

Why California Got It Right: Assessing Psychopaths Before Release

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Psychologist Robert Hare (?Hare?) first released the Psychopathy Checklist Revised (?PCL-R?) in 1991 and it has consistently demonstrated success in predicting recidivism. California is the only state that requires an individual sentenced to life with the possibility of parole to receive a certain score on the PCL-R before release. Some have questioned the efficacy of this assessment and its place in the criminal justice system. Nevertheless, research confirms the PCL-R is a reliable predictor of recidivism and thus other states, including New Jersey, should adopt the same requirement that California enforces.

In this note, Section II will clarify what psychopathy is and address the misconceptions that exist regarding its definition. Section III will describe what the PCL-R is in detail, including its history and motives. Then, Section IV will delve into where the PCL-R meets the legal system. Section V will describe the process that is currently implemented in California in terms of the administration of the PCL-R. Next, Section VI will raise a number of the criticisms voiced by those in the legal field as well as by psychologists. Finally, Section VII is devoted to addressing the potential modifications, with those criticisms in mind, that will make further PCL-R application viable. Such modifications will allow for utilization of this assessment as originally intended.

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