

**Shrink Rap Radio #238, May 28, 2010. Exploring the Criminal Personality**  
**Dr. David Van Nuys, aka "Dr. Dave" interviews Stanton Samenow, Ph.D.**  
(transcribed from [www.ShrinkRapRadio.com](http://www.ShrinkRapRadio.com) by Chelsea Flint)

**Excerpt:** *Well, let me say this and I think this may surprise some of our listeners. You know, there's really not that much difference between the white collar criminal and the person who commits a rape or a bank robbery. Oh sure, I mean there may be differences in terms of education, academic knowledge – but let's think about it. A white collar crime – or a series of white collar crimes – is really about power and control. Many people do not embezzle or commit some of the crimes that we read about because they need the money. I mean, I'm talking about the white collar offender. They do it because they can do it, because they outsmart others, that they preserve a view of themselves and the world. They are able to control others; they have power, which they can use in whatever way they want. They can bend the rules in ways that others aren't even aware that they are bending the rules until perhaps things get out of hand.*

**Introduction:** That was the voice of my guest, forensic psychologist, Dr. Stanton Samenow. Dr. Samenow received his bachelor's degree from Yale University and his Ph.D. in psychology from the University of Michigan. After working as a clinical psychologist on adolescent inpatient psychiatric services in Ann Arbor, he joined the Program for the Investigation of Criminal Behavior at St. Elizabeths Hospital in Washington, D.C. From 1970 until 1978, he was clinical research psychologist for that program. With the late Dr. Samuel Yochelson, he participated in the longest in-depth clinical research-treatment study of offenders that has been conducted in North America. The findings of that study are contained in the three volume publication The Criminal Personality that he co-authored with Dr. Yochelson. In 1978, Dr. Samenow entered the private practice of clinical psychology in Alexandria, Virginia. His specialty has continued to be the evaluation and treatment of juvenile and adult offenders. He has delivered lectures, training seminars, and workshops in 48 states, Canada, and England. These presentations have been to a variety of professional groups including mental health, law enforcement, corrections, education, social services, and the judiciary. He has served as a consultant and expert witness for a variety of courts and agencies, including the Federal Bureau of Investigation, Florida's Dade County, Public Schools, Federal Bureau of

Prisons, and the U.S. Office of Probation. He was appointed by President Reagan to the Law Enforcement Task Force and in 1982 to the President's Task Force on Victims of Crime. In 1987, President Reagan appointed him as a Conferee to the White House Conference on a Drug-Free America. Dr. Samenow's book Inside the Criminal Mind was originally published in 1984. A revised, updated edition was published in 2004. In addition, he has authored numerous articles for professional publications and appeared frequently on national radio and television broadcasts, including "60 Minutes," "The Phil Donahue Show," "Good Morning America," "The CBS Morning News," "The Today Show" and "The Larry King Show." His book Straight Talk About Criminals, was published in 1998. In March of 1989, Dr. Samenow's book about the prevention of antisocial behavior was published. It's titled Before It's Too Late: Why Some Kids Get Into Trouble and What Parents Can Do About It. Dr. Samenow wrote a book based on his experience as an independent custody evaluator published in 2002. It's titled In the Best Interest of the Child: How to Protect Your Child from the Pain of Your Divorce. Dr. Samenow's most recent book is The Myth of the Out of Character Crime, and that will be the focus of today's interview. Now let's go to the interview.

**Dr. Dave:** Dr. Stanton Samenow, welcome to Shrink Rap Radio.

**Stanton Samenow:** Well thank you very much Dr. Van Nuys for having me.

**Dr. Dave:** (laughs) Okay, I'm very excited to have you as a guest. You and I are both graduates of the University of Michigan Clinical Psychology Doctoral Program, we won't say exactly when. I think you were a year or two ahead of me but I do remember that we had some contact back in those days.

**Samenow:** Yes, that's correct. I think I was about maybe two years ahead.

**Dr. Dave:** Yeah, I think so. Well, it's quite a career you've had since Michigan, I must say. When you were there did you have any idea that you'd end up as a forensic psychologist?

**Samenow:** Absolutely no clue whatsoever. In fact the last two years that I lived in Ann Arbor – one year I was on the adolescent service at the University of Michigan medical center, and then I was the chief psychologist, probably the

only psychologist at Northville State Hospital on the young adult units. So I had no clue whatsoever that I would end up working in the areas of criminal behavior and other forensic matters such as child custody.

**Dr. Dave:** So how did that come about?

**Samenow:** Well, I found both at Michigan and at Northville State Hospital, that the type of patient who was coming into the hospital really was not, it was a different sort of person. Rather than people who were intensely disabled, let's say by major psychotic disorders or even incapacitating neuroses, some of the kids and young adults who were in the hospital could as well have been in jail. Some of them had committed crimes. They were, what I guess I viewed at the time as, more as rebels. I really didn't use the vocabulary of anti-social or criminal...

**Dr. Dave:** Mm-hmm.

**Samenow:** ...but I found to my dismay that a lot of what I had learned at the University of Michigan and the graduate program, in terms of approaches to try to help these people, just didn't work, they didn't work at all. And so I had an opportunity to join a program in Washington D.C., with a psychiatrist that had already been spending nine years studying offenders. This was the program for the investigation of criminal behavior. It turned out to be – and I joined it in 1970 – the longest in-depth study of offenders ever done in North America. It went on for a total of seventeen years.

**Dr. Dave:** Wow!

**Samenow:** Dr. Yochelson, who was the founder of it, died in 1976. I've continued at St. Elizabeths, which still does exist in Washington D.C. It's the home of John Hinckley Jr., would-be assassin of the late President Reagan. So, I worked there with Dr. Yochelson, and the reason – to get back to your question – was that I thought, "Well, maybe I might learn some things from him," that could be of use with this more difficult patient population that I was having no success with in Michigan. That was really the motivation.

**Dr. Dave:** Well that's a fascinating journey and of course the program that we both went through was very, very psychoanalytic. And I could see how maybe there would be a lack of practical tools (laughs) to apply with the kind of people that you were trying to help.

**Samenow:** Yeah, or to put it in another way, in the early years of this program – even before I joined it – what Dr. Yochelson had was criminals with insight rather than criminals without insight. And he spelled insight, i-n-c-i-t-e because the insights they had gained they used as excuses; their mother didn't love them, their mother loved them too much, it was peer pressure, it was being deprived in the inner-city, it was being overindulged in the suburbs. I mean, any aspect of life, any adversity of life was used by these individuals – not only to rationalize what they had done in the past, but even to justify what they were continuing to do in the present, and were planning to do in the future.

**Dr. Dave:** In some ways it sounds like they had picked up on some of the psychoanalytic thought of the time, almost provided a rationale, or at least a rationalization for what they were doing.

**Samenow:** Exactly. In fact one man said in a moment of rare candor to Dr. Yochelson, "Dr., if I didn't have enough excuses for crime before psychiatry, I've certainly got enough now."

**Dr. Dave:** (laughs) Yeah, right. Now I've always found the term forensic a little confusing because I think the word is also used in collegiate settings to refer to debating.

**Samenow:** You're absolutely correct. And that is what it refers to, is debate. But it really has come to mean – it's not far from debate because it has to do with court related matters, and in court related matters there is a debate. In criminal matters you have the offense attorney, you have the prosecuting attorney. In child custody matters certainly there are many debatable issues about what is in the best interest of the child, in assessing psychological damages. In other types of civil cases you always have two sides that have

different points of view. So it really does have to do with debate, but a forensic psychologist really is involved evaluating matters that come before courts.

**Dr. Dave:** Okay, well that does draw that connection more clearly for me. You know, it's very synchronistic that you and I should connect right now. I think you sent me an email because you saw mention of my podcasts in the *APA Monitor*. And I say synchronistic because some of my listeners were asking questions right around that time about the psychopathic personality on a Shrink Rap Radio Yahoo! discussion group that I have. And it was right at that time that I heard from you and I realized that you'd be the perfect person to help us get a better understanding of the term "psychopath". So maybe you could take us through that, and does that...I'm wondering if that term is even meaningful to you in your work?

**Samenow:** Well, let me say this. That human nature does not change, but psychiatric and psychological labels do. And the term used to be a psychopath, then it was a sociopath, then in current parlance it's the anti-social personality disorder. But without splitting hairs for our listeners, I would say this, that the type of person we're talking about, just to give you a very brief thumbnail sketch and then obviously ask what you want. This is a person who sees himself as the hub of the wheel around which everything revolves. This is an individual who has a chessboard view of life, in which people and objects are like pawns. The guy who said, "When I walk into a room," speaking of a break-and-entry, "everything in that room belongs to me." He does not have a mental illness in the usual way we conceive of it, but as he goes into that room and looks around at the jewelry and the computer and the flat screen TV, he knows they belong to somebody else, but in his mind they are already his. He has taken possession of them and all he has to do is figure out how to get them out of them, then how to fence, or sell them, and get rid of them. This is a person who chronically blames others for what he himself has done. A person who lies, not only to cover his tracks and bail himself out of a jam, but lies when there seems to be no purpose. He'll say he went to McDonalds when he went to Burger King,

because in his mind to lie, even about non-essential things, is to make a fool out of others. This is person who has no concept of injury to others. In fact, he sees himself as the victim because law enforcement and others have interfered with him. And even though this may be, and is, a very tough, uncompromising individual determined to prevail in any way by deception, intimidation or brute force, he is also a very fearful person. He knows the consequences of what he does, but he has the chilling capacity to shut off those fears of getting caught, convicted or confined long enough to do what he wants to do. This person has fragments of conscious but can shut them off, again to do what he wants. And the biggest fear of all is the fear of being put down. Any little detail of life that doesn't go the way he wants threatens to blast a hole in this very precarious self-image. He is a creature of extremes. He is either number one, or he is a nothing. And any little thing that threatens to reduce this view of himself as a Colossus, as unique, can detonate anger that is almost always there and anyone or anything can be a target in his path.

**Dr. Dave:** This is really...

**Samenow:** And other point...

**Dr. Dave:** Yes, go ahead.

**Samenow:** ... one last point. And you know, Dr. Van Nuys, I think this is the most astounding, or was to me, and I know that you and your listeners will probably distrust a statement that begins with every – but I will tell you I have been at this now, it's hard to believe, for over forty years – and every offender whom I have interviewed; no matter how serious the crimes, no matter how brutal they may be, no matter how many he's committed. Every one of them regards themselves, at heart, as a good person. Even though he may acknowledge that he's been caught, he needs to be punished, he's hurt his family...But if you say to him, or her, it could be either sex, "Do you think you're a bad person?" I have not found one who thinks that. They all believe at heart, they are good people.

**Dr. Dave:** Wow. That is such a fascinating profile that you have just given us. In passing you mentioned fragments of conscious, and I'm recalling back in graduate school we were taught that a psychopath is a person completely lacking in conscious. And in this discussion group that I mentioned earlier, my listeners kind of questioned that, just very gently in a way that made me realize well I've sort of, have just swallowed that idea hook, line and sinker. I just kind of swallowed it whole and repeated it over the years in my teaching. You've actually tackled this in an empirical way, though. You've actually studied people and the picture that begins to emerge from one of your books that I've been reading, is not so much a lack of conscious, well as you just pointed out, the ability to override it, out of, sort of total egocentrism.

**Samenow:** Absolutely. Let me give you one very brief example. A man who broke into the home of an elderly person, cleaned it out of her valued family heirlooms, antiques and jewelry. When he later learned that she was suffering from a terminal illness, he was so remorseful, so conscious stricken, that he arranged to have it all returned to her. So conscious was operative. However, that did not stop him from breaking into the homes of other people in the future.

**Dr. Dave:** Interesting, interesting. So is it really possible for someone to be completely lacking in conscious or is that just a totally outmoded idea?

**Samenow:** Well, when you phrase it, and I guess I've been going to court for too long...

**Dr. Dave:** (laughs)

**Samenow:** ...as, is it possible? Anything is possible. What I have found is that even the toughest, most brutal guy, and I'll give you an example – and by the way this is public record so I'm not violating any confidentiality. I spent thirty-four hours with the younger of the Washington D.C. snipers, Lee Boyd Malvo.

**Dr. Dave:** Yes, I remember that name.

**Samenow:** Right, and some of our listeners may not know this case. But two men, John Muhammad, who has recently been executed for the crimes, and Lee Malvo, went on a crime spree in an area that goes from Richmond, Virginia all the way up to Baltimore, and a number of people were killed and more were injured. And these were people who were just picked off, going about their daily business. These victims were not known to the individuals. But it was a reign of terror. And they were eventually caught, and as I said Muhammad was executed and Malvo has life without parole. But even Lee Boyd Malvo had a conscious. But it was a – for lack of a better term – a tattered, thread-bare conscious. It really isn't fully operational. So I think to say that there is no element of conscious whatsoever really doesn't grasp these individuals in their full complexity.

**Dr. Dave:** Okay. Now you've written a number of books on the topic of criminality and the only one that I've had a chance to explore is your most recent one, The Myth of the Out of Character Crime, which is fascinating, a fascinating title and a fascinating book. Before we get into that one however I'm intrigued by your earlier book Inside the Criminal Mind. As I mentioned to you in one of my emails, I co-authored a book with the subtitle "into the mind of a serial killer", in this case about the Zodiac serial killer. So if it's not too big a question, what have you learned about the criminal mind?

**Samenow:** Well, I already gave you that very short thumbnail sketch which only kind of scratches the surface. But let me say this, that crime like everything else, is a matter of degree. The person that goes through a stop sign at two miles an hour has committed an offense for which he can get a citation. At the other extreme is Lee Boyd Malvo as a serial killer. And there's a whole spectrum in between. Now, what is critical, and I think this is true generally to understanding behavior, is thinking. Behavior is a product of thinking. What you and our listeners are hearing from me right now is a result of the thoughts I'm having. And if a sentence is not grammatical or if it fades off into obscurity, it's because so many thoughts are interfering with each other

that that's what occurs. My focus has been on thought processes. We have to understand the world from the offender's point of view. Not to agree with it, but to know what it is. And that really means suspending our labels and our preconceptions about causes and just understanding the mind as if we had a computer printout, without editing it, without explanation. And what I have found is that with people who make crime a way of life, that the mentality I've started to describe, a uniqueness allying the chessboard view of life, the pursuit of power and control for their own sake, the ability to shut off fear, the lying as a way of life the blame of others. Well, I'm sure that all of our listeners could say, "Well, a lot of people do those things." And they might even say to themselves, "Well, I do some of those things." Has Samenow made a criminal out of 99% of the human beings on the face of the earth? Which would be a reasonable question. In looking at thinking patterns –and really I'm talking about what I call errors in thinking. That some of these patterns that I've already described, if present to an extreme, and in combination with one another, the result is that people are hurt, either financially, emotionally, or physically –and so every one of these patterns exists along a continuum. And let me give you just one other example, and that is the criminal sense of uniqueness. Now everybody is unique, physically, psychologically, experientially. But the person who makes crime a way of life, sees himself as unique and that he is superior to others. I've had more than one person say to me, "I could do your job." But the clear implication...

**Dr. Dave:** (laughs)

**Samenow:** ...but the clear implication is he could do it a lot better than I do.

**Dr. Dave:** (laughs) Right.

**Samenow:** And for these offenders who say it, you know maybe some of them could. But it is not incumbent on them to go to school, get the degree, do the internship, get the credentials...it's, "I think, therefore it is." Thinking makes it so. So if you have nine of these people on a baseball team, each of them thinks he's the captain.

**Dr. Dave:** (laughs)

**Samenow:** And he's going to run that team his way, or quit, or stick around and make life miserable for other people. Now, that in combination with the other patterns I've mentioned, as well as others we don't have time for. You end up with a person who has a radically different view of life from the person who's basically responsible. And one of the problems – even when we have times like this – it's to not oversimplify. I don't want you or our listeners to think I'm dividing the world into the good guy and the bad guy – because we all make errors in thinking. We have all lied. We all at times have been insensitive to others. And at times we have all defaulted on obligations or blamed somebody or something for something we've done. But, it is infrequent; it is at a very low level. But you take the kind of person for whom these patterns are extreme, day in and day out, and the whole equals more than the sum of the parts. And, in fact, Dr. Van Nuys, in the early days, in the original study at St. Elizabeths, Dr. Yochelson was talking about calling the three volume work that we wrote, The Criminal Personality, The Criminal Breed, B-R-E-E-D. Now, he didn't do that for two reasons. Number one, is that it smacks of genetics, you know, that somehow there's a criminal gene or something, which we don't have evidence of. And the other is that it would perhaps be misleading, and so he called it The Criminal Personality. But if any of our listeners have worked in a correctional facility, or if any of our listeners have a person like this in their family, or have worked in an environment with such a person, they know how radically differently this person thinks from the individual who basically is responsible.

**Dr. Dave:** Okay, you know, you mentioned errors in thinking, cognitive errors, and of course there's been this whole cognitive revolution in psychology and in psychotherapy with cognitive behavioral therapy being, kind of having emerged as the dominant or at least the most frequently practice approach. Is there...I'm wondering to what extent you might have been influenced by that movement or if this is somehow kind of separate from that?

**Samenow:** Well, I'll tell you. Dr. Yochelson had actually developed the terms "errors in thinking" before I came and joined him in 1970. So in the 1960s he – who was psychoanalytically oriented – was abandoning the psychoanalytic approach in working with offenders and turning to a study of thinking.

**Dr. Dave:** Mm-hmm.

**Samenow:** So actually, he was not influenced by somebody else doing cognitive work, he was developing this on his own with an offender population.

**Dr. Dave:** Okay. Well, let's talk about your book The Myth of the Out of Character Crime. What was the impetus for writing that book?

**Samenow:** Well, so often in newspapers, or on television, or on radio, when a particularly shocking or strange crime, disturbing crime was committed, people try to make sense out of the experience. And so often you read that this person had no criminal record. That he was a very accomplished person. He had risen to a level of prominence in his career, highly educated – not always. But, I mean, you read this. He was a Deacon in the Church. And even people who thought they knew him well, will say it was totally out of character. And then they'll explain it by, "Well, he flipped out," or "It was stress," or "He snapped under the ordeal he was going through." So the basic premise is, this was a fine human being who just who just snapped, did something that was alien to his personality. And I thought that that occurs with such frequency, and of course even in my own development in this field, I would think that. And I know that it isn't true, and the reason I know it is again, because I have spent all these decades working with offenders of almost every kind that you can imagine. Furthermore, if you think about it, you can't do something out of character. It would be like asking this table in front of me to fly. It's not going to fly. It's not within its makeup to fly, I mean unless somebody throws it. And so it is that it's impossible to do something that is totally alien to the way you've been your entire life.

**Dr. Dave:** Yeah, in fact you say that close study reveals that the crimes are never out of character. That people who think that they're out of character simply didn't know the perpetrator well enough.

**Samenow:** Well, that's absolutely true and I described one case, and I can just give you again a quick thumbnail of it...

**Dr. Dave:** Oh, yeah. I love case examples, feel free to throw in as many as you like.

**Samenow:** Okay. Well, this particular individual was a young man, again with no criminal record. He was entering college, so I mean he was a good student, had gotten into a good school out of state. And he committed a brutal rape. He followed a school bus, saw a teenage girl, high school girl, get out of the bus, go into her house. He had followed the bus before, kind of staked out the house, saw there was no car there so she was going into the house alone. And so one day he parked his car, he went around to the back of the house. The door was open, he went in and he raped her. It was horrible, fifteen-year-old girl. Now even his father said that it was totally out of character. I mean he had not had any history of violence. I mean he didn't kick in the walls when he got mad, you know punch holes in walls, he had not been in school yard fights. And certainly there was nothing of a sexual nature, no violence of a sexual nature. So, how does one understand this? Well it turns out, first of all, that when he was...the perpetrator was a young child, pre-adolescent, that he would write these sexual scenarios and trade them with a friend of his. They would each write different sexual scenes. He stopped doing that when some of his were of a homosexual nature, as well as a heterosexual, because he didn't want the friend to see them. And he kept writing these stories. When the police, with a warrant, searched his home, they found a mountain of stories of increasing length and complexity that described the most brutal sexual fantasies – violence against children, against teenagers that this guy had written for many, many years.

Furthermore, he had been working part time at a drug store and there was a

female employee, close to his age, that he became infatuated with and he followed her home at night when they got off. She didn't know she was being followed, but he stalked her, and would park in front of her house, fantasizing and masturbating. And this was a repeated pattern. Now he never did anything further than that. But the thinking was there, the fantasies were there. So, when he was seeing this school bus stop in a neighborhood, where a lot of people were not home because they were working. And it was in the early afternoon, around 2:30 or so, 3:00, and he saw this girl, this was an opportunity to put into behavior what he had fantasized about for years and years and years. And so, he stalked the place out and he did what he did. Now, it's understandable that his father said that it was out of character. His father had no knowledge that he had written all of these stories and had all of these fantasies. And there was a lot more to it in terms of his fantasies, sexual fantasies about celebrities, his behavior toward women that he dated, his proprietary interests and how controlling he was. I mean there's a lot more to it. But again, you know, these people do not announce their intentions to others. They are very secretive and the fact that he was smart, that he was good-looking, that he was charming made it that much easier for him to disguise his intents and his interests.

**Dr. Dave:** In fact, this is kind of a theme that runs through the book, is that even parents and close relatives who would be presumed to know the perp better than anyone else, quite often, they just don't.

**Samenow:** Well, that's very true. And I'll tell you – sometimes things that parents make a lot of allowances for turn out to be serious...

**Dr. Dave:** Mm-hmm.

**Samenow:** ...and that's a problem because they're serious and sometimes they're not. So let's just take something that a lot of parents are familiar with. This has nothing now to do with sexual violence or anything major like this. Take the kid who is a non-performer academically, I mean there are a lot of those. And now we're talking about kids who are of average, or above average or

even superior intelligence. And now let's restrict it to a kid who is of above average intelligence, who never seems to crack a book but he does really well. Well, you know, he does well so yeah, a parent might be disturbed that their child never opens a book, doesn't seem to do much homework, does well without ever working, and that can describe a lot of kids for a variety of reasons. However, this is a youngster now, that we're talking about, prides himself on never having to work, who always looks for shortcuts, looks for the easy way out. And so as life goes on and school gets harder and it's more demanding, and he puts in the same amount of – which is virtually none – in terms of effort, and his grades start to go down. Because in elementary school it was fine, he gets to junior high, to high school and he has to meet the demands and requirements, not of one teacher but of five or six, quizzes, papers, tests, projects, and deadlines. So, this stellar student, honor roll student, now starts to drop to B's, then to C's, occasionally gets a D. Well, you know, that doesn't mean that he's going to be a career criminal or that he's going to commit a rape. But it is an indicator of what I would term an error in thinking. It's this I can get what I want with the least amount of energy, with the least amount of effort. And these are people for whom effort is very, very alien. A lot of them drop out of activities when things get boring, when things get difficult, they don't want any part of it. And so it goes there is an expanding and intensifying set of patterns. And that is the problem that we cannot always predict at a very early age. In fact frequently we cannot predict who among these people is going to grow up to be a perpetrator of crimes, but – and I wrote another book about this called Before it's too Late – there are certain patterns of thinking, errors of thinking, which if they expand and intensity over time... we may not know whether the person's going to be a criminal but we certainly know there are problems and that the person is being less responsible than he might be and that there are costs to this. Now, going back to the case I just mentioned, this particular young man who committed this brutal rape, he actually was another one of these people. Although he did get into a good out of state school, he did it with the minimal of effort. Everything for him was, "How

do I find a way around it?" You know a success by any means, cheat, steal, lie, whatever it took. So I mean there was a whole mentality there that because he was smart, because he was charming, because he was good-looking, people made a lot of allowances for him and really just thought that, you know, maybe he was a little bit different, maybe he was a little bit slick, but they never really knew his personality.

**Dr. Dave:** You know, you're making me think of white collar crime as you're describing this kind of person. I'm remembering a book that I read called Snakes in Suits. I don't know if you're familiar with it but two...

**Samenow:** I think that was by Robert Hare, right?

**Dr. Dave:** Yes, yes. And so I guess there's kind of a continuum that ranges from people who do really serious kinds and get themselves into serious trouble and do violence to others and then that continuum kind of moves all the way up to, sort of, normal and somewhere on the way to normal are these sort of sociopathic personalities in business that are, you know, taking short cuts, let's say.

**Samenow:** Well, let me say this and I think this may surprise some of our listeners. You know, there's really not that much difference between the white collar criminal and the person who commits a rape or a bank robbery. Oh sure, I mean there may be differences in terms of education, academic knowledge – but let's think about it. A white collar crime – or a series of white collar crimes – is really about power and control. Many people do not embezzle or commit some of the crimes that we read about because they need the money. I mean, I'm talking about the white collar offender. They do it because they can do it, because they outsmart others, that they preserve a view of themselves and the world. They are able to control others; they have power, which they can use in whatever way they want. They can bend the rules in ways that others aren't even aware that they are bending the rules until perhaps things get out of hand. Well, what is a bank robbery about? It's about control and power. It's the same mentality, the person who is going to

take what he wants. One does it at the end of a gun, and the other does it by a series of – and it may be a lengthy series of – manipulations. But it's the same thing. It's power and control for its own sake. It's the buildup of the individual by showing that he is special, he is unique, he is different from others, that whatever rules apply to others do not to him. So there's not really much of a difference. Criminals have their tastes and preferences in crime to be sure, but the thinking errors are the same across different types of crimes.

**Dr. Dave:** Okay, fascinating. You know earlier you were describing that rape – and I know that you've dealt with murder cases, you've dealt with crimes that are particularly heinous – and I'm wondering, how do you personally keep yourself from being traumatized, hardened, etc.? We hear about cops who, you know, develop very hard shells of a result of seeing so much of the negative side of human behavior. Has that been an issue at all for you?

**Samenow:** Well, it really hasn't and I think there are a couple of reasons. One is that I just happen to be a very positive person.

**Dr. Dave:** (laughs) Good for you.

**Samenow:** That does not mean...I mean I'm not a Pollyanna or some dewy-eyed optimist. But essentially in my own personal life I am a positive person. I think that definitely helps. Second, you have to maintain a perspective when you are involved in this work, understanding that evil, and yes I do not mind using the word evil, exists and that I am dealing with a subset, a small one, a small part of a population that inflicts a disproportionate amount of injury and mayhem. And that actually most people go about their business, their daily lives, living the best way that they can and that this is a relatively small segment of humanity. I think that perspective helps. And the other thing is, that in counseling offenders – and I do do some of that, it's not just evaluating them – I understand my own limits. And my self-esteem is not measured by the everyday ups and downs of what they do or what they don't do. So I try to keep my expectations realistic both on myself and of the person that I'm counseling. I think all of that helps.

**Dr. Dave:** Yeah. Now I gather you've done a lot of work as an expert witness and I'm under the impression that that can be a pretty withering experience when psychologists are subjected to cross-examination. What's your experience been in that regard?

**Samenow:** Well, I know this is going to sound very strange to a lot of people. I actually like being in the court room. Now, let me explain what I mean by that. I regard court testimony as like a final exam. It means that when you get into the court room, well before you get into the court room, you've got to know every aspect of the case. Moreover, if you're going to resort to materials you've got to have them absolutely organized because if you start fumbling around with papers that can really be your Waterloo. In court, it is the final exam. And to maintain your composure, to not take things personally when a lawyer is trying to tear you down, because of course sometimes if they can't combat the message they'll try to attack you personally.

**Dr. Dave:** Mm-hmm.

**Samenow:** And I think it is a challenge to try to marshal the facts, present them the best way you can. To keep your opinions to what you can ethically and reasonably state with a reasonable degree of psychological certainty as they say. And to say I don't know when I don't know, and also to be very clear about what you're being asked and if necessary know how to borrow a little time while you think by asking the attorney to re-ask the question. There's a lot to it; and it's challenging, it keeps you on your toes. And again I think the main thing is that you cannot take personally the attacks that are likely to be launched. And it takes some thickening of your skin to do it. I can tell you I certainly wasn't that way in the beginning.

**Dr. Dave:** Right, I'm remembering you back in graduate school and I never would have...I didn't know you well but this is not a role in which I would have pictured you but I have to say as I read your book and I talk to you my

hat is off. I see you as a knight crusader, in armor, bravely moving forward (laughs) to battle dragons.

**Samenow:** Well, I appreciate that. The strange thing is that I deal with this tough population but I'm actually a nice guy. I mean I am not a hard nose. And even when I'm talk to offenders, I really talk to them the way I'm talking to you on the phone.

**Dr. Dave:** Mm-hmm.

**Samenow:** I'm not confrontational. I'm not, you know, they're people.

**Dr. Dave:** Yeah.

**Samenow:** And I talk to them and it's...let me put it this way. If I despise these individuals, then I shouldn't be in this work because I would not be able to be in the same room, to have a conversation, to show a certain amount of respect. And moreover Dr. Van Nuys, my home address and phone number have always been in the phone book, always.

**Dr. Dave:** Interesting.

**Samenow:** And knock-on-wood, we've not had any problems. And I think the reason for that is, or at least one reason – and I've dealt with people from death row on down in terms of seriousness of crimes – is that when I am in the room interviewing an offender, whether it's in jail or in my office, even though I most likely would not elect to have this person as a friend, I don't like the things he or she has done. I do respect the fact that the person still has the capacity to make choices and he or she is a human being. Now that may sound like a platitude, but unless you have that attitude you can't talk to people who have murdered, raped, committed arson and done these other horrible things.

**Dr. Dave:** Yes. One of the great things about the book is that you have given the reader a front row seat into this investigative process that you're involved in,

so we really get a sense of it. You describe the steps you got through in your forensic interviews. Maybe you can kind of give us an overview of that process. For example, who hires you? Why do they hire you? What are they hoping you're going to find out? And then, what do you do to go after that information?

**Samenow:** Well, two things. I may be hired by the defense or the prosecution and because one or the other hires me that doesn't guarantee the opinion I'm going to come up with. In other words, if you were in this field, your opinion cannot be for sale. In other words, even if you're being paid by the defense, I make it clear right from the beginning that I am an impartial investigator, that I have no idea when I begin what I'm going to come up with will be helpful to the case of the defense attorney, or the prosecution or not. That must be understood at the beginning.

**Dr. Dave:** Mm-hmm.

**Samenow:** So that's the first thing. Second, is that I want to be able to spend time with the defendant. Quick evaluations are worth very little. It is very difficult, even in our everyday life to get to know another person. And you can imagine how tough it is when that person is facing possibly a life or death penalty, how difficult it's going to be to interview somebody when he has that at stake. Obviously, he is going to want to present himself in the best light. Obviously, he is going to want to minimize culpability if possible. So there are two evaluations that are being made. I, of course, am evaluating him. But he is certainly casing me out, just as he has cased out others all his life for his own particular purposes. He wants to know who he's dealing with. Is it some hard nose guy? Is it somebody that he can easily divert or deceive? So, I mean that I know this from the beginning. And so as I go along I don't have tricks, I don't do anything to try to test people to try to artificially see how they react. I am very candid with them about what I'm there for, what the limits of confidentiality are, if there is to be any confidentiality. I'm taking notes, I tell them, you know, why I'm taking

notes. If I have to prepare a report, who I have to prepare it for. And of course it depends on what I am being asked to do, but I do need to be sure the person I'm talking to is competent to participate in this evaluation and maybe even competent to stand trial. Does he know what he's been charged with? Does he know the range of penalties that could apply? Does he understand that he's going to trial? Does he know who his lawyer is? Does he understand the process? And I have to formulate at some point whether he is following me and understanding what I'm doing. So, you know, I don't come in there with some bag of tricks, but I talk to him about himself and about his life. And often I do not start by talking about the crime or crimes of which he is charged because, obviously, that is the thing he is likely to be the most defensive about. So I want to try to understand who this person is. If we had a 24-hour a day video tape of his life, how would we see him going about his life? When he meets up with frustrations, with disappointments, does he...how does he handle money? How does he spend his time? How many jobs has he had? Why has he lost his jobs? How does he function in his family – if he has a family? Who matters to him in life? What matters to him in life? I mean I want a picture of this person as a human being, because there's got to be a context in which the crime occurs. Furthermore, I want to understand – and this was the theme right from the beginning of our podcast today – is how does his mind work? How does he really look at himself and the world? How does he think? And my antennae are out for errors of thinking, which we have discussed somewhat earlier. So there are a series of interviews, and I try to see this person two or three hours at a time if possible. In other words, this is in-depth interviewing, and depending on what I am asked to find and what the stakes are for the defendant. I said I spend 34 hours with Lee Boyd Malvo, as well as reviewing all sorts of documents. So it generally is a process in-depth.

**Samenow:** I'll say. And so multiple interviews, over multiple days and you also sometimes also interview family members, friends, employers as well?

**Dr. Dave:** Absolutely. I ask to have contact with others who know the person well. Now, it's more difficult, of course, if I'm seeing somebody, evaluating someone for the prosecution, but even then, you know, if you were a parent of... If you a son charged with a serious crime you might very well want to talk to the prosecution, to tell the prosecutor about your son and your understanding or your lack of understanding about why your son did what he did. So in almost every case I've had the opportunity to talk to family members, or others who know this person well. And, of course, I read police reports. I sometimes interview the police officers who were the investigators in the case. You know, it all depends on what is available and what I need to do.

**Samenow:** It's got to be gratifying to feel that you are kind of on the front lines, that you're really getting in on the details of these rather dramatic cases and that you're really helping to decide life and death issues.

**Dr. Dave:** Well, let me put it this way. If you put yourself in the place of a defendant, which I think you have to do. I mean, you may despise what he did, you may not like a lot about him, but the person is entitled, by our system, to the absolute best defense he can get. And I think that when a court makes a decision – when I say a court it could be a judge, or it could be a jury – is going to make a decision about what penalty, how long, well whether a person is going to be found guilty and if so, how long he or she will be kept out of society. I think it is extremely important for that jury or that judge to have as much knowledge as possible so that the best decision can be made.

**Samenow:** Yes.

**Dr. Dave:** So if I can contribute to that process then that is definitely a plus.

**Samenow:** Yes, yes.

**Dr. Dave:** So you see, actually, even though here it is – and I got my degree from the University of Michigan in 1968 – and here it is 2010, I still retain more than a shred of idealism.

**Samenow:** (laughs) Good for you. What are some of the tactics that defendants use in the interview to deflect you, to try to control the interview, to deflect from taking any responsibility for what they've done?

**Dr. Dave:** Well, I think the control of the interview is the most interesting. And I said earlier that I will start with the subject that may have very little to do or nothing to do on the face of it with the crime. And so, you know, you're talking with somebody about money. And how a person handles money, how he obtains money, how he spends money, says a lot about him. I mean that would be true of any of us. So, I mean, you get a guy who says, well, you know, "I never could get ahead. I was always struggling and I'd go to these jobs and, you know, I'd get depressed and then I would drink and I wouldn't go to work, and then I'd be fired. And, you know, my money just all seemed to go." And he's giving you this story that really makes you think that somehow he just was one of these people who just couldn't make it. And then you start to question the story. And when he says he's depressed, what he's talking about is that he spent all his money on drugs and he had no money left. And then he was hung over so he didn't go to work. So then the employer, after putting him on probation, finally fired him. So in a sense he was the author of his own depression. He created the circumstances in which he ended up without a job, again and again, with no money again and again, with a loss of faith in him by his own family. But when he tells you about it, he makes himself the victim, initially, but it turns out that by his own irresponsibility he has put himself in this position time and again. That's just one example.

**Dr. Dave:** Okay. I'm aware that our time is running short. I had so much that I wanted to talk to you about and ask you about. Let me try to end with a couple of large questions (laughs). In the history of our civilization, of

psychology, criminology, etc., I think there was a point at which it was thought that criminals suffered from a moral character flaw. And then psychology comes along and emphasizes a more deterministic model based on early childhood experiences, genetics and so on. And now it seems like you're bringing us full circle back to the moral character flaw.

**Samenow:** Oh, you would ask the question that has to deal with cause, I think, you're kind of getting at.

**Dr. Dave:** Yes, yes, I am.

**Samenow:** And my answer is that I don't know. You can get ten experts and get twelve opinions. The patterns of thinking and behavior that we've been talking about in many cases start very, very early. And you can't really attribute it to the environment alone. In fact, in almost every case where I've interviewed an offender from a very dysfunctional, difficult, impoverished, environment that person has a brother or sister, maybe more than one, who grew up in the same circumstances but dealt with it differently. And in fact what has impressed me more and more over the years is not the environment from which a person comes, but how he chooses to deal with life. But, to try to answer your question, even if, and I'm saying even if the causal enigma could be unraveled by biological factors or genetic factors; genetics is not destiny. In other words, even if there were a genetic predisposition to this type of personality that would not mean that a person has to end his life in prison or in the gutter. And in fact there's a whole other podcast if you want to do it sometime about how to try to work with some of these people to help them change. Moreover of course, if you know there's a predisposition then there's all the more reason that you can try to avoid acting on such a predisposition. Having said that...the answer is, we don't know. And so, my focus is on thinking, not on causes. It's to take a scratch on the table approach and to say we don't have to know why the table is scratched, how it got to be scratched, we need to know the makeup of the table in order to know what to do. Similarly we don't know why the offender is the way he is,

we could have a zillion different theories, but we need to know how he thinks so that we're in a better position to make informed recommendations as to what should happen. And in some cases, albeit a minority of cases, to work with some in the process of change.

**Dr. Dave:** Okay, okay. I'm tempted to ask you more about evil but I'm sure that would open a whole thing. You know I'm tempted as the lawyers do on the lawyer shows on TV, "The witness opened up the door, Your Honor," (laughs) on the topic of evil. (laughs) Is there anything that you want to say about good and evil?

**Samenow:** Well, no. I realize that I introduced the term earlier by saying something about evil. But the thing that I think makes people most resistant to what I've written and some of the things that I've said, is it's very hard to imagine a person who chooses evil over good repeatedly. The human mind does try to make sense of experience and so we look to why. And we want to be able to explain evil in terms of a bad childhood or in terms of something that went horribly wrong, something outside the individual. And that is of course what I believed when I first started his work and then found that none of those alleged causes turned out to really have much to do with it at all. And to accept the fact that there are people who are from an early age have inflicted incalculable harm on others, including those whom they profess to love, and we still don't really know why, that's pretty hard to accept.

**Dr. Dave:** Yes, yes. Now, you know I've been a professor at Sonoma State University here in Northern California and it's been fascinating to see all these perky, young, psychology co-eds who say that they're planning to go into forensic psychology to become profilers. I guess that all the movies and TV shows about criminal profilers have caught the imagination of young people. What sorts of opportunities are there out there for would be profilers? I would think they'd be pretty limited, but maybe you know something about that.

**Samenow:** I think they're pretty limited but honestly I think I'm the wrong person to ask because I just don't know the extent to which law enforcement agencies are looking for such people. I think there's a lot of glamor attached to this, as you just mentioned, because of the very, very popular media shows. But I don't know how realistic that is to be setting one's sights on for a career.

**Dr. Dave:** One last question. You know some proportion of my listeners are in fact psychotherapists of various sorts, mental health workers and so on. What about working with court mandated clients? Do you have any advice based on your experience for other professionals as to how to approach that situation where you need to enlist the cooperation of somebody who has been ordered to talk to you?

**Samenow:** Well, most of the people that see me aren't there because they've chosen to be there. They are sent to me by various courts and social service agencies, schools, dragged to me by their families. So, for this population sometimes you need external leverage, you need the knowledge that something worse will happen than has already happened just to get their attention. I mean you can't force somebody to change against his will, but it's always a \$64,000 question, what does it take to get somebody's attention? Therefore court mandated counseling is not necessarily a bad thing. It's true, the person comes in to see you against his will, sometimes however, in the course of your counseling and treatment the motivation actually changes and develops. But that's another whole story, that's another whole podcast.

**Dr. Dave:** Well, great. I'm glad you keep referring to other whole podcasts because I think you're a wonderful guest and I'm going to keep you in mind as my go-to forensic psychologist and if you're open to it we will have other conversations down the road.

**Samenow:** That is fine. You're a great interviewer and it was good to reestablish contact with you, and I thank you very, very much for the opportunity.

**Dr. Dave:** Okay, well Dr. Stanton Samenow thanks so much for being my guest today on Shrink Rap Radio.

**Samenow:** I thank you and let's stay in touch.