

Pathological Impulsivity of a Homicidal Juvenile with Severe and Borderline Intellectual Functioning

Bernat N Tiffon^{1*}, Jorge González-Fernández²

¹Department of Forensic Psychology, Universitat Abad Oliba-CEU and "ESERP Business and Law School, Barcelona, Spain

²Department of Legal Medicine and Forensic Sciences, La Rioja Institute, La Rioja, Spain

Abstract

A unique case of the psychological profile of a child under 14 years of age is reported who, comorbidly affected by Attention Deficit Hyperactivity Disorder (ADHD) with borderline intellectual disorder (borderline) perpetrates the murder of another minor of the same age due to low tolerance to psycho-emotional frustration.

Keywords: Attention deficit hyperactivity disorder • Murder • Borderline intellectual level • Pathological impulsivity • Homicidal intentionality • Frustration

Introduction

Attention Deficit Hyperactivity Disorder (ADHD) is one of the most common neurodevelopmental disorders in children and adolescents. The core symptoms are inattention and hyperactivity/impulsivity, and it is frequently accompanied by learning difficulties, low self-esteem, anxiety, and behavioral problems.

In general terms, in blood crimes perpetrated by subjects with pathological impulsivity, there are no conditions for an attenuation of the sentence, unless it is accompanied by some other type of serious mental disorder [1].

From the juridical-legal point of view, pathological impulsivity implies a partial or significant, but not total, breakdown of the inhibitory mechanisms of behavior, negatively influencing their cognitive capacities and at the same time their volitional-motivational capacities [2].

About ADHD, Jensen et al. made some classifications [3] considering the existence of an aggressive subtype ADHD and an anxious subtype ADHD. Thus, and following the studies of Jensen et al. the data suggest that people with an ADD that is co-morbid with a dissociative disorder tend to have lower IQ, presenting greater deficits in reading/learning, evidence of neuropsychological alterations, and high levels of familial susceptibility. He adds that, depending on the social situations, "some ADHD subjects act with a peculiar aloofness, giving little evidence of interest or emotional connection to those around them; others relate very awkwardly, feeling strange as they become intimate. Often, these children and adolescents impress both

In general terms, in blood crimes perpetrated by subjects with pathological impulsivity, there are no conditions for an attenuation of the sentence, unless it is accompanied by some other type of serious mental disorder [1].

From the juridical-legal point of view, pathological impulsivity implies a partial or significant, but not total, breakdown of the inhibitory mechanisms of behavior, negatively influencing their cognitive capacities and at the same time their volitional-motivational capacities [2].

About ADHD, Jensen et al. made some classifications [3] considering the existence of an aggressive subtype ADHD and an anxious subtype ADHD. Thus, and following the studies of Jensen et al. the data suggest that people with an ADD that is co-morbid with a dissociative disorder tend to have lower IQ, presenting greater deficits in reading/learning, evidence of neuropsychological alterations, and high levels of familial susceptibility. He adds that, depending on the social situations, "some ADHD subjects act with a peculiar aloofness, giving little evidence of interest or emotional connection to those around them; others relate very awkwardly, feeling strange as they become intimate. Often, these children and adolescents impress both

The Case Study

As stated as proven facts in the sentence, the following was the outcome:

"Guiding the aggressor (14 years old) to the victim (14 years old) towards the truck parked next to the sidewalk, the "friend" remained at a short distance from both, aware of his friend's intentions, the former asking his victim to turn his back because he was going to

*Corresponding author: Bernat N Tiffon, Department of Forensic Psychology Professor of Universitat Abad Oliba-CEU and "ESERP Business and Law School, Barcelona, Spain, Tel: 650402838; E-mail: tiffon@psicologialegal.com

Copyright: Copyright: © 2021 Bernat NT. This is an open-access article distributed under the terms of the creative commons attribution license which permits unrestricted use, distribution and reproduction in any medium, provided the original author and source are credited.

Received date: September 14, 2021; **Accepted date:** September 28, 2021; **Published date:** October 5, 2021

give her a surprise [5]. When the latter started the aggression on the victim and with the intention of ending his life, he hit her in the back with all the force he was capable of with the mountain stick he was carrying, causing an incised-contuse wound in the occipital region at a central level of 0.78 by 2.36 inches, and breaking part of the murder weapon [6]. Still wounded, the victim tried to run away from the place, asking for help from the "friend", but the victimizer reached her a few meters away, next to the place where the "friend" was, making her fall to the ground and hitting her several times with the stick on her back, as well as kicking her in the head [7]. Once on the ground and defenseless, in the presence of the "friend", and since the victim was begging for her life, the victimizer told him of the risk that could come from the victim's brother if they left her alive, the "friend" refrained from any dissuasion, at which point the victimizer dragged the victim back behind the truck and continued with the brutal beating that he had interrupted before to go out in pursuit of his victim [8]. Due to the intensity of the blows, the baton broke into several fragments, the largest one flying through the air at the moment when the victimizer turned to his "friend" and said, "friend, give me the baton". Then, the latter took the stick and threw it to the victimizer, who immediately resumed his brutal blows on the victim's body [9]. Subsequently and when the "friend" was already behind the truck, the perpetrator inflicted the mortal wound on the victim by plunging the knife he was carrying into her neck, severing the jugular vein, and causing her death by hypovolemic shock due to massive acute hemorrhage shown in Figure 1.

As a result of the aggression prior to her death, the minor presented 13 incised wounds of different inches in depth and length in the frontal region and face, the aforementioned incised contused wound of 0.78 by 2.36 inches in the occipital region, several incised wounds in the mandibular region, contusions and abrasions of diverse entity in the neck, fracture of the bones of the nose, fracture of the right central incisor at apical level [10], two incised contused wounds in labial mucosa and incised wound of 3,9 inches long by 1.6 wide and 1.2 deep in the neck, wound of which caused her death".

The victimizer's motivation for wanting to take the life of the minor was because she was in love with her future aggressor and, hours before the murder, she had spread on social networks some affectionate comments that were accompanied by some photos in which they were together [11]. The victimizer, not knowing how to deal with the situation emotionally, and noxiously seized by the low tolerance to frustration due to the public diffusion of such photos and not corresponding with the victim's feelings, chose to commit such criminal behavior.

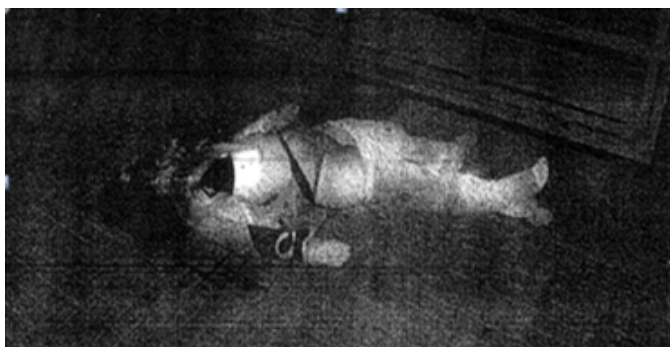


Figure 1: Crime scene.

Results

The psychometric exploration derived from the administration of Theodore Millon's MACI yields clinically significant scores on the Reliability scales. More specifically in the "Desirability" (TB=84) and "Alteration" (TB=90) scales. Although the "Transparency" score (TB=73) could suggest that the child has been able to show sincerity; nevertheless, the "Desirability" score suggests that he has wanted to show a more socially desirable image and the score obtained in the "Alteration" scale suggests that he shows a tendency to offer an image of himself that is more suffering or affected than normal. All of this means that the technician must be cautious in the interpretation of the rest of the scores obtained from the graph, since they may present some variation or oscillation (Figure 2).

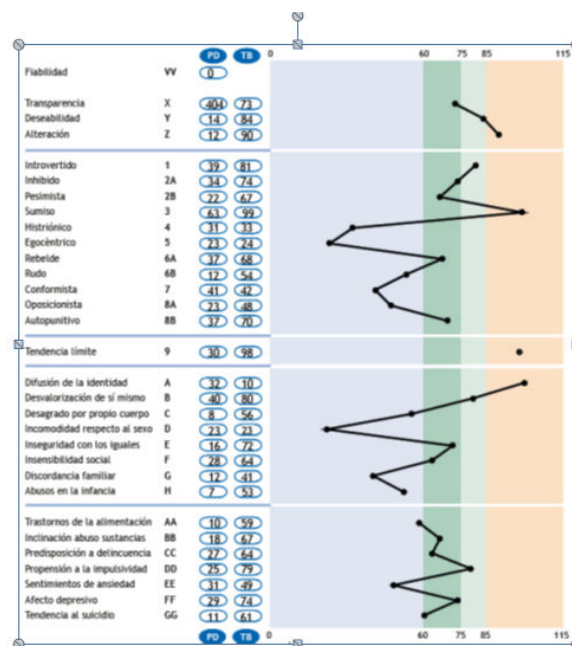


Figure 2: The graph obtained is compatible with the one of a child characterized by being introverted and submissive.

Having said this, the graph obtained is compatible with the one of a child characterized by being introverted and submissive (scores TB=81 and TB=99), with a tendency to borderline (TB=98) and diffusion of identity and devaluation of self (TB=100 and TB=80, respectively). It is also observed that there is a statistically significant score on the impulsivity propensity scale (TB=79).

The profile described with the scores that present statistical significance implies a profile that is compatible with a psycho emotionally unstable submissive-introverted subject, with scarce capacity for introspection and self-criticism with behavioral roots of basic impulsivity. The above is consistent with the cynicism observed by the public doctors as he was diagnosed with ADHD and borderline intelligence.

Discussion

Being a 14-year-old minor, with a history of Attention Deficit Hyperactivity Disorder (ADHD) and disorganization of the development of the psychomotor system, it follows that he has been subjected to multiple clinical-psychological evaluations of his

anomalous psychic condition. Therefore, there was documentation that accredited that when he was 8 years and 3 months old, he was administered the battery of intelligence tests (WISC-R) with the following results: Verbal IQ 73, Manipulative IQ 112 (the Total IQ could not be determined given the numerical difference and distance between the Verbal IQ and the Manipulative IQ). In the aforementioned evaluation, he is already diagnosed with a Specific Language Disorder (SLD) and a probable ADD [12].

From the examination carried out by the Psychopedagogical counseling and guidance team (professionals from the public sector of the administration), anxiety levels that interfere with learning and permeate the emotional aspects of the victim were observed. At the age of 10 years, a neuropsychological examination was performed, concluding the existence of difficulty in the evocation of material presented visually, difficulty in instrumental functions, and deficit in executive functions (attention, working memory, planning, sequencing, and reasoning), diagnosing him with a neuropsychological profile compatible (and quasi-confirmatory) with that of a specific language disorder. At age 12 and a half, he underwent a new neuropsychological examination applying the WISC-R, yielding the following scores: Verbal IQ 70, manipulative IQ 83, and total IQ 73. At the age of 14, he was diagnosed with borderline cognitive and intellectual global performance, with greater impairment of linguistic and executive functions, and the confirmation of ADHD [13].

The 14-year-old offender was sentenced, together with his "friend", to five years in a closed regime, followed by three years of probation. The events occurred when the two young men, by mutual agreement, after contacting the victim through an Internet instant messaging service, decided to go to look for her, with the firm intention of ending her life, directing her to a nearby industrial estate, where they struck her numerous times with a wooden stick with a metal tip, to conclude the act by cutting her neck with a knife they had in their possession.

From the legal point of view, the ADHD (as a psychopathological alteration by itself) cannot be deduced the existence of a total annulment of the cognitive or volitional capacities that would make him deserving of a penal reduction to the penal reproach; unless in the same, there subsisted some co-morbidity with any other psychopathological entity whose clinical-symptomatological phenomenology reached a notorious seriousness that could be considered as anomaly or alteration at the moment of the commission of the facts and that he could not understand the unlawfulness of the act or act according to that understanding given the total annulment of his cognitive and/or volitional capacities [14].

According to the sentence, the perpetrator understood the unlawfulness of the action, since he "agreed with the other perpetrator (also a minor), to look for the victim, carrying the cane and the knife, talking to her through the instant messaging service, his intentions in an unequivocal manner, knowing that the fact of taking the life of a fellow human being is a crime typified in our laws, without any doubt, an inference that is confirmed by the reading of the statements made in the police statement, where he tried to incriminate a third subject, who was never heard from, that is to say, he tried to find an alibi that would ratify the understanding of the illicitness".

According to the sentence, "the fact of suffering from ADHD does not imply that he could not adjust his conduct to the requirements of such understanding, if so, there should be reliable evidence (in both cases, victimizer and "friend") that, at the time of committing the crime, his faculties were impaired, however, the aggressor ordered the co-perpetrator to collect the effects (broken pieces of the cane, specifically) of the crime so as not to leave any evidence of the commission of the crime".

Conclusion

In the absence of psychopathology or major mental disorder, it follows that the victimizer, as a result of the sharpening of impulsive traits, provoked an alteration of mood and emotions suddenly and acutely that gave rise to the impulsive behavioral explosion. This is due to the fact that the victim was in love with her aggressor, and he did not know how to confront or channel it, which demonstrates his degree of immaturity and psychoemotional instability derived from his borderline intellectual disorder and severe ADHD. This could have caused a clinical decrease of the cognitive-reflective capacities and had a harmful and negative influence on the volitional ones of his conduct and the consequences it entailed. However, this was not considered, according to the sentence, so he was sentenced for these criminal acts to the maximum Spanish penalty for this type of juvenile delinquent population.

References

1. Tiffon, Bernat, González F. "Desperation In Major Serious Depressive Disorders and Extended Suicide Risk: A Case Of Double Filicide". *Asean Journal Of Psychiatry* 22 (2021): 1-5.
2. Brown TE. "Trastornospor déficit de atención y comorbilidades en niños, adolescentes y adultos." *Editorial Masson Barcelona* (2003).
3. Million, Theodore. "MACI: Millon Adolescent Clinical Inventory. NCS Assessment Inc. *J Couns Dev* 71 (1993): 570-574.
4. Tiffon, Bernat. "Manual de Consultoría en Psicología y Psicopatología Clínica, Legal, Jurídica, Criminal y Forense. Colección Bosch Penal". Editorial Bosch SA Barcelona (2008).
5. Tiffon, Bernat. "Instrumentos de Evaluación en Psicología Forense. Libro de Resúmenes. VI Congreso Nacional de la Asociación Española". *de Psicología Clínica y Psicopatología* (2008).
6. Tiffon, Bernat. "An Emerging Forensic Trimorbidity: Personality Disorder, Impulse Control Disorder, and Substance Abuse". *Una Trimorbilidad* 18 (2009): 91-97.
7. Tiffon, Bernat. "Los Crímenes de Perejil". *JM Bosch Editor, Barcelona*. (2015).
8. Tiffon, Bernat. "ArchivosDelictivo-Criminológicos". *JM Bosch Editor, Barcelona* (2016).
9. Tiffon, Bernat colsY. "Atlas Práctico-Criminológico de Psicometría Forense (Volumen II): Tentativas de Asesinatos". *JM Bosch Editor Barcelona* 2 (2019).
10. Tiffon, Bernat. "Criminal and Forensic Psychology of a Case of Filicide by Decapitation of a Minor". *J Forensic Med* 6 (2021): 1-5.
11. Tiffon, Bernat. "Double filicide for extended suicide (frustrated) of a subject with major psychotic depression and dependent personality disorder". *South Florida Journal of Development* (2021): 4552-4562.
12. Tiffon, Bernat. "Amok syndrome in a quadruple crime, acting out and pathological drive". *South Florida Journal of Development* 2 (2021): 3549-3554.
13. Tiffon, Bernat. "Amok syndrome in a quadruple crime, acting out and pathological impulsivity". *South Florida Journal of Development* 2 (2021): 5498-5504.

14. Tiffon, Bernat. "Criminal personality in a trained elite military and assassination". South Florida Journal of Development 2 (2021): 3555-3559.

How to cite this article: Tiffon, Bernat-N. "Pathological Impulsivity of a Homicidal Juvenile with Severe and Borderline Intellectual Functioning." *J Forensic Med* 6 (2021) : 5