

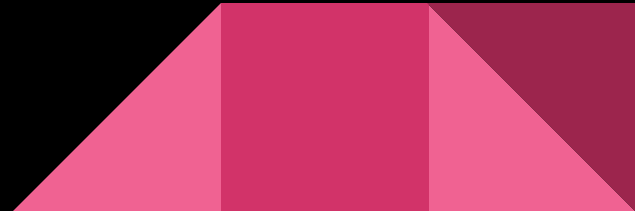
The Role of Reproductive Mental Health in Female Offenders: A Mitigating Factor in Criminal Behavior

Brooke Laufer, Psy.D.
Evanston, IL


Clinical Psychologist, Reproductive Mental
Health Specialist

How does reproductive mental illness intersect with criminal behavior?

- Filicide
- Infanticide
- Homicide
- Child Abuse
- Custody cases
- 'Unfit' mothers
- Munchausen by Proxy
- Murder for Hire cases



Each event
affects a
woman's
psychology
(at the time
of a crime)

- Postpartum depression, mania, psychosis
 - Postpartum PTSD
 - Fertility/Miscarriage/Pregnancy
 - Abortions/late term miscarriages/adoptions
 - Conception from Rape
 - Comorbidity of DV and pregnancy (DV increases during pregnancy)
 - Battered Women Syndrome
 - Labor and childbirth trauma
 - Prematurity, NICU
 - Multiples
- 

- Paradigm shift: working against social, legal, political persecution of a 'Bad Mom'
- Identify mental illness vs criminal intent

“The murder of a child by its mother is a subject both compelling and repulsive. The victim is innocent, but the perpetrator may be a victim, too.” Margaret Spinelli MD

Goodbye, Baby (Paula Sims)



Filicide and Infanticide

- Neonaticide - within 24 hours
- Infanticide - within first two years
- Altruistic
- Acutely Psychotic
- Domestic Violence
- Fatal Maltreatment
- Evolutionary
- (Revenge)



Medea

The U.S. has the highest rate of child murder among developed nations:

U.S. rate of infanticide is 8 per 100,000

England 4.5

Canada 2.9

Italy at 2.1

In US:

Most defendants charged with **Murder**

Average sentence in the U.S. is **17 years** in prison

Two dozen countries currently have infanticide laws

UK - Infanticide Act of 1938 - treated as psychiatric crisis / manslaughter

200 maternal infanticides per year in the U.S. (remains constant)

Mothers are more likely to commit infanticide than fathers in the first year of the child's life



LAW IN ILLINOIS

- 2018 - New law in Illinois, **PA 100-0574**: recognizes postpartum illnesses as a factor in criminal cases.
- Groundbreaking because it is the first criminal law in the nation to reference in any way postpartum illnesses.

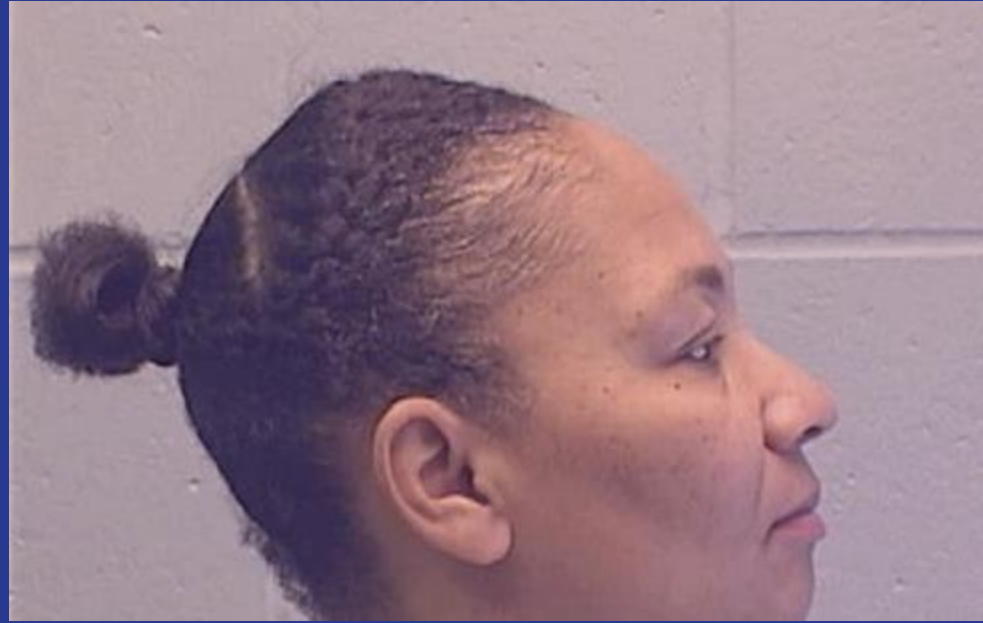
Neonaticide

- Poor teenage girls
- Unperceived pregnancy
- Trauma, Unacceptance, Shame
Conflict Delay
- Shock, Dissociative Amnesia,
Psychosis
- “Prom Mom”



Unperceived Pregnancy vs. Pregnancy Denial

- Unconscious vs Conscious
- Dissociative vs Secret
- Defense Mechanism vs
Intent
- Acute Dissociative Reaction



Latoya Griffin; 19 years old in 1995
Charge: Homicide
Sentence: 70 years
Post conviction, released: 2021

“I suffered from depression my whole life...Postpartum depression is anxiety, guilt, shame, discomfort, a number of things that many people face and don't know they are going through this... No woman carries their child for nine months and wakes up and decides to kill her child. There's a mental break, and the criminal justice system needs to look into it more and not just lock women up and throw away the key.”

Latoya at Bluhm Legal Clinic 2022

Cross Cultural Issues

- Catholicism and Islam
- Immigrant
- Shame / Honor culture
- Hidden pregnancy
- Shame to collective
- Honor killing
- Sinful
- Cruel punishment



Pakistani-American 23 year old woman charged with murder and concealment of a human corpse

Reproductive Mental Health Disorders

Progesterone and allopregnanolone rise during pregnancy and plummet after childbirth. This drop significantly contributes to emotional dysregulation.

Anytime during pregnancy through the first two years postpartum



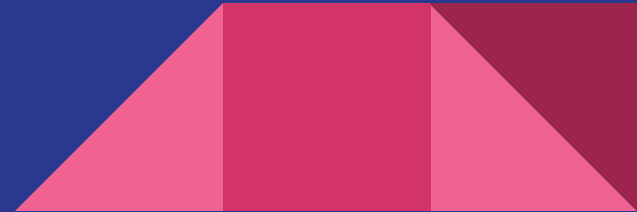
Post Partum Psychosis and Infanticide

- 75% cases of infanticide have preceeding psychosis
- 1-2 in 1000 women
- Most often 2-4 weeks after birth
- No socio economic profile

Risk Factors:

- Family bipolar disorder / psychotic disorder
- History of Trauma
- Impoverishment, domestic violence
- Multiple children, lack of support

Postpartum psychosis can also end in violence toward others.

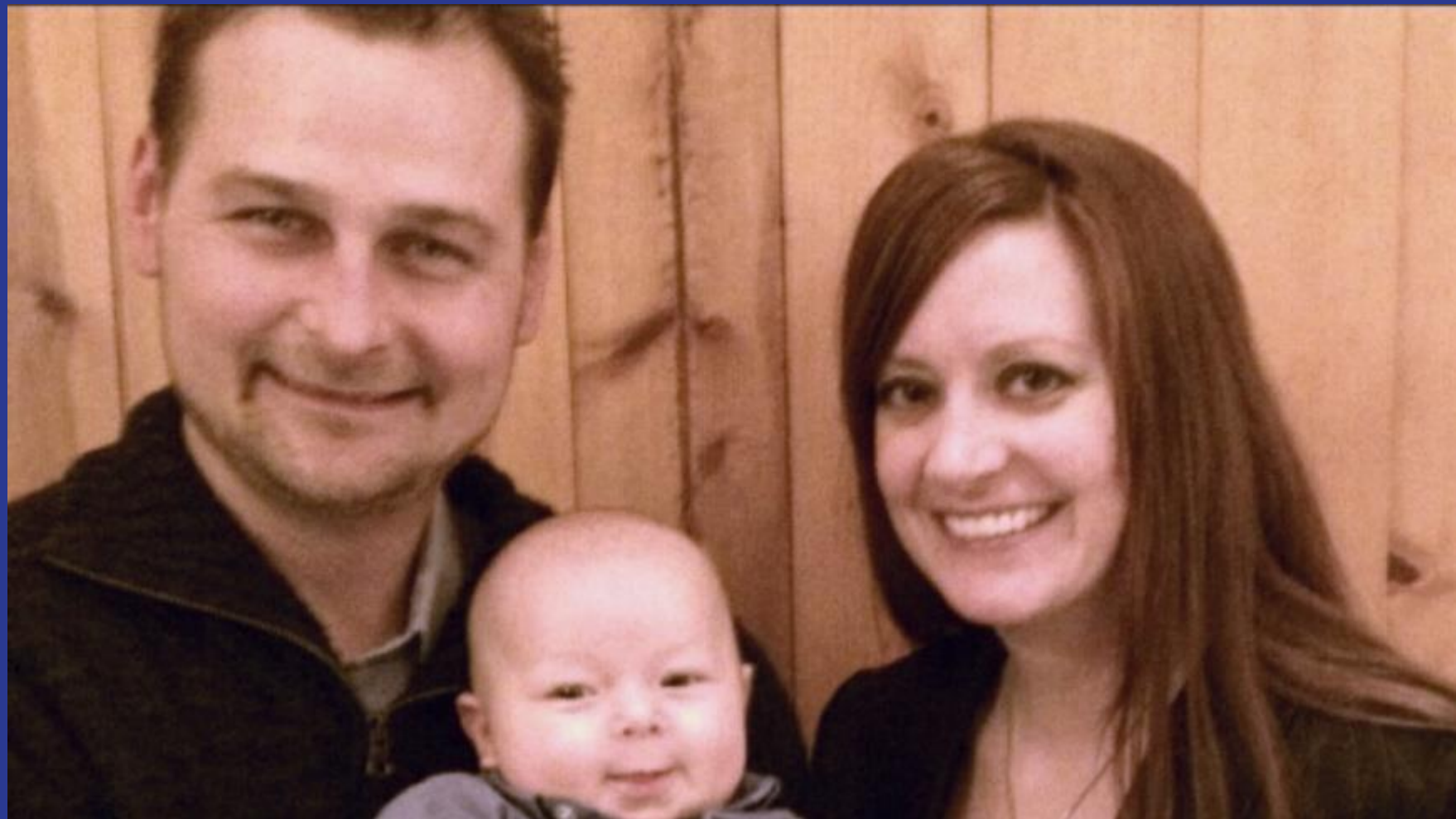


Identifying Postpartum Psychosis

- Severe cognitive disorganization, disorientation, agitation
- Sudden onset - waxing and waning symptoms
- Delusions, hallucinations, paranoia, mania
- Religious, impending doom, spiritual warfare
- Logical decisions within illogical delusion

Structure of psychosis constellated around the transition to motherhood

- Focus /obsession with baby
- Conviction of baby's altered identity
- Persecution from the baby/changeling
- Altruistic / savior delusion
- Sacrifice delusion / martyr



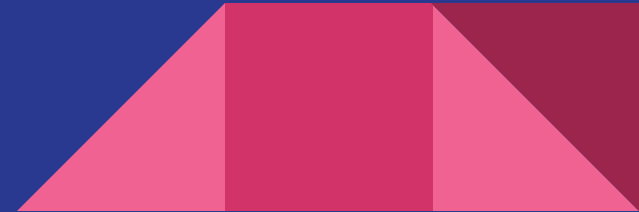




1. AREA OF RES
2. PRIOR JURY
3. WEAPON A V
4. VICTIM SH
5. CRIMINAL
6. FACTS
7. FRIENDS
8. IN LAW EN
9. OF LAW
10. HOBBIES
INTERESTS

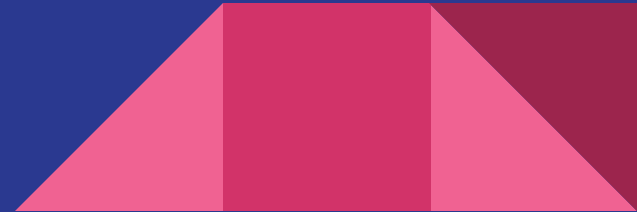
Postpartum Psychosis as elusive

- She seems reasonable
- She did something normal and rational that day
- She has no history of mental illness
- She's in an upper middle class supportive and educated family and environment



Postpartum Psychosis in the courtroom

- A lack of DSM diagnostic criteria leaves postpartum psychosis vulnerable to misdiagnosis and treatment failure, and a missed opportunity for an accurate and effective criminal defense
- Postpartum psychosis is a psychiatric crisis that often engenders a destructive attitude or behavior towards one's child.
- Harm is not premeditated or criminal but an effect of a psychiatric crisis.





Domestic Violence and Maternal Filicide

- 50% of infanticidal mothers living in violent relationships
- Chain of Violence
- Battered Women Syndrome
- Protection of Abuser
- Failure to Protect
- “Pathological altruistic motivation,” meaning they killed their child for reasons of saving them as they knew the world to be a violent one
- Coerced infanticide - Mother is recruited into abuse toward her own child (paradoxical horror)

Fatal maltreatment / Child Abuse / 'Unfit Mother'

- Postpartum depression - Suicide pact with child
- Postpartum Dissociation / detached behavior - 'Snapping'
 - Child's death is not intended outcome -result of a long history of violence
 - Cumulative child abuse and neglect
- Munchausen syndrome by proxy - pathologized caretaking of child due to trauma - hijacking of vulnerable maternal instinct

Murder for Hire

- Overdrive of maternal instinct - drive for child attachment
- Maternal wire 'tripped'
- Suicidal / Homicidal

Post abortion syndrome

- Suicidal grief / remorse
- 'Eye for an eye'
- Postpartum Dissociative State



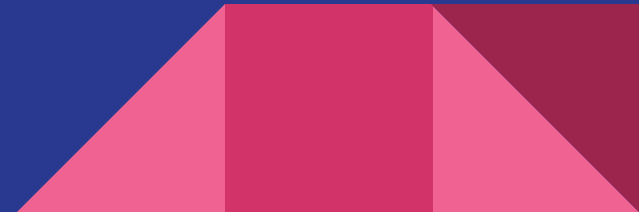
Michigan psychiatrist sentenced to prison
for shooting ex-husband's girlfriend

Arrest and Aftermath

- Interrogation
 - Postpartum shock
 - Dissociative trauma response (vs malingering)
 - Interrogators manipulating trauma (72 hours etc)
 - BWS response to interrogator as authoritative (white) abuser
 - Protection/fear of abusive partner

Forensic Evaluation

- Interview
- Collaterals
- Report - Case Conceptualization
- Diagnoses
- Opinion
- Testimony



Expert testimony:

- Shift focus from criminal behavior to mental health
- Educate court on Reproductive Mental Health
- Rule out sociopathy
- Assist defendant's credibility
 - Crazy, Exaggerating, Manipulative, Bitter, Attention seeking, Financial Gain, 'mutually combattant,' malingering
- Explain psychological elements that make individuals susceptible to manipulation during interrogation, potentially leading them to act in ways that undermine their self-interest.

Resources/ Organizations / Affiliations



Battered Women's Justice Project



REFERENCES

- Barnes, Diana. (2022). Towards a new understanding of pregnancy denial: the misunderstood dissociative disorder. Archives of Women's Mental Health. 25. 10.1007/s00737-021-01176-7.
- Jenkins, A. Et al. (2011). Denial of pregnancy – a literature review and discussion of ethical and legal issues. J R Soc Med. 2011 Jul; 104(7): 286–291.
- Sandoz, Patrick. (2016). To transmit genes without becoming mother: An evolutionary conflict behind denial of pregnancy. 10.7287/peerj.preprints.1853v1.
- Sar, Vedat & Aydin, Nazan & Hart, Onno & Frankel, A. & Şar, Meriç & Omay, Oğuz. (2016). Acute Dissociative Reaction to Spontaneous Delivery in a Case of Total Denial of Pregnancy: Diagnostic and Forensic Aspects. Journal of Trauma and Dissociation. 18. 10.1080/15299732.2016.1267685.
- Stenton, Sophie & Cohen, Marta. (2020). Assessment of neonaticide in the setting of concealed and denied pregnancies. Forensic Science, Medicine and Pathology. 16. 10.1007/s12024-019-00212-4.