasonable probability that now receiving FBI Agent's notes on the interviews would affect the results of the trial in any way.

Fremont County

The Defendant made an issue of the witness Audrey Barratario in it's Motion in Limine. Again, the Defendant left out critical information regarding this witness and has not accurately represented her involvement or information previously made available to the Defense. The Defendant's motion appears to represent that Ms. Barratio did not provide testimony to the Grand Jury. This is inaccurate as Ms. Barratario did testify and provide evidence to the Grand Jury. The Defendant is in possession of that transcript. Further, the Defendant has conveniently left out of its motion that multiple reports regarding interviews of Ms. Barratario have been previously been provided to the Defense. While the report provided in the Thirteenth Disclosure does include some new information from Ms. Barratario, it is mostly derivative of what Ms. Barratario had already told law enforcement. Indeed, on 8-9-2021 the State provided three separate interviews of Ms. Baratarrio. The State would further inform the Court that on the same day the Defendant filed its Motion in Limine, Ms. Barratario contacted Fremont County law enforcement and provided further information which was then provided to the Defense on 3/9/2023. While the Defendant maintains that what Ms. Barratario said about the Defendant is untrue, that is a question for the jury and not an issue currently before the Court. The State believes a similar analysis as *Rhoades* is applicable here. The Defendant has long been aware of this witness and the general nature of her testimony. The State cannot control whether she chooses to speak with the Defense or not. The mere fact that the Defendant does not agree with or like what this witness says is not enough to strike the witness.

The Defendant further mentions multiple recordings provided in the thirteenth disclosure. In the file entitled Fremont County there are 24 recordings. Of those, reports of 22 of those were previously disclosed on 8-9-2021. Of those 22, 17 also included the audio. When Fremont County found that it was missing a report and Audio on a Reed Stone, they went back and made sure audio for these other reports was provided as well.

- 1. Angela Yancey Report (no audio) previously disclosed 8-9-2021
- 2. Barbara Blair Report and Audio previously disclosed 8-8-2021
- 3. Brian Sumsion Report and Audio previously disclosed 8-9-2021
- 4. Brindi Burtenshaw Report and Audio previously disclosed 8-9-2021
- 5. Connie Dunn Report and Audio previously disclosed 8-9-2021
- 6. Hailey Parmer Report (no audio) previously disclosed 8-9-2021
- 7. Janet Anderson Report and Audio previously disclosed 8-9-2021
- 8. Janice Olson Report and Audio previously disclosed 8-9-2021

- 9. Jennifer Geisler Report and Audio previously disclosed 8-9-2021
- 10. Jerrod Wertman Report (no audio) previously disclosed 8-9-2021
- 11. Kiara Daybell Report and Audio previously disclosed 8-9-2021
- 12. Les Chappell (sp?) Report and Audio previously disclosed 8-9-2021
- 13. Matt Daybell Report (no audio) previously disclosed 8-9-2021
- 14. Melanie Mcdonald Report and Audio previously disclosed 8-9-2021
- 15. Pam Peebles Report and Audio previously disclosed 8-9-2021
- 16. Patty Later Report and Audio previously disclosed 8-9-2021 and 5-31-2022
- 17. Richard Garner Report and Audio previously disclosed 8-9-2021
- 18. Shanna Miller Report and Audio previously disclosed 8-9-2021
- 19. Shirley Clawson Report (no audio) previously disclosed 8-9-2021
- 20. Taylor Ballard Report and Audio previously disclosed 8-9-2021
- 21. Sheri Vail Report and Audio previously disclosed 8-9-2021
- 22. Tammy Gee Report and Audio previously disclosed 8-9-2021

A large portion of the Fremont County files includes a report involving threats to the Court and State. This will not be introduced at trial.

PATCTECH – Glenn Bard Report

This is an expert report. The search warrant and PC affidavit initially naming this witness was provided in discovery on 1/27/2023. Again, the State's final witness list is not due until 3-20-2023 and expert reports were not due until 3-13-203.

Psychic Lambert Report

This was provided to the State by a "psychic." The State does not intend to introduce this at trial.

RPD

The RPD file contains updated evidence sheets, a recent report regarding a warrant, a tip analysis sheet, and a report informally provided to Defendant's lead counsel when he first entered this case. Said report is not material to the case and regards information that was the subject of the protective order issued early in this case. The report regarding the warrant was finalized on 2-22-2023 and was produced in a timely manner. The evidence sheets were recently updated on 2-16-2023 as evidence was received back from the state lab and were produced in a timely manner.

SSA

In a recent meeting with SSA investigator Mark Saari, it was discovered that certain

documents in his possession had not been turned over to the State. The State requested said

documents and promptly turned them over in the Thirteenth Disclosure.

Conclusion

The State does not concede that it was late in filing the Thirteenth Disclosure. Due to

statements made by the Court and especially it's last Order amending discovery disclosure, the

State has reason to believe it could file a discovery disclosure until February 27th, 2023. A case of

this magnitude and size will of necessity generate a large amount of discovery. The duty of the

State to disclose material to the Defense does not end. The State has diligently provided discovery

to the Defense and will continue to do so. The Defendant has provided no specific injury to the

Court justifying such a harsh remedy as striking every witness contained in said disclosure.

Indeed, the Defendant largely ignored the fact that the vast majority of the reports of those

witnesses had been turned over. For these reasons the State respectfully requests that the Court

deny the Defendant's Motion in Limine.

Respectfully submitted this 13th day of March 2023.

/s/ Lindsey A. Blake

Lindsey A. Blake

Prosecuting Attorney

/s/ Rob H. Wood

Rob H. Wood

Prosecuting Attorney

STATE'S OBJECTION TO DEFENDANT'S MOTION IN LIMINE

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CERTIFICATE

I HEREBY CERTIFY that on this 13th day of March, 2023, that a copy of the foregoing document was served as follows:

James Archibald		U.S. Mail
jimarchibald21@gmail.com		Hand Delivered
		Courthouse Box
		Facsimile:
	X	File & Serve
		Email
John Thomas		U.S. Mail
jthomasserve@co.bonneville.id.us		Hand Delivered
		Courthouse Box
		Facsimile:
	X	File & Serve
		Email

By: /s/ Jodi L. Thurber

State of Idaho, Fremont and Madison Counties)
District)	No.: CR22-21-1624
Plaintiff,)	No.: CR22-21-1024
vs.)	Judge Steven Boyce
Lori Vallow)	
Defendants.)	

AFFIDAVIT OF MICHAEL WELNER, M.D.

I, Michael Welner, M.D., am of the age of majority, under no disability, and if sworn to testify, would competently testify to the truth of the following facts upon my personal knowledge and upon penalty of perjury pursuant to 28 U.S.C. § 1746:

- 1. I was retained as an expert witness in the above-captioned matter. My resume and curriculum vitae (C.V.) is attached hereto as Exhibit A. I have provided this affidavit to further detail my qualifications and experience and their relationship to anticipated potential testimony in this matter.
- 2. My anticipated testimony will be at the guilt and penalty phases of this prosecution, not presentencing or pretrial appearances.
- 3. I have been a Board Certified psychiatrist since 1993. Psychiatry is the science of human behavior, personality and emotions, including all aspects of cognition, such as decision-making and judgment. Board certification is the demonstration of higher qualification in a specific area, and awareness of the state-of-the-art of that specific field through experience and passing an examination.
- 4. Forensic psychiatry encompasses expertise and experience distinct to defendants in the criminal justice system, accused perpetrators, criminal deviance as it manifests in different settings ranging from the home to the community, to prison, and where mental health science intersects with the law. These include the dynamics between accused, alleged accomplices and facilitators, and victims.
- 5. I am also a Board Certified forensic psychiatrist since 1996. I updated Board Certification in forensic psychiatry in 2006 and in 2017. Recertification also requires successful passing of a written examination, and demonstrates that higher qualifications have maintained updated fluency in the ever-evolving intersection of psychiatry and the law.
- 6. Psychiatry training cultivates expertise in the dynamics of relationships, be they intimates, authority figures, peers, strangers, and family. The same training accounts for adaptive and

- pathological responses to emotional conflicts and anxieties, whether it be guilt, shame, loss, fear, or others.
- 7. Forensic psychiatry likewise involves the science of human relationships, emotions, decision making and personality but is focused specifically on the intersection of these scientific areas and the legal system. Forensic psychiatrists like myself are trained in understanding a range of aspects of criminal deviance.
- 8. Since 1992, I have examined hundreds of criminal defendants facing a range of charges. For approximately two decades, I have been part of the panel of "Highly Qualified Independent Psychiatrists" maintained by the New York State Supreme Court, to whom judges refer criminal and civil commitment matters for independent assessment.
- 9. From 1995 to 2011, I was on the teaching faculty of NYU School of Medicine as a Clinical Associate Professor of Psychiatry. In 2016, I joined the teaching faculty of Mt. Sinai School of Medicine as a Clinical Professor of Psychiatry. My responsibilities at Mt. Sinai focus on teaching and supervision of psychiatry residents in case practice of forensic psychiatry and supervision of graduate psychology students in research activities.
- 10. In 1998, I founded, and have since chaired, The Forensic Panel, a multi-specialty practice of the behavioral sciences, pathology, toxicology, medicine, and criminology. I am familiar with numerous areas in which forensic psychiatry interfaces with other disciplines, and have published on same as it relates to complex homicides, motivation in crime, death investigation, standardizing the distinction of depravity, and pre-sentencing issues. My publications have appeared in behavioral, forensic, and social science journals. I am a Fellow in the American Academy of Forensic Sciences. In addition, I have lectured on a range of topics, as noted in my CV.
- 11. In capacity as a consulting forensic psychiatrist, I have examined numerous female defendants charged with murder and other major crimes. This includes mothers accused of killing their own children in response to a range of motives and influences.
- 12. My casework includes various criminal responsibility matters, including insanity defenses, diminished capacity, and capacity to form intent, as well as many presentencing matters that warrant a comprehensive psychosocial assessment, including capital pre-sentencing proceedings such as that of Jonathan Renfro in Cour D' Alene.
- 13. In addition, I have a range of experience in cases involving the interface of psychiatry and religious zealotry. This includes, but is not limited to, cases involving splinter LDS sects, the Church of Scientology, NXIVM, sovereign rejectionists, al-Qaeda, and ISIS. I have extensively studied the topic and relevant literature of exploitation and grooming and the psychological dynamics at play in such situations. In the course of my career, I have consulted on numerous cases in which these issues were raised.

- 14. My work in many of these cases involved tremendous scrutiny and accountability from numerous attorneys or appellate attorneys, and I have been consistently qualified to testify about the areas of my expertise. None of the opinions in criminal matters have been reversed on appeal on the basis of any factual error of my testimony or methodological error of my assessment.
- 15. I have been retained by the County of Fremont and the County of Madison to consult to them on a variety of questions and to review materials relating to the alleged perpetrators Lori Vallow and Chad Daybell. With respect to Lori Vallow, I am prepared to testify at guilt and pre-sentencing proceedings about:
 - a. The Daybell-Vallow group and its commonality with other LDS splinter groups.
 - b. The impact of charisma, persuasive confidence, malignant narcissism, and other psychologically salient qualities among sect leaders such as Lori Vallow in dysfunctional splinter LDS sects.
 - c. The role of homicidal destructiveness in pruning and cultivating splinter sects and its relevance to Lori Vallow.
 - d. The challenges of attributing idiosyncratic religious thinking among LDS splinter leaders to psychiatric illness, given the culture of latter-day prophecy; and, how that distinction is to be made in assessments of examinees such as Lori Vallow.
 - e. The available evidence demonstrates Ms. Vallow's contrived use of religion to control and direct others and to eliminate responsibilities impeding her transition to a new life.
 - f. Ms. Vallow's actions and choices during the period preceding, during, and following the homicides reflect intact capacity to form criminal intent, and an appreciation of the wrong of the murders.
 - g. Ms. Vallow's involvement in multiple homicides reflects the influence of criminal deviance and personality, such as callus behavior and attitudes, rather than religious directive, and the evidence informing that conclusion.
 - h. Ms. Vallow's involvement in multiple homicides reflects the influence of criminal deviance and personality rather than the influence of major psychiatric illness, and the basis for that opinion.
 - i. The evidence demonstrates that the dynamic of Chad Daybell and Lori Vallow was one in which both manipulated each other.
 - j. A more definitive diagnostic assessment of Lori Vallow at the time of the charged offenses will be undertaken once I have the opportunity to examine her, which I have requested. This would involve a videotaped in person interview that would be made available to attorneys of both sides and would take place over two to

three days. After I review the interview, I would be able to solidify my diagnostic impressions in approximately three weeks.

k. My opinions on the above may be supplemented and even modified by any additional information made available for my review from prosecutors or the defense, including what I would learn in the interview.

FURTHER AFFIANT SAYETH NAUGHT



Michael Welner, M.D.

MICHAEL WELNER, M.D.

The Forensic Panel

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BOARD CERTIFICATION

Private Practice, New York, NY

Diplomate, Psych	iatry, American Board of Psychiatry and Neurology	1993
Recer Recer	nsic Psychiatry, American Board of Psychiatry and Neurology tification tification	1996 2006 2017
Diplomate, Disast	ter Medicine, American Board of Disaster Medicine	2007
Certified, Advanc Recer	red Clinical Psychopharmacology, American Society of Clinical Psychopharmaco tification	ology 2003 2007
EXPERIENCE		
The Forensic Pa	nel, New York, NY	1998-Present
•	Forensic case consultation, establishing quality and ethical standards in foren analysis and report writing and trial preparation, peer-review of colleagues Internship Supervisor - New York University, Harvard University, Columbia University, Cornell University, John Jay College, University of Florida, Georg Washington University, American U. of Rome, Freie University (Berlin), other	e
Mount Sinai Sch		2016 – present
Clinical I	Professor of Psychiatry Supervise elective for Beth Israel Medical Center PGY-4 Lectures on forensic psychiatry to PGY 3-4 Research supervision of Ph.D. candidate psychology students	1,11,11,11
New York State	Supreme Court Panel of "Highly Qualified Independent Psychiatrists"	1995-present
New York Unive	ersity School of Medicine, Department of Psychiatry, New York, NY Teach psychopharmacology, forensic psychiatry Guest discussant for case conferences at affiliated hospitals	1995-2010
Attending	fill Hospital, New York, NY Physician, Consultation Psychiatry Service Consultation to medical units on psychiatric care and forensic psychiatric issue Committee, Department of Psychiatry (1997-1999)	1995-2001 es
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• Pharmacologic and psychotherapeutic treatment of adults

Civil and criminal forensic psychiatry

1992-Present

EXPERIENCE CONTINUED...

ABC News, New Y	York, NY	2007, 2010 – 11
	Commentator to GMA, 20/20, World News and to ABCNews.com	2007, 2010 – 1
•	Counsel to Law and Justice Unit on forensic sciences coverage	
Welner Enabled, N	Jew York, NY	2003-06
President	y	2003-00
	Medical examination products for disabled and infirm	
The Forensic Echo	o, New York, NY	1996-2000
	Publisher, Editor-In-Chief (monthly journal of law, psychiatry and public poli-	(r)
	Legal case review & commentary, writing news stories, medical editing	cyj
New York Medical	College, New York, NY	1997-1999
Adjunct As.	sistant Professor of Psychiatry	1997-1999
•	Consulting on the building of forensic program	
Bellevue Hospital, 1	New York, NY	1992-97
	hysician, Forensic Psychiatry Service (1992-95)	1774-71
•	Inpatient care of inmates in the New York City and State correctional system	ms
•	Psychiatric consultation to medical corrections units	
	or, Competency Evaluation Services (1993-94)	
•	Independent examination & testimony in hospital medication grievance hea	rings
• 1	Evaluations of defendants' fitness to proceed to trial for Manhattan, Brookl	lyn, and
E	Bronx courts in particularly complex cases	
New York Comprel	hensive Care Center, New York, NY	1992-94
Clinical Dire	ector, Psychiatric Evaluation and Treatment Services	1772-74
• I	Evaluation and treatment of patients presenting in criminal and civil (includ	ing tort
W	vorkers' compensation, and no fault) proceedings	ang cort,
Booth Memorial Me	edical Center, Queens, NY	1991-92
	Emergency and consultation psychiatry, crisis intervention	1001-02
• N	Monitoring of medications for outpatients	
Regent Hospital, Ne	ew York, NY	1991-92
• A	Adolescent psychiatry	1221-22
	crisis intervention and intake	
FUNDED RESEARC	CH CH	
Standardizing Foren	sic-Legal Definitions of Depraved Crimes. MHS, Inc. Principal Investigator	r 2001 - 2005
Suspect Vulnerabiliti	es, Interrogation Conditions & Suspect-Interrogator Dynamics that	2004 - 2005
Contribute to False (Confessions. Grant from George Washington University. Co-Investigator	2007 - 2005

PROFESSIONAL HONORS

Consultant, H.R. 3717 & 2646, Helping Families in Mental Health Crisis Act, Rep. Tim Murphy	2013-2017
Contributor, Virginia & Colorado, videotaping assessment legislation	2015-2017
Annual Dinner Awardee, Hillel Academy of Pittsburgh	2016
Tikkun Olam Award, Haiti Jewish Refugee Legacy Project	2014
Contributor, Illinois State Senate, juvenile competency assessment legislation	2013-2014
Fellow, American Academy of Forensic Sciences	2010
Editorial Board, Journal of Forensic & Legal Medicine	2012- present
Editorial Board, International Journal of Criminal and Community Justice	2013- present
Vice Chairman, Board of Directors, Nebraska Institute of Forensic Sciences	2007- present
Adjunct Professor, Lagos State University School of Medicine, Lagos Nigeria	2007- present
Editorial Board, Journal of Practicing Forensic Psychology	1998-present
Advisory Board, Duquesne University School of Law Institute of Forensic Sciences	1998-2012
Editorial Board, Forensic Science, Medicine, & Pathology	2004-2012
Visiting Professor, Johnson & Wales University, Miami, FL	2011
Board Member, Disaster Medicine, American Association of Physician Specialists	2005-2012
Board of Directors, The Annapolis Center for Science-Based Public Policy	2004-2008
Working Group, Serial Murder, Federal Bureau of Investigation	2004-2006
Editorial Board of Advisors, Encyclopedia of Forensic & Legal Medicine, Academic Press	2002-2006
Contributor, Legislation on Capital Eligibility & Retardation States of Pennsylvania, Texas	2002-2004
National Advisory Board, Albany State U. Program in Forensic Sciences	2002-2004
Associate Editor, Practical Reviews in Forensic Medicine and Sciences, Educational Reviews Inc.	1998-2004
Board of Directors, Association of Law & Medical Investigative Experts	2000-2002
Physician Advisory Board, Professional Solutions	1999-2001
Fellow, American College of Forensic Examiners	1998 - 2004
Excellence in Medical Student Education Award, American Psychiatric Association	1997
- Jemilie Hoodatton	1271

PUBLICATIONS

- "Forensic Assessment of Criminal Maturity in Juvenile Homicide Offenders in the United States." Welner M, DeLisi M, Knous-Westfall, H, Salsberg D, Janusewski T Forensic Science International: Mind & Law Dec 2022
- "Distinguishing Everyday Evil: Toward a Clinical Inventory of Extreme and Outrageous Behaviors, Action, and Attitudes." Welner M, DeLisi M, Saxena A, Tramontin M, Burgess A. *Journal of Psychiatric Research* 154 Oct 2022 181-189
- "Homicide and Criminal Maturity of Juvenile Offenders: A Critical Review." Welner M, Knous-Westfall, H, DeLisi M, Meltzer C, Seward J American Journal of Criminal Justice Aug 2022 DOI: 10.1007/s12103-022-09694-5
- "The Depravity Standard and individualized assessment: A case study modality for Miller resentencing cases" Welner M, Delisi M. J/ Forensic and Legal Medicine 90 Aug 2022 102375
- "The Depravity Standard for Violent Crimes" Welner M, O'Malley, K. Y., Gonidakis, J., & Blair, S. International Journal of Offender Therapy and Comparative Criminology Dec 2021 p 1-24 DOI: 10.1177/0306624X211058959

- "Fetal abduction by maternal evisceration: A planned homicide" Welner M, Burgess, O'Malley K A Forensic Sciences International December 2021 329(4):111057 DOI:10.1016/j.forsciint.2021.111057
- "Incorrigibility and the Juvenile Homicide Offender: An Ecologically Valid Integrative Review" Welner M, Delisi M, Baglivio M, Guilmette T, Knous-Westfall H Youth Violence and Juvenile Justice (2021) DOI: 10.1177/15412040211030980
- "Psychiatric and legal considerations in cases of fetal abduction by maternal evisceration" Welner M, O'Malley K, Burgess A *Journal of Forensic Sciences* Sep 2021 66(5) 1805-1817
- "Forensic Challenges in Medical Settings for Physicians and Neuropsychologists" Marcopulos B, Welner M, Campbell K In: Sanders K Physician's Field Guide to Neuropsychology: Collaboration Through Case Example Springer 2019, pp 495-506
- "The Depravity Standard III: Validating an Evidence-based Guide" Welner M, O' Malley K, Gonidakis J, Saxena A, Stewart J Journal of Criminal Justice March-April 2018 55C (2018) pp. 12-24
- "The Depravity Standard II: Developing a Measure of the Worst of Crimes" Welner M, O' Malley K, Gonidakis J, Saxena A, Burnes J Journal of Criminal Justice March-April 2018 55C (2018) pp. 25-34
- "The Depravity Standard I: An Introduction" Welner M, O' Malley K, Gonidakis J, Tellalian R, Journal of Criminal Justice 55C March-April 2018 pp. 1-11
- "Apportioning Culpability in Multiple Perpetrator Acts of Terrorism" O' Malley K, Seward J, Welner M, Arab Journal of Forensic Sciences & Forensic Medicine (2017) 1(6)722-729
- "Drug-Facilitated Sex Assault" Welner M, Welner B In: Hazelwood R, Burgess A Practical Aspects of Rape Investigation; A Multidisciplinary Approach 2nd Ed. Taylor & Francis 2016 pp 445-462
- "Forensic Psychiatry and Forensic Psychology: Mental Handicap and Learning Disability" (book chapter)
 Welner, M. In: Payne-James <u>Encyclopedia of Forensic & Legal Medicine</u>, 2nd Edition Vol 2 p 634-658 Oxford: Elsevier 2015
- "Gaps in Crisis Mental Health: Suicide and Homicide-Suicides" Caretta C, Burgess A, Welner M European Psychiatry 15(30) pp 175-179 2015
- "Peer-Reviewed Forensic Consultation in Practice: Multidisciplinary Oversight in Common Expertise" Welner M, Davey E, Bernstein A Journal of Forensic Sciences (2014) doi: 10.1111/1556-4029.12470
- "Seeking a Better, Fairer Method of Determining Parental Rights" Robinson D, Welner M Chicago Daily Law Bulletin December 26, 2013
- "Disaster Psychiatry" Welner M, Page J (book chapter) In: <u>Disaster Preparedness for Health Care Facilities</u> Kollek D (ed) © 2013 McGraw-Hill Europe
- "Classifying Crimes by Severity: From Aggravators to Depravity" Welner M. In: Douglass J, Ressler R, Burgess A Crime Classification Manual. 3rd Ed. Jossey-Bass 2013 pp 91-109

- "Three Steps That Can Upgrade Psychiatric Evidence" Welner M, Robinson D National Law Journal January 28, 2013
- "Applying Forensic Anthropological Data in Homicide Investigation to The Depravity Standard" Reinhard K, Welner M, Okoye M,, Marotta M, Plank G, Anderson B, Mastellon T Journal of Forensic and Legal Medicine 20 (1) p 27-39 January 2013
- "Judges can Follow Certain Standards so Evidence Doesn't Mislead" Robinson D, Welner M Chicago Daily Law Bulletin October 31, 2012
- "Courts Need to Demand Higher Standards from Psychiatric Evidence" Robinson D, Welner M Chicago Daily Law Bulletin October 24, 2012
- "Courts Face Challenges with Forensic Psychiatry, Psychology Evidence" Robinson D, Welner M Chicago Daily Law Bulletin October 17, 2012
- "Peer-Reviewed Forensic Consultation: Safeguarding Expert Testimony and Protecting the Uninformed Court" Welner M., Mastellon T, Stewart J, Weinert B, Stratton J. J/ Forensic Psychology Practice. 2012 12: pp 1-34
- "Pregame analysis of pending NFL litigation" Greiffenstein, M.F., Spector, J., & Welner, M. Law360.com March 2012
- "Mob Violence: A Forensic Psychiatric Perspective on Justice and Prevention" Welner M Empire State Prosecutor Fall 2011 pp 12-16
- "Defining Evil Through the Depravity Standard and the Clinicians Inventory for the Everyday Extreme and Outrageous (CIEEO)" Welner M., Mastellon T. J. Social Sciences. 1(8) 2011 pp 41-49
- "Psychotropic Medications and Crime." (book chapter) Welner M., Lubit R, & Stewart J. In: Mozayani A, Raymon L (ed) Handbook of Drug Interactions: A Clinical and Forensic Guide. Humana London. 2011 pp 791-807
- "Antipsychotics Drugs and Interactions: Implications for Criminal and Civil Forensics." (book chapter)
 Welner, M. Opler L. In: Mozayani A, Raymon L (ed) Handbook of Drug Interactions: A Clinical and
 Forensic Guide. Humana London. 2011 pp 229-259
- "The Depravity Standard: A Call for Large Scale Homicide Research" Welner M, Mastellon T Empire State Prosecutor Fall 2010 pp 14-17
- "Educator Sexual Abuse: Two Case Reports." Burgess A, Welner M, Willis D Journal of Child Sexual Abuse 19: 4, 2010 387-402
- "The Justice and Therapeutic Promise of Science-Based Research on Criminal Evil." Welner, M. Jl Am Acad of Psych and the Law 37(4) 2010 pp 442 449
- "Forensic Psychiatry." (book chapter) Welner, M. In: Wecht C., (ed) Forensic Sciences. Matthew Bender. New York. 2009

- "Recovered Memory." (book chapter) Greiffenstein, M; Seward, J; Welner, M. In: Wecht C., (ed) Forensic Sciences. Matthew Bender. New York. 2009
- "Drug-Facilitated Sex Assault" Welner M Welner B In: Hazelwood R Burgess A Practical Aspects of Rape Investigation; A Multidisciplinary Approach Taylor & Francis 2008 pp 445-462
- "Neonaticide "Classifying Crimes by Severity: From Aggravators to Depravity" Welner M. In: Douglass J, Ressler R, Burgess A FBI Crime Classification Manual. 2nd Ed. Jossey-Bass 2007 pp 55-72
- "Welner M. In: Douglass J, Ressler R, Burgess A FBI Crime Classification Manual. Jossey-Bass 2007 pp 164-169
- "Religion-Inspired Homicide" Welner M. In: Douglass J, Ressler R, Burgess A FBI Crime Classification Manual. Jossey-Bass 2007 pp 195-200
- "Forensic Psychiatry and Psychology." (book chapter) Welner, M, Ramsland K. In: Wecht C, Rago J. Foundations in Forensic Science and the Law CRC Press London. 2006 99 475-493
- "Neuropsychological Testing: Ethical Applications for Law and Public Policy" Seward, J Welner M 2006

 Annapolis Center for Science and Public Policy
- "Mental Handicap and Learning Disability" (book chapter) Welner, M. In: Encyclopedia of Forensic & Legal Medicine, Academic Press. London. 2005 p 388-405
- "The Depravity Standard: A Future Role of Forensic and Behavioral Evidence Analysis" Welner M. In: Petherick, W. The Science of Criminal Profiling, Barnes & Noble. London. 2005 pp 150-152
- "The Importance of Deciphering Motives, & How they Differ" Welner, M. Empire State Prosecutor. 2005 2(3) pp24-26
- "Child Sex Abuse Accommodation Syndrome" Welner, M. Empire State Prosecutor. 2004 1(3)
- "Psychopathy, Media, and the Psychology at the Root of Terrorism" (book chapter) Welner, M. In: Biological and Chemical Warfare Lawyers and Judges Publishing Tucson Az. 2004 pp 385-421
- "Motives in Crime." (book chapter) Welner, M. In: Dominick J et al. Crime Scene Investigation Elwin Street London. 2004 pp 126-135
- "Competency to Waive Miranda & the Grisso Scales" Welner, M. Empire State Prosecutor 2004 1(2) pp 30-32
- "Legal Relevance, Psychiatry Realities, and the Methodology for Standardized Distinction of "Heinous" and "Evil" Crimes" Welner M. Jl American Academy of Psychiatry & the Law. 31(4) 2003
- "Hidden Diagnosis and Misleading Testimony in Domestic Violence: How Courts Get Shortchanged" Welner M. Pace Law Review Fall 2003 24(1) 193-209
- "Confession Evidence & the Gudjonsson Scales" Welner, M. Empire State Prosecutor 2003 1(1) pp 19, 27-29

- "Psychotropic Medications and Crime." (book chapter) Welner, M. In: Mozayani A, Raymon L (ed)
 Handbook of Drug Interactions: A Clinical and Forensic Guide. Haworth Press. London. 2003. pp
 631-645
- Case Commentary: Johnson v. Norris. (mania & effective counsel) 207 F3d. 515 Welner, M. The Forensic Panel Letter. www.forensicpanel.com. November 27, 2000
- "The Lost Generation." (terrorism, racism & psychiatry) Welner, M. 4(10) The Forensic Panel Letter. www.forensicpanel.com. October 29, 2000
- Case Commentary: Mendenhall v. State. (hypoglycemia & criminal responsibility), 43 F.Sup 2d 1. Welner, M. 4(10) The Forensic Panel Letter. www.forensicpanel.com. October 26, 2000
- Science Review: Suicides vs. Homicides a Tougher Call in Sharp Force Death. Welner, M. 4(10) The Forensic Panel Letter. www.forensicpanel.com. October 16, 2000
- Case Commentary: Guo v. Maricopa Cty. (ADA and physicians), 992 P2d 11; Welner, M. 4(9) The Forensic Panel Letter. www.forensicpanel.com. October 4, 2000
- Case Commentary: Van Tran v. State (competency for execution) 6 S.W.3d 257 Welner, M. 4(9) The Forensic Panel Letter. www.forensicpanel.com. September 27, 2000
- "Protecting Privacy at Workplace Risk" (industrial psychopathy) Welner, M. 4(9) The Forensic Panel Letter. www.forensicpanel.com. Sept 21, 2000
- Case Commentary: In re Matthew A.B. (juvenile sex offender designation) 605 N.W.2d 598. Welner, M. 4(8) The Forensic Panel Letter. www.forensicpanel.com. July 2000
- "Who's the Boss." (judicial discretion) Welner, M. 4(8) The Forensic Panel Letter. www.forensicpanel.com. July 2000
- Case Commentary: U.S. v. Motto (computer sex addiction) 70 F. Supp 2d 570, Sullivan v. Riv. Vall. (fitness for duty eval ethics) 197 F. 3d 804 Welner, M. 4(7) The Forensic Panel Letter. www.forensicpanel.com. June 2000
- "No Toys This Christmas" (forensic technology) Welner, M. 4(7) The Forensic Panel Letter. www.forensicpanel.com. June 2000
- Case Commentary: Mercer v. Comm. (substance use, antisocial personality, and legal insanity), 523 S.E.2d 213; U.S. v. Pirro & Pirro (white collar crime) 76 F. Supp 2d. 478 Welner, M. 4(6) The Forensic Panel Letter. www.forensicpanel.com. May 2000
- "Chasing Elians." (enforcing parental rights) Welner, M. 4(6) The Forensic Panel Letter. www.forensicpanel.com. May 2000
- Case Commentary: Comm. v. Conaghan. (battered woman synd.), 720 N.E. 2d 48. Baer v. Baer (disability prognosis & alimony) 738 A.2d 923 Welner, M. 4(5) The Forensic Panel Letter. www.forensicpanel.com. April 2000

- "Suicide by Watch" (corrections conditions) Welner, M. 4(5) The Forensic Panel Letter. www.forensicpanel.com April 2000
- Case Commentary: People v. Coulter (Munchhausen-by-Proxy), 697 N.Y.S.2d 498. State v. Gardner (involuntary intoxication) 601 NW.2d 670. U.S. v. Damon 191 F 3d 561 (depression and competency) Welner, M. 4(4) The Forensic Panel Letter. March 2000
- "Parenthood = Criminal Responsibility?" (homicide by children) Welner, M. 4(4) The Forensic Panel Letter. www.forensicpanel.com. March 2000
- Case Commentary: State v. Tenerelli (religion & victimology), 598 N.W.2d 668; DeRosa and Thomas v. Nevada (confrontation clause & experts) 985 P.2d 157. People v. Butler 88. Cal.Rptr.2d 210 Welner, M. 4(3) The Forensic Panel Letter. www.forensicpanel.com. February 2000
- "Dawn of the Techno Defense" (technology's impact on brain & behavior) Welner, M. 4(3) The Forensic Panel Letter. February 2000
- Case Commentary: People v. Miller (homosexual panic), 733 A.2d 1286 Welner, M. 4(2) The Forensic Panel Letter. www.forensicpanel.com. January 2000
- "Risk and the Power of Manson" (power, charisma, and dangerousness) Welner, M. 4(2) The Forensic Panel Letter. www.forensicpanel.com January 2000
- Case Commentary: Welner, M. State v. Voorhees (involuntary intoxication), 596 N.W.2d 241 Welner, M. 4(1) The Forensic Panel Letter. December 1999
- "If Only" (biases and age groups in disposition) Welner, M. 4(1) The Forensic Panel Letter. December 1999.
- Case Commentary: Welner, M. State v. Calek (competency of chronic schizophrenics), 48 F. Supp 2d 919, 3(12) The Forensic Panel Letter. November 1999
- "Gag Odor" (psychiatry's relationship with the press) Welner, M. 3(12) The Forensic Panel Letter. 1 November 1999
- "A Stab at Insanity" (interpreting mental state through knife wound patterns) Welner, M. 3(11) The Forensic Panel Letter. 16 October 1999
- "Community Service: Alternative Only?" (sentencing and corrections) Welner, M. 3(11) The Forensic Panel Letter. 1 October 1999
- Case Commentary: Welner, M. State v. Rudisill (competency and head injury), 43 F. Supp 2d 1, 3(11) The Forensic Panel Letter. November 1999
- "Call Me When You Do Remember" (forensic interviewing and credibility) Welner, M. 3(10) The Forensic Panel Letter. 1 September 1999
- Science Review: Welner, M. Criminal Victimization of Persons With Severe Mental Illness, 3(9) The Forensic Panel Letter. August 1999

- "I Should'a Had a V-8" (alcohol and crime) Welner, M. 3(9) The Forensic Panel Letter. 1 August 1999
- Case Commentary: Welner, M. Maine v. Pouillot (fight or flight in violent crime), 726 A. 2d 210; Campbell v. Sikes (response to prisoner agitation), 169 F3d 1353, 3(8) The Forensic Echo. July 1999
- "Sue Me" (mental health treatment of the chronically ill and the incarcerated) Welner, M. 3(8) The Forensic Echo. 1 July 1999
- Case Commentary: Welner, M. Com. v. Crawford (battered woman's confession), 706 N.E. 2d 289, 3(7) The Forensic Echo. June 1999
- "Testing For The Right Stuff" (psychological testing of political candidates) Welner, M. 3(7) The Forensic Echo. 1 June 1999
- Case Commentary: Welner, M. State v. Stevens (death investigation), 970 P.2D. 215 3(6) The Forensic Echo. May 1999
- "Voyeurs Watching Sex Offenders" (sex-offender registration) Welner, M. 3(6) The Forensic Echo. 1 May 1999
- Science Review: Welner, M. Criminal Victimization of Persons With Severe Mental Illness, 3(6) The Forensic Echo. April 199
- Case Commentary: Welner, M. In the Interest of J.B. (juvenile disposition), 507 SE 2d 874, 3(5) The Forensic Echo. April 1999
- "Analyze This? You Analyze This!" (treating intimidating patients) Welner, M. 3(5) The Forensic Echo. 1 April 1999
- Case Commentary: Welner, M. Ford v. State of Arkansas (premeditation and childhood history), 976 SW 2d 915 3(4) The Forensic Echo. Mar 1999
- "Violence and Mental Illness: Quandary or Zealotry?" (homicides by the psychotic) Welner, M. 3(4) The Forensic Echo. 1 March 1999
- Case Commentary: Welner, M. State v. Tenace, (attorney-client communication) 700 N.E.2d 899 3(3) The Forensic Echo. February 1999
- "Where Should Grey Wolves Roam?" (geriatric crime) Welner, M. 3(3) The Forensic Echo. 1 February 1999
- Case Commentary: Welner, M. State v. Israel, (examination of co-conspirators) 963 P.2d 897 3(2) The Forensic Echo. January 1999
- "The Dog Ate My Integrity" (expert disclosure) Welner, M. 3(2) The Forensic Echo. 1 January 1999
- Case Commentary: Welner, M. State v. Vannier, (psychiatric autopsy) 714 So2d 470 3(1) The Forensic Echo. December 1998

- "Calming the Enemy of the State" (law enforcement psychiatry collaboration) Welner, M. 3(1) The Forensic Echo. 1 December 1998
- Case Commentary: Welner, M. State v. Borman, (personality and diminished capacity) 956 P2d 1325 2(11) The Forensic Echo. October 1998
- "A Good Smack" (child allegations of abuse) Welner, M. 2(11) The Forensic Echo. 1 October 1998
- Case Commentary: Welner, M. Reed v. State, (transient neurological conditions) 693 NE2d 988 2(10) The Forensic Echo. September 1998
- "Rethinking Criminal Motherhood" (female psychopathy) Welner, M. 2(10) The Forensic Echo. 1 September 1998
- Case Commentary: Welner, M. Castro v. Ward, (future rehabilitation of capital offender) 138 F.3d 810; State v. Mitts (peculiar crime) 690 N.E. 2d 522; 2(9) The Forensic Echo. August 1998
- "Till Death Do We Part" (families victims of mentally ill) Welner, M. 2(9) The Forensic Echo. 1 August 1998
- Case Commentary: Welner, M. Genius v. State, (voodoo and violence) 986 F.Supp 668; Stewart v. Price (listing expertise) 704 So. 2d 594; 2(8) The Forensic Echo. July 1998
- "Disarming Junior" (child gun violence) Welner, M. 2(8) The Forensic Echo. 1 July 1998
- Case Commentary: Welner, M. Cobo v. Raba, (AIDS, Depression, & promiscuity) 495 SE 2d 362; US v. Janusz (non-psychotic defects of reason) 986 F Supp 328; 2(7) The Forensic Echo. June 1998
- Gatekeepers For Guardianship" Welner, M. 2(7) The Forensic Echo. 3 June 1998
- "Hospitals After Hendricks" (sex offender commitment) Grinfeld, M., Welner, M. 2(5) The Forensic Echo. 4-8 April 1998
- Case Commentary: Welner, M. Archer v. State, (personality and mitigation) 689 NE 2d 678; Turner v. Jordan (duty to protect in hospital violence) 957 SW 2d 815; 2(6) The Forensic Echo. May 1998
- "Defining Evil: A Depravity Scale for Today's Courts" Welner, M. 2(6) The Forensic Echo. 4-12 May 1998
- "Hire My Patient" (psychiatric vocational rehabilitation) Welner, M. 2(6) The Forensic Echo. 3 May 1998
- Case Commentary: Welner, M. Bronstein v. Supreme Ct. of Colorado, (attorney fitness) 981 F.Supp 1361; Kent v. State (behavior and competency) 702 So. 2d 265; 2(5) The Forensic Echo. April 1998
- "Access All Areas" (due diligence in employment evaluations) Welner, M. 2(5) The Forensic Echo. 3 April 199
- Case Commentary: Welner, M. People v. Lopez, (Mothers of criminals) 946 P.2d 478; Hobart v. Shin, (Patient contributory negligence) 686 NE.2d 617; Avila v. State (Crime as reflex) 954 SW 2d 830; 2(4) The Forensic Echo. March 1998

- "American Bomber" (criminal profile) Welner, M., Auch, J. 2(4) The Forensic Echo. 4-13 March 1998
- "The Treatment Channel" (inpatient hospital milieu) Welner, M. 2(4) The Forensic Echo. 3 March 1998
- Case Commentary: Welner, M. Beltran v. State, (false confession) 700 So.2d 132; Canipe v. Commonwealth of Va., (road rage) 491 SE.2d 747; Talarico v. Dunlap, (medication induced violence) 685 NE 2d 325; 2(3) The Forensic Echo. February 1998
- "The Seasoning of Medication Defenses" (Psychotropic medication influencing violence) Grinfeld, M., Welner, M. 2(3) The Forensic Echo. 4-10 February 1998
- "Fallen" (political pressures and psychiatric evaluations) Welner, M. 2(3) The Forensic Echo. 3 February 1998
- Case Commentary: Welner, M. Waters v. Rosenbloom, (Valium morbidity) 490 SE.2d 73; Lawrence v. State (cold, cruel, and calculating aggravator) 698 So.2d 1219; People v. Avellanet (arsonist criminal profile) 662 NYS 2d 345; 2(2) The Forensic Echo. January 1998
- "Acquittees Trapped By The Insanity Defense" Welner, M, LaVacca, J.; 2(2) The Forensic Echo. 4-8 January 1998
- "Third World Court" (workers compensation) Welner, M. 2(2) The Forensic Echo. 3 January 1998
- Case Commentary: Welner, M. Brancaccio v. State, (medication-induced violence)698 So.2d 597; Shannon v. Law-Yone (doctor-patient communication) 950 SW 2d 429; Commonwealth v. Erney unconsciousness and sex consent) 698 A.2d 56; 2(1) The Forensic Echo. December 1997
- "Hired Gun: Does Money Or Bias Taint Your Expert?" Welner, M, Delfs, L.; 2(1) The Forensic Echo. 4-9 December 1997
- "Unabomber's Next Victim-Psychiatry" (professional dilemmas of the case) Welner, M. 2(1) The Forensic Echo. 3 December 1997
- Case Commentary: Welner, M. State v. Holden, 488 SE 2d 514; Rankin v. State of Arkansas (IQ and mitigation) 948 SW 2d 397; People v. Trippet, (medical use of marijuana) 66 Cal. Reptr. 2d 559; People v. Clark, (drugs and intent) 660 NYS 2d 200; Allen v. Montgomery Hospital (patient restraint and malpractice) 696 A 2d 1175; 1(12) The Forensic Echo. November 1997
- "Neonaticide: Immaculate Misconception?" Welner, M, Delfs, L.; 1(12) The Forensic Echo. 4-10 November 199
- "Grossly Unequal Protection" (mental health malpractice) Welner, M. 1(12) The Forensic Echo. 3 November 1997
- Case Commentary: Welner, M. People v. Mercado, (juror trauma) 659 NYS 2d 453; Mental Health & Retardation v. McClain, (inpatient dangerousness) 947 SW 2d 694; State v. Payne, (urine testing and monitoring) 695 A 2d 529; Bradley v. Medical Board of Ca. (misconceptions and uses of sedatives) 65 Cal Rptr. 2d 1483 1(11) The Forensic Echo. October 1997

- "Rapist In a Glass?" (Rohypnol and other date rape drugs) Welner, M, Delfs, L.; 1(11) The Forensic Echo. 4-10 October 1997
- "Who's Your Psychiatric Proxy?" Welner, M. 1(11) The Forensic Echo. 3 October 1997
- "Principles on Megan's Law" Rosenkranz, J.; Welner, M.; Stone, C.; Smiley, T.; Sigda, E; et al. 52(6) The Record of the Association of the Bar 704. Oct 1997
- "Vincent Gigante's Next Move" (competency assessment) Welner, M, Delfs, L.; 1(10) The Forensic Echo. 4-14 September 1997
- "Put Psychotherapy In Prison" (prisoner treatment) Welner, M. 1(10) The Forensic Echo. 3 September 1997
- Case Commentary: Welner, M. State v. Hopfer, (neonaticide) 679 N.E. 2d 321; McClain v. State (sleep-deprived crime) 678 N.E. 2d 104; State v. Gjerde (elder disposition) 935 P 2d 1224; State v. Bartlett (pro se competency) 935 P2d 1114; 1(10) The Forensic Echo. September 1997
- "Seeing Cunanan For Who He Really Was" (misconceptions about psychopaths) Welner, M. 1(9) The Forensic Psychiatry Echo. 13 August 1997
- Case Commentary: Welner, M. Goldstein v. RI Psychiatric Society, (holistic and unconventional treatment recommendations) 692 A. 2d 325; Swanson v. Roman Catholic Bishop (supervisor liability and sexual misconduct) 692 A. 2d 441; People v. Hoffman (pathologists and criminal profiling) 636 NYS 2d 481; Barela v. Wyoming, head injury and violence) 936 P2d 66 1(9) The Forensic Psychiatry Echo. August 1997
- "The Supreme Court Makes a Doctor's Appointment" (physician-assisted suicide) Welner, M. 1(8) The Forensic Psychiatry Echo. 14 July 1997
- Case Commentary: Welner, M. Osborn v. PSRB (pedophilia and legal insanity), 934 P.2d 391; Rios v. PSRB (antisocial personality and legal insanity) 934 P. 2d 399; Gaul v. AT&T (depression and ADA) 955 F Supp 346; State v. Miller (predicting dangerousness) 933 P2d 606; In re: Johnson, (outpatient commitment) 691 A. 2d 628; 1(8) The Forensic Psychiatry Echo. July 1997
- "How Psychiatry Impacts Employment Litigation," Welner, M. The Legal-Intelligencer June 6 1997
- "The Personality Disorder of the Americans With Disabilities Act" (accommodation of conduct) Welner, M. 1(7) The Forensic Psychiatry Echo. 14 June 1997
- Case Commentary: Welner, M. Vallinoto v. DiSandro, (attorney sex with clients) 688 A. 2d 830; U.S. v. Schmidt, (stings on psychiatric patients) 105 F 3d. 82; State v. Williams, (sedatives and criminal intent) 44 Conn. App 231; State v. Robertson, (lay input on behavior) 932 P2d 1219; 1(7) The Forensic Psychiatry Echo. June 1997
- "Love Forbidden" (romance between patients) Welner, M. 1(6) The Forensic Psychiatry Echo. 29 May 1997

- Case Commentary: Welner, M. U.S. v. Artim, (dramatizing history for downward departure) 944 F Supp. 363; Meyers v. Arcudi, (polygraph uses) 947 F Supp. 581; People v. Bryant, (antisocial by proxy) NYLJ 12/31/96; EBI v. Blythe, (professional qualification for forensic examination) 931 P.2d 38; 1(6) The Forensic Psychiatry Echo. May 1997
- "Who Is Mark Whitacre Part II?" (criminal responsibility and bipolar disorder) 21-28 1(6) The Forensic Psychiatry Echo. May 1997
- "Responding to Harassment: Environmental Protection?" (corporation reaction) Welner, M. 1(5) The Forensic Psychiatry Echo. 29 April 1997
- Case Commentary: Welner, M. Banks v. Horn, (paranoia and competency)939 F.Supp 1165; Clausen v. DOH, (boundaries of treatment) 648 NYS 2d 842; Trammell v. Coombe, (treating incorrigible prisoners) 649 NYS 2d 964; State v. Wallace, (treating stalking) 684 A 2d. 1355; State v. DeWalt, (psychiatric denial and criminal recidivism) 684 A 2d 1291; Commonwealth v. Mayer, (agitation and competency) 685 A2d 571; Shirsat v. Mutual Pharm., (observers at interviews) 169 FRD 68; Appeal of Sutton, (phobia vs. PTSD) 684 A2d 1346 1(4) The Forensic Psychiatry Echo. March 1997
- "Emerging Subtleties In Criminal Competency" Welner, M. 4(4) The Attorney of Nassau County 11, 19 February 1997
- "Neonaticide and America's Abortion Problem" Welner, M. 1(3) The Forensic Psychiatry Echo. 23 Jan 1997
- Case Commentary: Welner, M. Commonwealth v. Crawford, (repression vs. suppression of memory) 682 A2d 323; Eckert v. Rumsey Park, (testimony for own patient) 682 A 2d 720; Commonwealth v. Larsen, (personal psych record subterfuge) 682 A 2d 783; Merle v. US, ("permanent incompetence") 683 A 2d. 755; US v. Burrous, (eyewitness reliability) 934 F Supp 525; Tuman v. Genesis, (family fallout from therapy) 935 F Supp 1375; Layser v. Morrison, (duty to protect) 935 F Supp 562; Brown v. US, (assessing dangerousness for recommitment) 682 A2d 1131;PAHRC v. WCAB,(adjustment disorder from overwork) 683 A 2d. 262; Hershey v. Com. (revictimization in treatment) 682 A 2d. 1257; Allen v. Farrow, (sibling victims of incest) NYLJ 12/13/96; People v. Wernick (neonaticide) NYLJ 1/22/96; PB v. CC. (media in the court) 647 NYS 2d 732; People v. Lewis, (amnesia for crime) NYLJ 11/20/96; (3) The Forensic Psychiatry Echo. January 1997
- "Neonaticide, Post-Partum Psychosis, and Wernick Revisited" Welner, M. 4(3) The Attorney of Nassau County 11,17 January 1997
- "Equal Rights, Equal Responsibility" (mental health parity) Welner, M. 1(2) The Forensic Psychiatry Echo. 8 December 199
- "Emerging Parameters for Recovery In AIDS Phobia" Welner, M. 4(2) The Attorney of Nassau County December 1996
- "Risperidone for the Treatment of Acute Agitation in a Patient on MAO Inhibitor," Welner, M. Journal of Clinical Psychopharmacology 16(6) December 1996

- Case Commentary: Welner, M. Zimmer v. Davis, (family responsibility for treatment) NYLJ 10/17/96; State v. Barletta, (cocaine and eyewitness credibility) 680 A 2d 1284; Commonwealth v. Morley, (psychiatric mitigating testimony) 681 A 2d 1254; JD v. ND, (verbal abuse as battery) NYLJ10/17/96; People v. DelRio, (threshold for competency) 646 NYS 2d 117; Commonwealth v. duPont, (treaters and competency assessment) 681 A 2d 1328; People v. Washington, (corroborating history) 645 NYS 2d 622; People v. Bradley, (extreme emotional disturbance) 646 NYS 2d 657; People Ex Rel Noel B. v. Jones, (imposing treatment on sick but not dangerous) 646 NYS 2d 820; Matter of D.C., (predicting future dangerousness) 679 A 2d. 634; Blanyar v. Pagnotti, (close relationships for civil recovery) 679 A 2d. 790; Commitment of NN., (commitment of minors) 679 A 2d. 1174; Matter of Bacon, (pain meds and testamentary capacity) 645 NYS 2d 1016; McCoy v. PPLC (predicting sobriety) 933 F.Supp 438; Kukla v. Syfus (psychotherapy for PTSD) 928 F.Supp 1328; Murphy v. Abbott Labs (reasonable fear of HIV) 930 F.Supp 1083; People v. Ross 646 NYS 2d 249; Brown v. NYCHHC, (sex offender classification) NYLJ 10/21/96 1(2) The Forensic Psychiatry Echo. December 199
- "Castration for Sex Offenders: Options," Welner, M. 4 (1) The Attorney of Nassau County November 1996
- "Moral vs. Legal "Wrong" in the Insanity Defense," Welner, M. 68 (7) New York State Bar Journal 28-30 November 1996
- "Castration: Back to the Future," Welner, M. 1(1) The Forensic Psychiatry Echo. 4 November 1996
- Case Commentary: Welner, M. Kylow v. State, (patient assaults of peers) NYLJ 9/6/96; US v. Garcia, (intoxication and criminal responsibility) NYLJ 8/29/96; Vallejo v. Rahway, (jail suicide) 678 A 2d 1135; ER v. GSR, (domestic violence treatment) NYLJ 9/18/96; People v. Angelo, (depraved indifference) 644 NYS 2d 460; Williamson v. Waldman, (AIDS phobia) 677 A 2d 1179; People v. Marvin P., (insight and recommitment) NYLJ 8/19/96; 1(1) The Forensic Psychiatry Echo. November 1996
- "The Dangerousness Assessment: Legal Ramifications," Welner, M. 3(12) The Attorney of Nassau County, 10 October 1996
- "Assessing Employee Risk of Dangerousness," Welner, M. 3(11) The Attorney of Nassau County, 10 September 1996
- "Depraved Indifference: Should Psychiatric Information be Incriminating?" Welner, M. 216 (19) New York Law Journal p 1,4,29 7/26/9
- "The Psychiatrist's Role in Workplace Violence," Welner, M. 3(10) The Attorney of Nassau County August 1996
- "Sexual Harassment: How Psychiatry Assists in the Litigation Process," Welner, M. 3(10) The Attorney of Nassau County June 1996
- "Psychiatric Examination and Sexual Harassment," Welner, M. Welner, M. (3)9 The Attorney of Nassau County May 1996

- "Sexual Harassment: When is Psychiatric Input Relevant?" Welner, M. (3)8 The Attorney of Nassau County, 4,17 April 1996
- "Psychiatry and Depraved Indifference," Welner, M. Welner, M. (3)7 The Attorney of Nassau County, 4 March 1996
- "Appreciation of Wrong' and the Insanity Defense," Welner, M. (3)6 The Attorney of Nassau County, 4,19 February 1996
- "Moral vs. Legal 'Wrong' in the Insanity Defense," Welner, M. (3)5 The Attorney of Nassau County, 12 January 1996
- "Notification Statutes for Predatory Sex Offenders: Psychiatric Treatment Alternative?" Welner, M. (3)4 The Attorney of Nassau County, 4,15 December 1995
- "What Can We Learn From Larry Hogue," Welner, M. Psychiatric Times, 10 (3), 12: March 1993

PRESENTATIONS

Illinois State Attorney's Office Appellate Prosecutor, Chicago, IL "'The Depravity Standard and Juvenile Sentencing Dilemmas"	Oct 2018
New York City Corporation Counsel, New York, NY "Disputed Confessions – Substance, Myth, and Lessons"	June 2018
Beth Israel Medical Center, New York, NY "Forensic Psychiatry in Practice"	Apr. 2018
Beth Israel Medical Center, New York, NY "How Psychiatry Intersects with the Law"	Apr. 2018
Morgan Stanley, New York, NY "Lessons from Speer: Assessing the Vulnerable Elder in Competency Disputes"	Feb. 2018
Grand Rounds, Beth Israel Medical Center, New York, NY "Investment and the Vulnerable Elder: A Forensic Primer for Clinicians & Social Servi	Dec 2017
Beth Israel Medical Center, New York, NY "Forensic Psychiatry in Practice"	Apr. 2017
Beth Israel Medical Center, New York, NY "Forensic Psychiatry and the Assessment of Legal Insanity"	Apr. 2017
Beth Israel Medical Center, New York, NY "Forensic Psychiatry in Death Investigation"	Mar. 2017
Grand Rounds, Beth Israel Medical Center, New York, NY "Mental Illness vs. Zealotry: Social Media in Psychiatric Assessment of Terrorism"	Dec 2016

Wecht Institute Annual Forensic Science Conference, Pittsburgh, PA "Investor Competency, the Vulnerable Elder & Adapting Forensic Psychiatry to Resolv	Oct 2016 ving Mystery"
Grand Rounds, Brookdale Hospital, Brooklyn, NY "Learning from Mass Killers: Risk Appraisal and Cutting the Fuse"	Oct 2016
Eyes Only Counterterror Conference, Shurat Hadin, New York, NY "Mental Illness vs. Zealotry: Social Media in Psychiatric Assessment of Terrorism"	Sept 2016
One to One Global Forum, New York, NY 'Diminishing Everyday Evil: Two Steps Everyone Can Take''	June 2016
Beth Israel Medical Center, New York, NY "Forensic Psychiatry in Practice"	Apr. 2016
Beth Israel Medical Center, New York, NY "Forensic Psychiatry and the Assessment of Legal Insanity"	Apr. 2016
Beth Israel Medical Center, New York, NY "Forensic Psychiatry in Death Investigation"	Mar. 2016
Grand Rounds, Beth Israel Medical Center, New York, NY "Learning from Mass Killers: Risk Appraisal and Cutting the Fuse"	Nov 2015
TEDx, Conference, Truth be Told, Cape May, New Jersey, NY "What is Everyday Evil? Identify, Treat, Eliminate"	Oct 2015
Society of Professional Investigators, New York, NY "Psychiatric Investigation of the Mass Killing: Informing Legal and Societal Questions	July 2015
Virginia State Assembly, Richmond, VA "Transparency & Videotaping: Fairness in Forensic Psychiatric Assessment"	July 2015
Beth Israel Medical Center, New York, NY "Forensic Psychiatry in Practice"	May 2015
Beth Israel Medical Center, New York, NY "Forensic Psychiatry and the Assessment of Legal Insanity"	May 2015
American Academy of Forensic Sciences, Annual Meeting, Orlando, FL 'Psychiatry and Toxicology: Psychological Autopsy & Assessment of Motive'	Feb. 2015
American Academy of Forensic Sciences, Annual Meeting, Orlando, FL 'Fetal Abduction by Maternal Evisceration'	Feb. 2015
New York Office of the County Medical Examiner, Grand Rounds, New York, NY 'Forensic Psychiatry in Death Investigation: Psychological Autopsy & Assessment of Mo	Oct. 2014

Beth Israel Medical Center, New York, NY 'Forensic Psychiatry in Death Investigation'	Jun. 2014
U.S. House of Representatives, Energy & Commerce Committee, Washington, DC 'Crisis and the Treatment of Serious Mental Illness in America: Isla Vista Lessons'	May 2014
Illinois House of Representatives, Judiciary Committee, Springfield, IL 'Transparency of the Forensic Interview: Essential to Competency Assessment'	Apr. 2014
U.S. House of Representatives, Energy & Commerce Committee, Washington, DC 'Crisis Psychiatry and the 'Helping Families in Mental Health Crisis Act'	Apr. 2014
Beth Israel Medical Center, New York, NY 'The Insanity Defendant; Answers in the Unexplained'	Feb. 2014
Idaho District Attorney's Association, Annual Conference, Boise, ID 'Forensic Psychiatry and its Case Practice'	Feb. 2014
Alabama District Attorney's Association, Annual Conference, Birmingham, AL 'Forensic Psychiatry and its Case Practice'	Jan. 2014
Colorado District Attorney's Conference, Annual Conference, Breckenridge, CO 'Grinding Cases to a Competency Halt'	Sep. 2013
Colorado District Attorney's Conference, Annual Conference, Breckenridge, CO 'Forensic Psychiatry at Trial'	Sep. 2013
Oklahoma District Attorney's Conference, Annual Conference, Norman, OK 'Grinding Cases to a Competency Halt'	July 2013
Oklahoma District Attorney's Conference, Annual Conference, Norman, OK 'Forensic Psychiatry at Trial'	July 2013
Missouri Crime Victims' Conference, Annual Conference, Springfield, MO 'Forensic Psychiatry at Trial'	May 2013
Missouri Crime Victims' Conference, Annual Conference, Springfield, MO 'Forensic Psychiatry in Case Investigation'	May 2013
Arkansas Prosecuting Attorney's Association, Annual Conference, Fayetteville, AR 'Forensic Psychiatry in Case Practice'	Apr. 2013
U.S. House of Representatives, Energy and Commerce Committee, Washington, DC 'After Newtown: A National Conversation on Violence and Severe Mental Illness'	Mar. 2013
National Association of Prosecutor Coordinators, Nashville, TN 'Grinding Cases to a Competency Halt'	Dec 2012

Post Combat Problems in the 21st Century, Duquesne U. School of Law, Pittsburgh, PA 'Forensic Frontiers of Returning Veterans'	Oct. 2012
Louisiana District Attorney's Association, Annual Conference 'Forensic Psychiatry and its Case Practice'	Aug. 2012
Lead America Law and Justice Conference, New York, NY 'Defining Evil in Crime'	Jul ,2012
Illinois States Attorney's Appellate Prosecutor, Violent Crimes Conference, Naperville, IL 'Forensic Psychiatry and its Case Practice'	Apr. 2012
Illinois States Attorney's Appellate Prosecutor, Violent Crimes Conference, Naperville, IL 'Grinding Cases to a Competency Halt'	Apr. 2012
Illinois States Attorney's Appellate Prosecutor, Violent Crimes Conference, Naperville, IL "The Science and "Science" of Confession Expertise'	Apr. 2012
Beth Israel Medical Center, New York, NY 'The Insanity Defendant; Answers in the Unexplained'	Feb. 2012
New York City Bar Association, New York, NY 'Meeting the Challenges of Forensic Promise: Beyond the NAS Report & Leahy Bill'	Jan. 2012
Annual Forensic Sciences Conference, Duquesne University School of Law, Pittsburgh, PA 'Polygamous Sect Leaders and the Psychology of Exploitation'	Oct. 2011
American Bar Association, Annual Meeting, Toronto, ON 'The Future of Mind Science'	Aug. 2011
American Bar Association, Annual Meeting, Toronto, ON Panel Discussion: 'Bioterrorism, Bioethics, and Intellectual Property on Trial'	Aug. 2011
Beth Israel Medical Center, Grand Rounds, New York, NY 'Elizabeth Smart's Kidnapper: An Incredible, Cautionary Journey of Forensics, Culture,	Apr. 2011 & Ethics"
Johnson & Wales University, Annual Criminal Justice Conference, Miami, FL 'Defining Evil & the Depravity Standard'	Mar. 2011
Johnson & Wales University, Annual Criminal Justice Conference, Miami, FL "Detoxifying Evil in the Everyday"	Mar. 2011
American Academy of Forensic Sciences, Annual Meeting, Chicago, IL 'Risk Assessment in the Guantanamo Detainee: Challenges and a Methodological Appro	Feb. 2011 oach'
American Academy of Forensic Sciences, Annual Meeting, Chicago, IL Special Session: 'Relevant, Reliable & Valid Forensic Science in Case Analysis'	Feb. 2011

Manhattan Psychiatric Center, Grand Rounds, New York, NY "Detoxifying Evil in Clinical Psychiatric Practice"	Feb. 2011
Rockland Psychiatric Center, Grand Rounds, Orangeburg, NY "Detoxifying Evil in Clinical Psychiatric Practice"	Jan. 2011
N.Y. State Justice Task Force Subcommittee on Statements of the Accused, New York, NY Wrongful Convictions and Confessions – Myths, Facts, and Solutions'	Jan. 2011
American Academy of Forensic Sciences, Annual Meeting, Seattle, WA "Forensic and Justice Issues in American Polygamous Sects and Rejectionist Groups"	Feb. 2010
Yale University School of Law, New Haven, CT 'Seeing Life Through Death: Lessons from Forensic Psychiatry'	Apr. 2009
Society of Professional Investigators, New York, NY 'When Forensic Psychiatry Meets Case Investigation: How We Practice'	Sep. 2008
International Academy of Forensic Sciences, Annual Meeting, New Orleans, LA 'Current & Unresolved: Ethical Challenges Confronting Forensic Psychiatry'	Jul. 2008
Where Fact Meets Fiction, Duquesne University School of Law, Pittsburgh, PA 'Scientific Consulting for the News'	Apr. 2008
Where Fact Meets Fiction, Duquesne University School of Law, Pittsburgh, PA 'Panel: Forensic Science and the News: Opportunities and Limitations'	Apr. 2008
Nebraska Institute of Forensic Sciences, Annual Conference, Lincoln, NE 'Lessons in Psychiatric Resilience from Foreign Disasters'	Oct. 2007
War, Terror, and Psychology, Yeshiva University, New York, NY 'Defining Evil, the Depravity Standard, & War Crimes'	Jun. 2007
Preserving Evidence, Saving Lines, Duquesne University School of Law, Pittsburgh, PA 'Lessons in Psychiatric Resilience from Foreign Disasters'	Mar. 2007
American Academy of Forensic Sciences, Annual Meeting, San Antonio, TX 'Unresolved: Psychiatry Ethical Dilemmas, Current and Coming'	Feb. 2007
American Academy of Forensic Sciences, Annual Meeting, San Antonio, TX 'Antidepressant (SSRI) Defenses: Guidelines for Assessment'	Feb. 2007
And Justice for All, Duquesne University School of Law, Pittsburgh, PA 'Forensic Psychiatric Peer-Review in Action: Capital Mitigation'	Apr. 2006
And Justice for All, Duquesne University School of Law, Pittsburgh, PA Panel: Regulating Admissibility under FRE and Daubert	Apr. 2006

California District Attorney's Association, San Luis Obispo, CA 'Mental Health and Capital Mitigation: Present, Future, and Delusional'	Mar. 2006
American Academy of Forensic Sciences, Annual Meeting, Seattle, WA 'Interdisciplinary Forensic Peer-Review in Action: Death Investigation'	Feb. 2006
American Academy of Forensic Sciences, Annual Meeting, Atlanta, GA 'International Perspectives on What is a Depraved Crime'	Feb. 2006
Association of Government Attorneys in Capital Litigation, Washington, DC 'Truth, Fiction, and Nuance of Brain Damage and Retardation Defenses'	July 2005
Duquesne University School of Law, Pittsburgh, PA 'Forensic Psychiatry and Psychology: Practice and Ethics'	Mar. 2005
Duquesne University School of Law, Pittsburgh, PA 'Forensic Interviewing and Police Interrogation: Learning from the Other'	Mar. 2005
Grand Rounds, Cooper Hospital, Camden, NJ 'Psychopathy, Media, and the Psychology at the Root of Terror'	Nov. 2004
Duquesne University School of Law, Pittsburgh, PA 'The Insanity Defendant: Answers in the Unexplained'	Oct. 2004
Tracking Terrorism in the 21st Century, Wecht Institute of Forensic Sciences Pittsburgh, PA 'Psychopathy, Media, and the Psychology at the Root of Terror'	Oct. 2004
Annual Training Retreat, New York Prosecutors Training Institute, Syracuse, New York 'The Capital Defendant as Portrayed by Psychiatry'	July 2004
Duquesne University School of Law, Pittsburgh, PA 'Ethics and the Forensic Examination'	June 2004
Duquesne University School of Law, Pittsburgh, PA 'Forensic Psychiatry – A Range of Responsibilities'	June 2004
Distinguished Lecturer in Legal Medicine, American College of Legal Medicine, Las Vegas, NV 'Death Investigation and Medical Malpractice'	Mar. 2004
United States Military Academy, Brooklyn, NY 'Forensic Psychiatry Consultation in Criminal Cases – Ethics and Practice'	Mar. 2004
Invited Testimony, New York State Assembly, New York, NY 'Psychiatric Impact of Violent Video Games'	Dec, 2003
Symposium on JFK Assassination, Duquesne Law School, Pittsburgh, PA 'Forensic Psychiatry's Importance in Resolving the Assassination Mystery'	Nov. 2003

Grand Rounds, Robert Wood Johnson Medical Center, Camden, NJ 'The Depravity Scale: Civil and Patient Care Implications of Researching Evil'	Nov. 2003
North Carolina Homicide Investigator's Association, Atlantic Beach, NC 'False Confessions: Lessons for Homicide Investigators'	Oct. 2003
Keynote Address, North Carolina Homicide Investigator's Association, Atlantic Beach, NC 'The Depravity Scale: How Investigations Impact on the Legal Determination of Depr	Oct. 2003
Nebraska Institute of Forensic Sciences, Lincoln, Nebraska 'False Confessions & DNA Exonerations: Research, and Realities'	June 2003
Keynote Address, Reigning in the Forensic Sciences Revolution, Lincoln, Nebraska 'The Depravity Scale: Standardizing Evil, Legal & Investigative Ramifications'	June 2003
Duquesne University School of Law, Pittsburgh, PA 'Ethics and the Forensic Examination: Confronting Dilemmas'	June 2003
Duquesne University School of Law, Pittsburgh, PA 'Forensic Psychiatry and Psychology: Civil and Criminal Roles'	June 2003
American Psychiatric Association, Annual Meeting, San Francisco, CA 'Evil Beyond Crime: Civil Assessment and the Clinical Reckoning of Evil'	May 2003
American Psychiatric Association, Annual Meeting, San Francisco, CA 'Frontiers in Standardizing the Definition of Evil in Criminal Law'	May 2003
Kirby Forensic Psychiatric Center, Grand Rounds, New York NY 'Sorting Out the Female Defendant: Clinical & Forensic Considerations'	Mar. 2003
Duquesne University School of Law, Alumni Reunion Lecture, New York, NY 'Assessing Competency to Invest'	Mar. 2003
Ontario Psychological Association, Keynote Address, Toronto, Ontario, Canada 'The Mental Health Professional in the Press'	Feb. 2003
Association of the Bar of the City of New York, New York, NY 'The Psychiatric Assessment in ADA and FMLA Cases'	Feb. 2003
American Academy of Forensic Sciences, Annual Meeting, Chicago, IL 'Disputed Confessions: Guidelines for Assessment'	Feb. 2003
American Academy of Forensic Sciences, Annual Meeting, Chicago, IL 'Assessing Families and Victims of Terror in Personal Injury Cases'	Feb. 2003
American Academy of Forensic Sciences, Annual Meeting, Atlanta, GA 'Is There Evil Beyond Crime? Refining Criminal and Civil Definitions of Depravity'	Feb. 2003

Conference on Death Penalty & Law, John Jay College of Criminal Justice 'The Depravity Scale: A Quest for Fairness	Nov. 2002
Conference on Domestic Violence & Child Issues, Duquesne U. School of Law, Pittsburgh, PA 'Battered Woman vs. Antisocial Personality'	Nov. 2002
Manhattan Psychiatric Center, Grand Rounds, New York, NY 'The Role of Psychiatry and Research to Define Evil'	Oct. 2002
Duquesne University School of Law, Pittsburgh, PA 'Ethics and the Forensic Examination'	July 2002
Duquesne University School of Law, Pittsburgh, PA 'Assessing Psychiatric Malpractice and Emotional Distress'	July 2002
New England Consortium of Public Employment Labor Boards, Waterville, NH 'ADA and Emotional Distress After Mass Casualty Disasters'	July 2002
Holland & Knight, New York, NY 'Emotional Distress Claims: Working With the Forensic Psychiatrist'	June 2002
American Psychiatric Association, Annual Meeting, Philadelphia, PA 'Dilemmas in Defining Evil in Criminal Law'	May 2002
American Psychiatric Association, Annual Meeting, Philadelphia, PA 'Medication Defenses: Guidelines for Assessment'	May 2002
American Psychiatric Association, Annual Meeting, Philadelphia, PA 'The Depravity Scale: Toward a Standardized Definition'	May 2002
American Psychiatric Association, Annual Meeting, Philadelphia, PA 'Sadism and Forensic Psychiatry'	May 2002
Middletown Psychiatric Center, Grand Rounds, Middletown, NY 'Mentally Retarded Sex Offenders: Forensic & Treatment Insights'	May 2002
Society of Medical Jurisprudence, Judiciary Committee, New York, NY 'Defining Evil Through Forensic Science'	Apr. 2002
Tulane University School of Medicine, Chester Scrignar Mem. Lecture, New Orleans, LA 'The Depravity Scale: Can Psychiatry Define Evil?'	Apr. 2002
Pennsylvania State Senate, Judiciary Committee, Harrisburg, PA 'Retardation and the Death Penalty: Special Considerations'	Mar. 2002
Association of the Bar of the City of New York, New York, NY 'Working With Psychiatrists in Resolving ADA Cases'	Feb. 2002

American Academy of Forensic Sciences, Annual Meeting, Atlanta, GA 'Medication Defenses: Guidelines for Assessment'	Feb. 2002
American Academy of Forensic Sciences, Annual Meeting, Atlanta, GA 'Medication Defenses: Myths & Facts'	Feb. 2002
American Academy of Forensic Sciences, Annual Meeting, Atlanta, GA 'Toward a Standardized Legal Definition of Evil'	Feb. 2002
Association of the Bar of the City of New York, New York, NY 'Americans with Disabilities Act and September 11'	Jan. 2002
Industrial Relations Research Association, New York, NY 'Post-Traumatic Stress and 9/11: Employment Law Implications'	Dec. 2001
Duquesne University School of Law, Pittsburgh, PA 'Psychiatric Consultation in Capital Cases'	Nov. 2001
New Jersey Prosecutors Association, Monmouth, NJ Peer-Review in Capital Cases: Steven Fortin'	Nov. 2001
New York Prosecutors Training Institute, Advanced College, Syracuse, NY 'Retardation Issues in Capital Cases'	Aug. 2001
American Psychiatric Association, Annual Meeting, New Orleans, LA 'The Depravity Scale: Development and Potential'	May 2001
American Psychiatric Association, Annual Meeting, New Orleans, LA 'How Psychiatry Has Defined Evil'	May 2001
American Psychiatric Association, Annual Meeting, New Orleans, LA 'Psychosis and Mass Homicide'	May 2001
American Psychiatric Association, Annual Meeting, New Orleans, LA 'Drug-Facilitated Sex Assault'	May 2001
American Psychiatric Association, Annual Meeting, New Orleans, LA Black Rage: Myths and Realities'	May 2001
American Psychiatric Association, Annual Meeting, New Orleans, LA 'Ethnic Rage: Guidelines for Forensic Assessment'	May 2001
American Bar Association, Criminal Law Division, Albuquerque, NM "Daubert & Expert Testimony: Peer Review & The Forensic Panel"	Apr. 2001
American Bar Association, Criminal Law Division, Albuquerque, NM "Daubert & Expert Testimony: Why Peer Review is Needed"	Apr. 2001

Duquesne University School of Law, Pittsburgh, PA "The Depravity Scale: Current Research"	Mar. 2001
American Academy of Forensic Sciences, Annual Meeting, Seattle, WA 'The Drug-Facilitated Sex Assaulter'	Feb. 2001
American Academy of Forensic Sciences, Annual Meeting, Seattle, WA 'Subtypes of Drug-facilitated Sex Assault and Paraphilias'	Feb. 2001
American Academy of Forensic Sciences, Annual Meeting, Seattle, WA 'Fun with Diagnosis: Tricks of the Trained'	Feb. 2001
American Academy of Forensic Sciences, Annual Meeting, Seattle, WA 'Diagnosis for the Capital Defender'	Feb. 2001
American Academy of Forensic Sciences, Annual Meeting, Seattle, WA 'A Stab at Insanity: Reading Mental States from Knife Wounds'	Feb. 2001
New York Prosecutors Training Institute, Grand Rounds, West Point, NY 'Working with and Opposing Psychiatrists in Capital Cases'	Feb. 2001
Rockland Psychiatric Center, Grand Rounds, Orangeburg, NY 'Black Rage: Clinical and Forensic Applications'	Nov. 2000
Duquesne University School of Law, Forensic Science & the Law , Pittsburgh, PA 'Forensic Psychiatry: Assisting Tomorrow's Court'	Oct. 2000
American College of Forensic Examiners, Annual Meeting, Las Vegas, NV 'Distinguishing the Drug-Facilitated Rapist'	Oct. 2000
Cabrini Medical Center, Grand Rounds, New York, NY 'Black Rage, White Supremacists, and Psychiatry'	Sep. 2000
New York State Bar Association, Transatlantic Conference in Employment Law, Dublin, Ireland 'The Industrial Psychopath'	July 2000
Lenox Hill Hospital, Inpatient Case Conference, New York, NY 'Cross-Cultural Issues in Domestic Violence"	July 2000
American Society of Clinical Psychopharmacology, Annual Conference, San Juan, PR 'Treatment of Violence – State of the Art'	Feb. 2000
Mid-Hudson Psychiatric Center, Grand Rounds, Middletown, NY Parents Killing Children: SIDS, Filicide and Beyond'	Jan. 2000
Lenox Hill Hospital, Inpatient Case Conference, New York, NY 'Managing the Complex Anxiety Patient'	May 1999

Cutting Edge Collaborations In Sexual Assault, CLE Conference, Brooklyn, NY 'Sex Offender Prognosis and Its Evaluation'	Apr. 1999
Duquesne University School of Law, Distinguished Lecturer Series, Pittsburgh, PA Psychiatric-Legal Frontiers in Female Criminality'	Apr. 1999
Fordham University School of Law, New York, NY Peer-Review, Ethics and the Future of Forensic Consultation'	Mar. 1999
The Osler Institute, Forensic Psychiatry Board Review Program, Chicago, IL 'Crime Scene Analysis'	Mar. 1999
The Osler Institute, Forensic Psychiatry Board Review Program, Chicago, IL 'Psychological Autopsy for Civil Courts'	Mar. 1999
The Osler Institute, Forensic Psychiatry Board Review Program, Chicago, IL 'Recent Scientific Advances in Forensic Psychiatry'	Mar. 1999
The Osler Institute, Forensic Psychiatry Board Review Program, Chicago, IL 'Psychiatry and the Death Penalty'	Mar. 1999
Lenox Hill Hospital, Grand Rounds, New York, NY 'Neonaticide & Other Frontiers of Female Antisocial Behavior'	Mar. 1999
Kings County District Attorney's Office, Brooklyn, NY 'The Criminal Responsibility Evaluation'	Feb. 1999
Mid-Hudson Psychiatric Center, Grand Rounds, Middletown, NY 'Scientific Advances in Female Antisocial Behavior'	Jan. 1999
Fordham University School of Law, New York, NY 'The Insanity Defense: What, Why & Who'	Nov. 1998
Society for Liaison Psychiatry, Distinguished Lecturer Series, New York, NY 'Hospital Consultation and Recent Court Decisions'	Oct. 1998
National College of District Attorneys, Colorado Springs, CO 'How to Work With or Against a Forensic Psychiatrist'	Sept. 1998
American Psychiatric Association, Annual Meeting, Toronto, Canada 'Forensic Developments in the New Era of Prescribing'	May 1998
Duquesne University School of Law, Pittsburgh, PA 'A Psychiatric Standard of Evil'	Mar. 1998
Allegheny County District Attorney's Office, Pittsburgh, PA 'Psychiatric Clues To Solving Sex Homicide'	Mar. 1998

Lenox Hill Hospital, Inpatient Case Conference, New York, NY 'Evaluation and Treatment of Sex Offenders'	Jan. 1998
Institute for Psychiatric Services, Annual Meeting, Washington, DC 'Medical Treatment of the Repeatedly Violent'	Oct. 1997
Mid-Hudson Psychiatric Center, Grand Rounds, Middletown, NY 'Recent Advances In Forensic Hospital Practice'	Sept. 1997
American Psychiatric Association, Annual Meeting, San Diego, CA 'Medical Treatment of the Repeatedly Violent'	May 1997
Rockland Psychiatric Center, Grand Rounds, Orangeburg, NY 'Legal Trends In Hospital Based Psychiatric Care'	Apr. 1997
Association of Law, Medical, & Investigative Experts, New York, NY 'Collaborating With Other Forensic Disciplines'	Mar. 1997
Alliance of Mentally Ill, 'Ask the Doctor', New York, NY 'Diagnosis and Treatment of Bipolar Disorder'	Mar. 1997
American Academy of Psychiatry and the Law, Annual Meeting, San Juan, PR 'Medical Treatment of the Repeatedly Violent'	Oct. 1996
American Psychiatric Association, Annual Meeting, New York, NY Psychosurgery in the Refractory Violent: A Debate'	May 1996
Beth Israel Medical Center, Psychopharmacology Series, New York, NY Practical treatment of mood disorders with co-morbid conditions'	Nov. 1995
United We Stand America, National Policy Conference, Dallas, TX 'Health Care Reform: Consumer Privilege and Responsibility'	Aug. 1995
Hate Crimes Language Conference, International Center for the Disabled, New York, NY 'Defining Bias Crimes Against the Mentally Ill'	Jul. 1995
New York State Senate Commission On the Mentally Ill, New York, NY 'Expert testimony reviewing commitment criteria'	Oct 1993
Beth Israel Medical Center, Grand Rounds, New York, NY 'Pharmacotherapy for the Habitually Violent'	May 1992
PROFESSIONAL AFFILIATIONS	

F

American Academy of Forensic Sciences Association of the Bar of the City of New York Criminal Law Committee

- Researching and proposing revisions to Megan's Law for New York State
- Domestic Violence Task Force

1995-97

Michael Welner, M.D. The Forensic Panel

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POSTDOCTORAL TRAINING

Beth Israel Medical Center, New York, New York	1988-89
Rotating Internship (Internal Medicine and Emergency Medicine)	
Beth Israel Medical Center, New York, New York	1989-92
Residency (Psychiatry)	
University of Pennsylvania, Philadelphia, PA	1991-92
Fellowship (Forensic Psychiatry)	

EDUCATION

University of Miami School of Medicine, Miami, Florida	1984-88
University of Miami, Coral Gables, Florida	1981-84
Magna Cum Laude; Phi Beta Kappa, Phi Kappa Phi, Golden Key honoree	

PROFESSIONAL LICENSURE

New York, Florida