

Psychological Services

Michael C. Kleinot, Ph.D.
Licensed Clinical Psychologist

PO Box 39
Meadowview VA 24361
mkleinot@comcast.net

PSYCHOLOGICAL EVALUATION

Name: Joseph Armstrong #247324 SS#480-94-9624 **Date of Evaluation:** 9/18/04
Date of Birth: 7/10/77 **Age:** 27 **Examiner:** M. Kleinot, Ph.D.
Sources of Information: Virginia Department of Corrections records
Clinical Interview
Hare Psychopathy Checklist-Revised (PCL-R)
Violence Risk Appraisal Guide (VRAG)
Level of Service Inventory-Revised (LSI-R)
Minnesota Multiphasic Personality Inventory-2 (MMPI-2)
Personality Assessment Inventory (PAI)

REFERRAL AND BACKGROUND INFORMATION:

Joseph Armstrong is a 27 year old, never married, Caucasian male who is serving a Life plus 40 years prison sentence in Virginia, for a first degree homicide and various firearm and robbery offenses in January, 1996. He entered the Virginia Department of Corrections (DOC) in July, 1997. Some four days after Mr. Armstrong was placed at Red Onion State Penitentiary, a maximum security prison, his cellmate was found dead, reportedly due to strangulation. He was indicted for this offense, and is currently on trial for homicide in the Circuit Court of Wise County. This is a capital offense and, if convicted, Mr. Armstrong could receive the death penalty. This psychological evaluation was conducted upon order of the Honorable J. Robert Stump, presiding Judge, upon motion of the Commonwealth's Attorney of Wise County. The referral request was to assess Mr. Armstrong's level of dangerousness and potential for future aggression.

Mr. Armstrong was born in Iowa. His father, who has reportedly himself been in prison twice, currently convicted of homicide, was an abusive individual. However, according to DOC records, his parents separated when he was six months old, and he had no subsequent contact with him. That is because his mother took him and his two older siblings to Colorado, where he was subsequently raised. She remarried when he was 4 or 5 years old, the marriage ending with the death of his stepfather after a household fire several years later. His mother remarried when he was 12 years old, after having lived with this stepfather for several years. Mr. Armstrong indicated that he has high regard for his stepfather, who remains married to his mother, considering him to be his father. With an additional two step-siblings (one of whom is also reportedly incarcerated), the family was described as leading a middle income lifestyle, and Mr. Armstrong reported that they did some things together, such as camping. He reported that he was in his school band (primarily clarinet, but also electric guitar), and, during junior high school, participated on the football, wrestling and swimming teams. He was reportedly a Boy Scout, saying that he was one merit shy of Eagle Scout status. However, there were also some behavior problems during adolescence, and less involvement in such activities during his high school years. Mr. Armstrong reported, when asked, that he was suspended from school on "quite a few" occasions during his junior high school years, for incidents such as,

“Basically opening up my mouth, standin’ up for things.” He estimated that he was involved in 2 fights per year during his 3 years of junior high school. He indicated that an estimated 6 suspensions were for 1, 2 or 3 days per occasion, and that his mother would have to come to school. Although some incidents were relatively minor, such as making a face during a class photo, Mr. Armstrong reported that at age 12 he shot a staple, using an elastic band, through both cheeks of another boy, causing bleeding and requiring stitches. Apparently this was a horseplaying incident. He said, when asked, that he ran away from home once, at age 12, after being suspended from school, reporting that he was picked up in Pueblo, Colorado at 3:00 in the morning after having walked some 30 miles. He indicated that his grades were better in junior high school than in high school, although he generally made decent high school grades. He reported that he graduated from high school in El Paso County, Colorado in 1995, indicating that he was permitted to graduate early, to enlist in the Navy.

Asked how many girlfriends he had in high school, Mr. Armstrong replied, “Shew! Probably a hundred. A hundred and plus.” He indicated that he first engaged in sexual intercourse at age 12, and was having regular sexual interaction with girls (denying any homosexual contacts, ever) at age 14 to 15. He had one significant such relationship, lasting 1.5 years, with the only girl that he had “actual feelings for.” That ended when he left for the Navy. Mr. Armstrong said that he had a significant number of heterosexual encounters after that, but none of them involving ongoing relationships, estimating that he had sex with “between 20 and 30” females. He reported that once, in a sort of competition with a male friend, he had sex with six different females in one day. He denied ever causing any pregnancies, or acquiring any sexually transmitted diseases.

Although denying any history of alcohol abuse, Mr. Armstrong acknowledged a history of heavy marijuana abuse, indicating that, during his AWOL period, he was consuming more than an ounce of marijuana each day, “It was like cigarettes, all day long.” He added, “I think that’s why I got involved with Angel Dust (PCP), although he denied any pattern of regular use or abuse of PCP, despite distributing it, saying that he only used it on 4 of 6 occasions. He denied use of other drugs. he indicated that he had begun use of marijuana at age 14 or 15.

There is no indication of any history of self-injury, or any form of mental illness. Mr. Armstrong has never received any form of mental health or substance abuse treatment. He denied any such history. All indications are that, with the exception of his injured finger, he is in good health.

Incarcerated since age 18, Mr. Armstrong had limited time to develop any employment record. He reported that, at the time of his original arrest, he had held a restaurant job in Philadelphia for two months. His most significant employment was during high school, when he reported holding a janitor job at the junior high school, apparently for longer than one year.

Mr. Armstrong has no record of juvenile offenses. However, he did accrue a large number of adult felony convictions in a relatively short period of time, after deserting his US Navy obligations, while AWOL. Mr. Armstrong now indicates that he went AWOL when he was told he would be medically discharged from the Navy, after severely cutting tendons/nerves in the middle finger of his left hand on bottles while attending a weekend party. However, back in 1997 he explained to two different evaluating parole officers – in context of two Pre-Sentence Investigations - that he went AWOL because he was upset that the Navy was not going to grant him the medical discharge which he was requesting, while also commenting about his “shattered goals” to one of them. During his AWOL period of some eight months, Mr. Armstrong had continued to receive his Navy pay, direct-deposited to his bank account. While he traveled up and down the East coast, he would contact the bank and

have them wire funds to him. During this period he was also distributing PCP ("angel dust") to points between Florida and NYC, indicating to a parole officer when arrested that he had earned some \$8000 doing that. He also reported smoking more than an ounce of marijuana per day during that period, although he minimized his use of PCP.

Criminal History: In 12/95 and 1/96, Mr. Armstrong was caught with marijuana, resulting in two subsequent misdemeanor convictions. Available records indicate that, on two or three evenings in January, 1996, Mr. Armstrong was driving around in a stolen vehicle with several acquaintances, while using a sawed off shotgun to effect robberies of surprised pedestrians or motorists. During one such evening, Mr. Armstrong was driving; during another, he was handling the shotgun. In one instance, a pedestrian, accosted by an accomplice on the sidewalk, grabbed the shotgun. It fired up into the air, and the accomplice returned to the vehicle. Later, an accomplice reportedly fired the shotgun at a motorist who had failed to comply with robbery demands with sufficient alacrity, killing him. Although available records seem to indicate that Mr. Armstrong did not fire the weapon, he later pleaded guilty to first degree murder, and was convicted of that offense. Several evenings later, Mr. Armstrong reportedly pumped gas into their stolen vehicle, then jumped back in as they drove off without paying, an offense for which they were caught, leading to his confession and conviction of more than 20 various felonies, all committed that month, with a total sentence of Life plus 40 years.

Prison Adjustment: A Virginia Beach jail intake form, dated 10/5/96, noted, "Subject was cooperative. Seems dishonest and very street smart and system wise... May be problematic while here." A DOC Mental Health Screening, dated 7/27/97, described him as polite and cooperative, listing no diagnosis, assigning a Mental Health Code of MH-0. A Beta (brief test) IQ of 116 was reported. Except for a few days of monitoring immediately after the death of his cellmate in 5/02, Mr. Armstrong has not displayed any mental health needs while incarcerated. A review of his DOC records reveal that he has displayed a poor adjustment since entering prison in 7/97. During a period of 7 years, he has accrued some 30 inmate offense convictions (a majority of inmates avoid any such offenses). In addition to being convicted of the inmate offense of killing another inmate (5/02, the incident for which he is currently on trial, which occurred some 5 days after he was transferred to that prison and housed with that cellmate), he has been convicted of assault on 4 occasions (7/98, 7/99, 10/98, 10/02), possession of a weapon (6/01, which Mr. Armstrong described as an 8" metal 'shank'), fighting (5/99), spitting on an officer (10/03), threatening bodily harm (10/03), indecent exposure (10/98) and damaging property (10/98, 11/98). Because of his behavior, he has spent more than half of his time in prison in special housing/segregation status, where he currently resides. In one assault incident, Mr. Armstrong's cellmate was asking an officer if he could be moved to a different cell, only to be assaulted by Mr. Armstrong while he was talking to the officer at the cell door, in full view of the officer. In 10/98, he flooded his cell. When an officer went to talk to him, he kicked him in the chest. Mr. Armstrong was only charged with using vulgar and insolent language when, in 8/98, he said to an officer who was making rounds, "Suck my dick". When the officer requested that he show him a little respect, as the officer did to him, he reportedly added, "I don't give a fuck - suck my weenie", then pulling out his penis and masturbating, adding, "Take this, motherfucker."

MENTAL STATUS AND INTERVIEW BEHAVIOR:

Mr. Armstrong appeared for the interview in shackles, as per DOC policy for inmates housed in segregation status, a well developed (6 ft. tall, 180 pounds) male who appeared to be in good health. He had a trimmed mustache, dark eyebrows, and slightly long sideburns relative to his closely cut hair. There was a dark tattoo about his neck and on his chest, depicting a heavy chain and medallion. Another tattoo was noted on his right arm. He mentioned working out, 4 hours per day, 5 days per week, this including 1000 pushups per day. Upon mention of his past finger cutting accident, it was noted that the middle finger of his left hand was intact, perhaps slightly crooked. He indicated that he could not move it properly. Mr. Armstrong displayed normal speech patterns. He was expecting this evaluation, knowing the context, having been informed of it by his defense attorney. During the extended interview, he was alert, cooperative and appropriate in interaction, with good social skills. He smiled frequently, and was somewhat charming in demeanor. His verbal skills were above average, and, in fact, he was verbally facile and somewhat glib throughout the interview. Rather than being anxious or ill-at-ease in the evaluation situation, Mr. Armstrong presented himself as quite confident, assertive and almost somewhat cheerful. There were no signs of subjective distress, and all indications were that he was seeking to present himself, relatively successfully, as a competent, normal and effective person. In fact, he appeared to have a somewhat inflated self-opinion. Asked to rate himself on a self-opinion scale of 1 to 10, with 10 being the highest, he immediately replied, "10." Asked why he rated himself so highly, he stated, "Cause I got so much to offer people....I made everybody happy...bring a smile to people's face...help old ladies out...I've got a lot to offer. He also described his work skills and his learning skills as "exceptional", although saying that he thought his intelligence was average.

Mr. Armstrong is of average to high average intelligence, and elements of his sensorium were generally consistent with this level of intelligence. He was fully oriented. He was attentive in interaction, and he displayed good immediate recall skills, being able to correctly recall eight numbers in sequence. He was able to perform simple arithmetic calculations mentally, suggesting adequate concentration skills. His memory processes appeared to be intact, as indicated by his ability to recall 3 out of 3 named objects after a 5 minute delay, and again 21 minutes later, as well as the contents of his evening meal the day before, and various past events. His fund of general cultural information was good (he is a reader at a 12th grade level, reporting that he subscribed to 12 magazines), as suggested by his ability to rattle off the names of 15 states in 15 seconds. His abstraction skills were good, including the ability to interpret a simple proverb. His practical judgment also appeared to be fairly good. Mr. Armstrong's thinking appeared to be quite logical and organized, with no signs of suggestions of thought disorder. He denied ever having experienced a 'nervous breakdown'. While his mood seemed somewhat cheerful and upbeat, he was not euphoric, and there were no signs of restlessness or excessive energy level. He said that his sleep was "real good", a term he also used to describe his appetite. He denied being depressed, when asked, and he described his nerves as "pretty good, calm." His affect was normal. Although it was noted that Mr. Armstrong sometimes smiled when talking about things other persons might consider distressful (e.g., his mother crying in interaction with him recently, the charges against him, his future prospects), it was concluded that this subtly inappropriate nonverbal behavior was an indicator of a managed presentation, and not suggestive of an affective abnormality. Mr. Armstrong has never attempted suicide. He denied such ideas.

TEST RESULTS:

PCL-R: Mr. Armstrong was rated on the Hare Psychopathy Checklist Revised (PCL-R). The PCL-R is acknowledged as the definitive standard in assessing for psychopathy, and is also used in assessing risk of violence. Using PCL-R 2nd Edition norms (2003, which uses a normative sample of more than 5000 male offenders), Mr. Armstrong was rated based on a review of his history and records, current psychological test data, and this clinical interview. He was rated conservatively on items considered to be somewhat uncertain in his case (as he presented himself favorably). He still produced a PCL-R score of 25, which is considered to be a Moderately High score, although it is below the traditional PCL-R cut score of 30. His obtained score places Mr. Armstrong at the 62nd percentile relative to male offenders in degree of psychopathy. Because of the caution applied in his ratings, his true PCL-R score is probably a few points higher. His PCL-R Factor 1 score was 13, and his Factor 2 score was 10, placing him at the 90th and 36th percentiles, respectively, on these PCL-R dimensions of "selfish, callous, and remorseless use of others" and "chronically unstable and antisocial lifestyle". His score was lowered on the second factor by his lack of a juvenile record, his not having violated probation or parole (was never on such conditional release), and his absence of many short-term live-in relationships (was incarcerated at age 18).

In describing psychopathy, the author of the PCL-R stated, "Interpersonally, psychopaths are grandiose, egocentric, manipulative, dominant, forceful, exploitative, and cold-hearted. Affectively, they display shallow and labile emotions, are unable to form long-lasting bonds to people, principles, or goals, and are lacking in empathy and genuine guilt and remorse. Their lifestyle is impulsive, unstable, and sensation-seeking, they readily violate social norms and fail to fulfill social obligations and responsibilities, both explicit and implied." (PCL-R Technical Manual, 2003, p. 5). It is clear that Mr. Armstrong's personality style includes a substantial degree of these characteristics.

As the definitive measure of psychopathic traits, the PCL-R is also one of the most widely used test instruments in research regarding prediction of violence and recidivism. Many of these research studies use PCL-R scores of 25 or above as a High score, as indicative of psychopathy. While the PCL-R was designed to measure psychopathy, not recidivism or future violence, there is no question that high PCL-R scores are correlated with violent recidivism, and aggression generally. Although Mr. Armstrong did not obtain an extremely high PCL-R score, his score of 25 clearly indicates that he presents a well above average risk of future violence.

VRAG: Mr. Armstrong was rated on another instrument that was specifically developed to predict risk of violent recidivism. The Violence Risk Appraisal Guide (VRAG) is an actuarial data based rating instrument, normed on violent offenders, which has proven to be a valid predictor of recidivism. On the VRAG, Mr. Armstrong obtained a score of 18, which is a High score, placing him in the 7th out of 9 scoring categories (ranked in ascending order). He received points for items such as never having been married, not having lived with both biological parents until age 16, his having been suspended from school on an estimated six occasions during junior high school, for his prior criminal offenses, and for having a personality disorder). Mr. Armstrong's VRAG score places him at the 90th percentile when compared to other violent offenders. According to VRAG normative data, the probability that Mr. Armstrong would commit another violent offense, if released to the community, is 55% within 7 years. While he is unlikely to be released from prison, VRAG results indicate that Mr. Armstrong is a dangerous individual, more dangerous than typical violent offenders.

LSI-R: The Level of Service Inventory-Revised (LSI-R) is another objective instrument designed to systematically rate offenders on items linked to criminal conduct. Originally used to assess the treatment and management needs of probationers, it has been increasingly used to classify inmates in prisons, as well as to predict recidivism, based on normative data and associated probabilities. Being rated conservatively, Mr. Armstrong obtained an LSI-R score of 28, which is a Moderate score, placing him at the 60th percentile relative to the normative population. This is associated with a 48% risk of general recidivism, within a period of one year of release to the community. It is noted that the original LSI-R normative population consisted primarily of inmates with short terms of incarceration. A recent study of the instrument (Simourd, 2004) found higher rates of recidivism with more serious offenders, more like Mr. Armstrong. Using this normative data, his LSI-R score of 28 yields a 58% probability of general recidivism, within a period of 15 months, if released. This is still considered to represent a Moderate level of risk, typical of offenders generally.

MMPI-2: The Minnesota Multiphasic Personality Inventory-2 (MMPI-2) is an objective, self-report, personality test, which yields well-validated personality and behavior pattern descriptions. It was not designed to predict dangerousness or recidivism, but, test results are relevant to such prediction. Although Mr. Armstrong displayed an obvious tendency to seek to deny and minimize problems and shortcomings, to present himself favorably, MMPI-2 results were valid. He produced a significant elevation on only one clinical scale, that being a T-score of 73 on Scale 4, with lesser elevations (T-scores between 60 and 65) on Scales 6 and 9 (paranoia and mania). This is a common profile type among inmate populations. MMPI-2 results did not suggest the presence of any major mental illness, but, instead, the likelihood that Mr. Armstrong presents an Antisocial Personality Disorder. Test results indicate that he is an emotionally immature, self-centered and impatient individual who is easily frustrated. Being impulsive, he is likely to act, at times, without planning or consideration of the consequences of his behavior. He probably takes risks, with poor judgment. MMPI-2 results indicate that Mr. Armstrong harbors some chronic resentments and hostility, with angry outbursts likely on occasion. He appears to have difficulty with the appropriate management and expression of anger, and test results suggest some inclination toward aggressive outbursts and assaultive behavior. Test results alone predict some pattern of antisocial or criminal behavior, such as lying, stealing, sexual acting-out, substance abuse, academic/vocational underachievement, and familial discord. Although he may feign guilt and remorse when confronted regarding his behavior, Mr. Armstrong probably actually experiences little in the way of such feelings. He is lacking in the capacity to empathize with others. After situational difficulties, he tends to rationalize his behavior, projecting responsibility onto others, thus having difficulty learning from his mistakes. These behavior patterns are not likely to change.

Indications are that Mr. Armstrong may be intelligent, with a wide range of interests. He is probably talkative, with good verbal skills, and socially gregarious. MMPI-2 results suggest that he is energetic and extroverted. He has the capacity to make initial favorable impressions on others, to be somewhat charming. However, being somewhat narcissistic and manipulative, he is more likely to view others in terms of how they may be of benefit to him than in terms of developing meaningful relationships with them. Mr. Armstrong is probably also oversensitive, possibly somewhat wary and suspicious in his dealings with people. He is likely to have difficulty establishing and maintaining meaningful attachments to others. Test results also suggest that he may have some insecurity about his masculine role identity, for which he may compensate with an overemphasis on physical strength and a somewhat coarse role presentation.

PAI: Mr. Armstrong also completed the Personality Assessment Inventory (PAI), which is another objective, well-validated, widely utilized self-report personality test. Unfortunately, his response bias of seeking to present himself favorably, portraying himself as exceptionally free of common shortcomings to which most individuals admit, raised serious questions about the validity of test results. His T-score on the PAI Positive Impression scale was 66, a level at which the test author recommends that no clinical interpretation of test results be attempted, as it would be misleading.

IQ: Although there was no reason to doubt that Mr. Armstrong was of average intelligence, a brief IQ screening test was administered. Using Form 1 of the Quick Test, he produced an estimated IQ score of 100, in the middle of the Average range, which is consistent with his history. His true IQ score may be a few points higher, but is almost certainly within the Average range.

SUMMARY AND CONCLUSIONS:

Joseph Armstrong is a 27 year old, never married, Caucasian male who, at age 19, was convicted of First Degree Homicide and a number of other violent felonies, all committed during a relatively brief period of time, while he was AWOL from the Navy. For these offenses, he is serving Life in prison, plus 40 years. He is currently on trial for the additional murder of a cellmate in prison, an offense that occurred in 2002, for which he is facing a possible death penalty.

Given available information, this young man's childhood and adolescence, while not free of problems, was not as blatantly dysfunctional as that of many other incarcerated inmates. He is reasonably intelligent, with no history of treatment for mental illness. Other than personality disorder, he does not suffer from any mental illness currently. However, convergent data from a variety of sources, including his criminal record, his prison behavior record, a clinical interview, objective personality tests and his scores on rating instruments, including actuarial data risk scales known to be predictive of recidivism and violence, leads to an inescapable conclusion: Mr. Armstrong has significant psychopathic qualities which make him an aggressive and dangerous individual. Although not obviously malevolent or extremely dangerous, he is more aggressive than typical violent offenders, and more likely to recidivate if released to the community. Even in prison, managing his aggressive tendencies will present an ongoing challenge. Unfortunately, his prognosis for meaningful change is poor, although there is some possibility that, when he is older, Mr. Armstrong could learn to approach his world in a more consistently prosocial manner.

Mr. Armstrong meets criteria for the DSM diagnosis of Antisocial Personality Disorder (301.7), as well as Cannabis Dependence, (in remission) in a structured environment (304.3). Although he denies it, there is a possibility that PCP (phencyclidine) abuse was a factor in his original series of offenses, in 1996. If so, that would constitute an additional diagnosis. While not suffering from mental illness, if Mr. Armstrong is convicted of the present offense and given a death sentence, his emotional adjustment should be monitored by DOC mental health staff, with coping assistance offered as needed.



Michael C. Kleinot, Ph.D.
Licensed Clinical Psychologist