

Introduction

In many ways, we have never been safer or healthier. People living in modern industrial societies can access advances in nutrition, medicine, transportation, and communication technologies undreamed of even a century ago. Yet, the traumas of human life continue to afflict us. Some are as old as human society: disease, warfare, criminal aggression, and natural disasters. Others are new: motor vehicle accidents, medical mishaps, cyberstalking.

Arguably, one of the advances of modern civilization consists of the form of codes of law to guide fair and productive interactions among humans living in increasingly complex societies. And all such societies contain laws that strive to determine just penalties for persons who commit crimes and reasonable compensation for the victims of aggression, exploitation, or willful neglect.

Many of the victims of unfair actions suffer psychological as well as physical injuries, and most legal codes contain remedies that can be applied to mitigate the damage for victims through the civil courts. In other cases, criminal offenders may appeal to extenuating circumstances or inner and outer forces beyond their control to exculpate (completely excuse) or mitigate (lessen the blameworthiness of) their actions.

In all these circumstances, claims of *posttraumatic stress disorder (PTSD)* may be asserted: in civil cases, to argue for psychological injury meriting a damage award; in criminal cases, to lessen the penalty for a felonious act. *Posttraumatic Stress Disorder and Forensic Psychology: Applications to Civil and Criminal Law* concisely but comprehensively addresses these issues for professionals in both the mental health and legal fields. Chapter 1 describes the history and concept of PTSD, Chap. 2 delineates the main clinical features of the syndrome, and Chap. 3 describes the subtypes and variants of PTSD that may be seen in clinical and forensic settings, providing guidelines for differential diagnosis of PTSD from a variety of syndromes and disorders that may be confused with it in both civilian and military cases.

Next, the book discusses applications of PTSD to civil law, particularly personal injury and Workers Compensation cases. Chapter 4 describes how PTSD can be used to make a case for compensable psychological injury, as well as describing measures for refuting these claims. Chapters 5 and 6 describe applications of PTSD to criminal law, delineating the various ways PTSD may predispose, trigger, or

maintain criminally violent behavior, and describing practical applications of PTSD claims to the defenses of not guilty by reason of insanity and diminished capacity. Finally, Chap. 7 provides practical advice and guidelines for forensic psychological examiners on how to conduct their evaluations, present their findings, and testify in court.

This book will be of value to forensic psychologists, attorneys, judges, and military personnel, as well as to researchers and instructors in the fields of criminology, psychology, medicine, rehabilitation, and mental health law. It provides a comprehensive and scholarly, yet concise and practical guide to the application of psychology and the law to PTSD and other traumatic disability syndromes.



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