At a recent family reunion in North Carolina, I was having breakfast with my aunt, who growing up was more like my sister as we are less than two years apart, her adult kids and husband and my eleven-year-old son. We were laughing and catching up on all of our lives. At one point, her kids shared a story about while growing up, they would go to events like the state fair and be one of the few families of color present. They would look at each other, smile, and say “Spot on a cow.” This is how they acknowledged that they were some of the few people of color at an event or outing. Everyone at the table, including my son, laughed at the phrase spot on a cow because all too often we have been a “spot.” Since the family reunion, which was a great time, I have thought about this phrase and how wonderful it feels to give voice to something I have experienced all my life. In this brief essay I will explain how being a spot on a cow led to my becoming a forensic psychologist and how it continues to shape the way I conceptualize and conduct forensic interviews.

Graduate school was a challenge in so many ways. As one of few people of color in my program, teachers included, I was a spot on a cow in the pasture of academia. I was constantly reminded of my spot status because many of the theories or empirical findings often did not reflect the nuances of my own experiences and identities as a person of color. It was as if the theorist and researchers saw a cow that was all white and I saw a cow with many different spots.

At this point, I should fill you in on a bit of my background. My mother grew up in the projects at a time when most of the residents were two-parent working families. In high school, she took a vocational test, which indicated that she should be a hairdresser, and that became her occupation for many years. My mother had me when she was just eighteen years old. She earned her college degree when I was in elementary school; and later, while I was still living at home, she went on to earn a law degree. Some of my fondest memories are of going to the law school library with her where we each did our homework. During my upbringing, my mother was either single or in a long-term, ten-plus-year relationship, but never married. So, on the “books” she was still single. Growing up, many of the adults in my family were in long-term relationships, but few were married. When you were poor, the kind of poor where your kids are eligible to receive free lunches at school as many of my cousins were, marriage did not make it to your “hierarchy of needs.” Instead, you were more concerned about the basics, such as keeping the lights on and paying rent, because even if you lived in the projects, you had to pay something. At a fairly young age it was apparent to me that African American mothers learned to be cautious about telling people in an official role, including researchers, that a man lived in the house. In college, I learned this was a legacy of Lyndon B. Johnson’s “War on Poverty.” As a graduate student, this knowledge and my life experiences caused me to question the validity of the findings that pointed out problems of being raised in a single-parent family. This questioning was a constant reminder of my spot status.

Growing up in Baltimore, Maryland, my world was compartmentalized in many ways. (That is a fancy way of saying I was a spot on different cows.) First, my family lived on a different side of town than the other branches of my family. We lived in the “White” working-class side of town. Not only was I a spot in my neighborhood, but growing up, I knew the pain of being told by people who looked like me that I “sounded White.” Let’s be clear, this was not said in a kind tone. Instead, it was said with the kind of disdain you would expect if I told them I had a
contagious disease and wanted to share a fork with them. Second, I was the “scholarship kid” at a very selective private school in the suburbs of Baltimore, The Park School. I ended up at that school after I was asked to leave Catholic school when the nuns informed my mother that I talked too much, and since she would not allow them to use corporal punishment with me, as was their policy, she needed to find a different school for me. The nuns pointed us in the direction of that liberal, suburban, private school. As I remember it, there were two African Americans and two Asian Americans (a boy and girl) in each grade. Although the number of students per class was small, the spot status was apparent. That school was a mixed blessing. On one hand, it exposed me to a world of thinking, creativity and resources that I never knew existed. On the other, my spot statuses were glaring (e.g. being a person of color, being from a lower middle-class background and being a “city kid”). One of my strongest memories of that school is the end-of-the-year activity, when we went to a classmate’s house and hung out at her pool all day. The pool house was larger than the house I lived in, for which my mom worked hard to pay the mortgage each month. The irony was, at that time in my life, I could count on one hand the number of relatives I had who lived in a house and not an apartment, and an even smaller number of those who actually owned their house. My aunt’s family routinely acknowledges, discusses and laughs at being a spot on a cow. Growing up, this sort of thing was not talked about in my house. Looking back on it I think, in part, this is because growing up my mother lived in a world of spots and didn’t become an isolated spot until she was an adult. This allowed her to limit the amount of time she was a spot. As a result, I don’t think she considered, or didn’t even know to think about, the potential developmental impact of growing up as a spot. Having had that experience, spot status is something that is talked about in my own household today.

Forensic psychologists debate the role empathy should play in forensic assessments. Some, such as Shuman and Zervopoulos (2010), argue that empathy should not be part of our work as it can negatively impact the forensic psychologist’s objectivity. Others, such as Mulay, Mivshek, Kaufman, and Waugh (2018), argue for the role of empathy in forensic assessment. Empathy is a large part of my work and is fueled by my sensitivity to issues of diversity and multiple identities or my chronic spot status. When I was in graduate school, many of my male cousins were incarcerated. To this day, this gives me empathy for those I interview. Driving home after spending many hours interviewing a defendant in a prison or jail, I often think “there but for the grace of God, goes someone in my family,” my take on the saying “there but for the grace of God, go I.”

I believe my chronic spot status, as well as my understanding of psychology, helps me to see what an attorney might label a “bad fact” in a different light. For example, when I was growing up, members of my family were involved in illegal activities, such as being in a gang and selling or using drugs. I loved them as much as I loved the members of my family who were not involved in these activities and spent their time praying for everyone to become a good Christian and as much as those who frequently talked about Jehovah. I grew up knowing that what you did to survive was not necessarily a reflection of who you were as a person, but a reflection of the survival choices you could identify at the time. I remember when one of my male cousins started selling drugs. Although I didn’t have the words for it at the time, I saw this choice as a form of resilience – for example, he chose to sell drugs instead of robbing someone. Not robbing people is a good thing. Viewed through the lens of privilege, that same situation would look quite different. Instead of seeing the choice as one of resiliency, it would be viewed negatively – such as, “he could have been going to school to make his life ‘better’ instead of selling drugs.” But this view fails to appreciate the nuances of his life. For example, I knew he started selling drugs because his mother, who was addicted to drugs, would go on binges and disappear for weeks at a time, so in order to earn money to feed his siblings and to keep their apartment, he sold drugs. My belief that the “bad facts” of a person’s life may look different when viewed through a cultural, economic, or developmental lens, is an important part of my clinical forensic work. To avoid the allegiance effect (Murrie, Boccaccini, Guarnera, & Rufino, 2013; Neal, 2016), I strive to find the “why” behind “bad
facts” regardless of who has retained me to conduct the evaluation.

My empathy is also rooted in being the mother of a biracial boy. I must raise him to navigate a world that will see him as Black, as a spot on a cow and not as a cow. I understand and know that despite my education and financial resources, the numbers are stacked against my son just as they are for any other Black male in this country. According to Kerby (2012), seventy percent of the students who are arrested because school officials contacted the police, are students of color. My son can’t wait to drive. As his mother, I am scared for this day to come. I am not concerned he will wreck the car, it can be replaced. I am scared because I know that driving a car will increase his likelihood of interacting with the police. Male drivers of color are three times more likely to be stopped and searched by police than their White counterparts; and police are four times more likely to use force when interacting with an African American male (Kerby, 2012). Furthermore, we live in Chicago, a city where four out of five people shot by police are African American males (Richards, Caputo, Lightly, & Meisner, 2016).

During an assessment in a criminal case, I explain to the defendant that one part of my job is to understand their life and experiences from their perspective and then translate that into a language the judge or the people on their jury, most of whom will be White folks, can understand. Often this is the opening to a conversation about instances where they felt that White people did not understand their world. In this conversation, I also explain that while being Black allows me to get closer to understanding their world, getting it “just right” requires them to share their experiences with me. I also tell the person I am interviewing that they should not assume, nor do I, that I completely understand them just because we are both Black or people of color. For my part, this conversation comes from a place of empathy and an intention of showing the defendant that I respect them as an individual, while still acknowledging our commonalities. Although we both may be spots, we are not identical. I believe having a conversation about race early in the interview process serves to build rapport.

Empathy, respect, and an understanding of the potential impact of diversity have led me to hold a different version of the race conversation with the White defendants I interview. Those defendants have fallen into one of two camps: those who were explicit in their disdain for people of color and those who were not. In the former, we spend time at the beginning of the first interview talking about what is it like for them to be interviewed by a Black woman and potentially have a Black person testify for them. As I do with any defendant early on in the interview process, we talk about their tattoos. I ask them to tell me what they did to get each one and what each one means to them. I have listened to defendants describe how the tattoo reflects their love of the White race, hatred for people of color and/or how the tattoo was “earned” by assaulting a person of color. I believe it is important to have this conversation early on because it conveys to the defendant that I want to hear all they have to say and do not want them to edit themselves because I am Black. I also want to convey that I want to understand them as a person and their multiple identities and that I’m not afraid to talk about the elephant in the room. I discuss race with White defendants because, as an African American forensic clinician, I am aware that my race does not come with privileges that Whites are afforded (see Crosley-Corcoran, 2014; Glanton, 2018; Kendall, 2002; McIntosh (n.d.) for discussions of white privilege).

I firmly believe discussing race early in the process changes the nature of my assessments for the better and allows me to obtain more, not less, data from those I am interviewing. Further, it acts as a springboard for my attempt to collect a fuller picture of a person’s life, experiences, and functioning. Spots take many forms. Some obvious examples are gender, sexuality, race/ethnicity and socioeconomic status. I urge you to consider the ways in which you and those you interview have similar and different spots and consider how this impacts how and what you ask the interviewee, what the interviewee discloses and how you understand the responses. Since the majority of our members are White, I think an example might be helpful. Imagine that you (a White person) are conducting a resentencing evaluation of a White defendant. Are you sensitive to and willing to discuss with the defendant if he has ever been in such close quarters with people of other races or socioeconomic status before? (I urge you to
be willing to have this type of conversation with any
defendant, including those who are White.) Having
this conversation early on may make the defendant
feel more comfortable in the evaluation process and,
for example, be more willing to discuss how spots
might have contributed to the nature and number of
acquired disciplinary write-ups. You get the idea.
Imagine the same scenario, but with a Hispanic
defendant. Talking about spots early on in that
interview process conveys to the defendant that you
understand and recognize what the defendant
experiences daily—that spots impact the way we see
the world and how people are treated.

Those of you who are skeptical or “old
school” might say, “Okay, she is talking about
different identities and giving voice to them, but the
resentencing example is low hanging fruit. What
does that have to do with a Competency to Stand
Trial evaluation or a Not Guilty by Reason of Insanity
evaluation?” My response is that it is not about the
type of evaluation you are conducting but your desire
to become and remain a competent forensic
psychologist. The Competence section of the Specialty
Guidelines for Forensic Psychology (American
Psychological Association [APA], 2013)
acknowledges the importance of recognizing spots as
they relate to the clinician and to the interviewee. As
it pertains to the clinician’s own spots, refer to
Guideline 2.07: Considering the Impact of Personal
Beliefs and Experience. As it pertains to the
interviewee, Guideline 2.08: Appreciation of
Individual and Group Differences states “Forensic
practitioners strive to understand how factors
associated with [get ready for a long list of spots] age,
gender, gender identity, race, ethnicity, culture,
national origin, religion, sexual orientation,
disability, language, socioeconomic status, or other
relevant individual and cultural difference may affect
and be the basis for people’s contact and involvement with
the legal system.” (APA, 2013, emphasis added) The
bottom line is this—if you ignore or are unwilling to
discuss spots as part of an evaluation, you are not truly
considering the role those spots may have played in
the interviewee’s involvement in the legal system.
Which is, as we know, critical to a complete a
thorough evaluation.
References


