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STATE OF IDAHO

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Attorneys for Defendants Idaho Department of Corrections, Henry Atencio, Jeff Zmuda, Howard Keith Yordy, Richard Craig, and Rona Siegert

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF IDAHO**

| | | |
|---------------------------------------|---|---------------------------------------|
| ADREE EDMO, |) | Case No. 1:17-cv-151-BLW |
| |) | |
| Plaintiff, |) | |
| vs. |) | MOTION FOR RULE 35 EXAMINATION |
| |) | |
| IDAHO DEPARTMENT OF |) | |
| CORRECTION; HENRY ATENCIO, in |) | |
| his official capacity; JEFF ZMUDA, in |) | |
| his official capacity; HOWARD KEITH |) | |
| YORDY, in his official and individual |) | |
| capacities; CORIZON, INC.; SCOTT |) | |
| ELIASON; MURRAY YOUNG; |) | |
| RICHARD CRAIG; RONA SIEGERT; |) | |
| CATHERINE WHINNERY; AND |) | |
| DOES 1-15; |) | |
| |) | |
| Defendants. |) | |
| _____ |) | |

COME NOW Defendants Idaho Department of Correction (IDOC), Henry Atencio, Jeff Zmuda, Howard Keith Yordy, Richard Craig, and Rona Siegert (collectively referred to as the “IDOC Defendants”), by and through their counsel of record, Moore Elia Kraft & Hall, LLP, hereby move this Court for an order to allow the IDOC Defendants to conduct a Rule 35 examination of Plaintiff. This Motion is made on the grounds and for the reasons that the Plaintiff has placed her physical and mental condition in controversy in this matter. Furthermore, good cause for the Rule 35 examination exists, as Defendants are owed an “even playing field” to address the Plaintiff’s mental and physical condition, considering that Plaintiff has already been examined by her own retained experts, who conducted independent interviews and evaluations with Plaintiff and have filed declarations regarding such examinations with this Court in support of *Plaintiff’s Motion for Preliminary Injunction*.

IDOC Defendants prepared and circulated among counsel for the parties a *Stipulated Motion for Rule 35 Examination*, which included the following details:

- The examination is set to take place at 11:00 a.m. on July 31, 2018, at the Idaho State Correctional Institution (“ISCI”) in the visiting courtroom/parole hearing room, located at 13500 S. Pleasant Valley Road; Kuna, Idaho; 83634.
- The examination will last no longer than three (3) hours.
- The examination will be a clinical interview of the Plaintiff conducted by Joel T. Andrade, Ph.D., LICSW, CCHP-MH.
- Dr. Andrade is a Licensed Independent Social Worker and Certified Correctional Health Care Professional – Mental Health, by the National Commission on Correctional Health Care.
- Dr. Andrade’s clinical interview will not include any testing.

- The interview will be audio recorded.
- Dr. Andrade's clinical interview will include questioning concerning the Plaintiff's background, social history, family history, and health history in general. Dr. Andrade's clinical interview will address the content of the Plaintiffs' experts' declarations and Plaintiff's declaration, and other matters relevant to Plaintiff's mental health including, but not limited to: Plaintiff's prior and current mental health issues, symptoms, and treatment, including prior suicide attempts, self-harm events, and attempts at castration; Plaintiff's pre-incarceration history of trauma, substance abuse, sexual abuse, PTSD, depression, anxiety, anguish, and stress; mental health treatment Plaintiff has received over her lifetime, including treatment for Gender Dysphoria and/or Gender Identity Disorder, both prior to and after her incarceration; the treatment, therapy, and accommodations that IDOC has provided to the Plaintiff; any and all treatment and accommodations that Plaintiff has requested be provided by IDOC, but has allegedly been denied; and Plaintiff's current level of functioning and interactions with IDOC staff, clinicians, treatment providers, and other inmates.

The *Stipulated Motion* also included a paragraph allowing for the presence of a non-attorney representative during the exam. Specifically, the IDOC Defendants offered for the representative to monitor the interview, but not participate in, disrupt, or otherwise obstruct the interview. The *Stipulated Motion* further provided that the representative would not assert objections to the questions asked or the examination performed, although Plaintiff and her counsel reserved the right to assert objections following the completion of the examination. The

Stipulated Motion also stated that Plaintiff would designate the name of the representative to counsel for the IDOC Defendants 24 hours in advance of the interview.

Plaintiff's counsel does not object to the taking of the exam and has agreed to the contents of the *Stipulated Motion* as outlined above, except for the condition allowing for a non-attorney representative to be present during the examination. Rather, Plaintiff's counsel requested that counsel for Plaintiff be present at the interview. The IDOC Defendants did not agree to the presence of counsel at the examination for several reasons. The parties met and conferred on this issue during a telephone conference on July 16, 2018, and in emails thereafter. Dr. Andrade is traveling to Idaho from Massachusetts to conduct the clinical interview, which is scheduled to occur in less than one week. In light of those facts, and having reached no agreement with Plaintiff's counsel as to the presence of counsel during the interview, the IDOC Defendants bring this *Motion* before the Court, seeking an *Order* allowing for the Rule 35 examination of the Plaintiff on the conditions and parameters as described above. For the reasons set forth below, the Plaintiff is not entitled to the presence of counsel during such an interview.

First, the IDOC Defendants are unaware of any controlling legal authority requiring or allowing the presence of counsel at a Rule 35 examination. To the contrary, in an unpublished decision regarding the presence of a third party at a Rule 35 examination of a prisoner in a capital habeas case, this Court held that parties do not "have a constitutional right to have [their] counsel or other representative physically present during a psychological evaluation." *Pizzuto v. Hardison*, No. 05-CV-00516-S-BLW, 2010 WL 672754, at *2 (Feb. 20, 2010)(citing Cf. *Estelle v. Smith*, 451 U.S. 454, 470, 101 S.Ct. 1866, 68 L.Ed.2d 359 (1981)). Citing the concerns of the examining physician that the presence of third parties would be disruptive to the exam, this Court did not allow the petitioner's counsel to be present in the examining room. *Id.* Similarly, the

majority of federal jurisdictions do not allow for the presence of counsel during a Rule 35 examination, absent “special circumstances.” *See Holland v. United States*, 182 F.R.D. 493, 495 (D.S.C. 1998)(the weight of federal authority favors the exclusion of the plaintiff’s attorney from a Rule 35 examination absent a compelling reason). *See also, Giddens v. City of Suisun*, No. 2:14-CV-0943 TLN AC, 2017 WL 3009189, at *3 (E.D. Cal. July 14, 2017) (the presence of the third party advocate for plaintiff would “defeat the purpose of Rule 35”); *Barsamian v. City of Kingsburg*, No. 1:07-CV-00316-OWWGSA, 2008 WL 2168982, at *6 (E.D. Cal. May 22, 2008)(the presence of an attorney compromises the clinical setting of a mental examination); *Ragge v. MCA/Universal Studios*, 165 F.R.D. 605, 609–10 (C.D. Cal. 1995)(third-party observers may contaminate a mental examination).

Here, no special circumstances warrant the presence of Plaintiff’s attorney at the Rule 35 examination. Dr. Andrade is well-qualified, professional, and has decades of experience working with inmates in a clinical setting. Plaintiff cannot identify a compelling reason why Dr. Andrade will be unprofessional or pose inappropriate questioning to Plaintiff.

Furthermore, the presence of counsel converts the interview into an adversarial encounter, as opposed to an independent clinical interview. Counsel’s presence will prevent Dr. Andrade from having a therapeutic alliance with the Plaintiff, which is necessary for an open and free-flowing interview. *Declaration of Joel T. Andrade, Ph.D., LICSW, CCHP-MH* (hereinafter, “*Andrade Decl.*”), ¶ 8. Dr. Andrade has never conducted a clinical interview in the presence of counsel and has concerns that an attorney’s presence would be disruptive, would impede the one-on-one exchange between him and the Plaintiff, and could work to diminish the accuracy and completeness of the examination. *Id.*, at ¶¶ 5, 8.

In order for a clinical interview to be successful, Dr. Andrade requires the limited amount of clinical trust that is necessary in order to have a free flow of information so that Plaintiff will feel comfortable providing answers to the interview questions. *Andrade Decl.*, ¶ 9. While the interview does not create a clinician-patient relationship, it does allow Dr. Andrade to evaluate Plaintiff's medical needs and to perform an independent assessment of her current mental health condition, the treatment she has received, the treatment she requires, and what is necessary to address her overall mental health issues, for the ultimate purpose of identifying what treatment is in her best interest. *Id.*, ¶ 10. The presence of counsel creates an adversarial environment that harms the therapeutic alliance necessary for such an interview. *Id.*, ¶ 11.

Dr. Andrade's clinical interview will not be conducted or used for any purpose outside of this lawsuit. *Id.*, ¶ 12. Any concerns Plaintiff has about the clinical interview will be alleviated by the presence of a non-attorney representative¹, the recording of the interview, and Dr. Andrade's written Rule 35(b) report. Finally, the presence of Plaintiff's counsel at the interview will require the presence of counsel for Defendants, further creating an adversarial environment and raising ethical concerns about counsel becoming a witness in this case. *See* Idaho Rule of Professional Conduct 3.7(a) ("A lawyer shall not act as an advocate at a trial in which the lawyer is likely to be a necessary witness ...").

Therefore, the IDOC Defendants respectfully request that this Court grant their *Motion* and enter an *Order* consistent with the parameters for the Rule 35 examination provided in the proposed *Order* attached hereto.

¹ IDOC Defendants expect and request that Plaintiff and her counsel will select a non-attorney representative who is not an incarcerated person and does not pose a security risk to the operations of the secured facility.

Dated this 24th day of July, 2018.

/s/ Marisa S. Crecelius
Marisa S. Crecelius
Attorneys for IDOC Defendants

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 24th day of July, 2018, I filed the foregoing electronically through the CM/ECF system, which caused the following parties or counsel to be served by electronic means, as more fully reflected on the Notice of Electronic Filing:

Dan Stormer
dstormer@hadsellstormer.com
Lori Rifkin
lrifkin@hadsellstormer.com
[Shaleen Shanberg](mailto:sshanberg@hadsellstormer.com)
[sshhanberg@hadsellstormer.com](mailto:sshanberg@hadsellstormer.com)
HADSELL STORMER & RENICK, LLP
(Counsel for Plaintiff)

Amy Whelan
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NATIONAL CENTER FOR LESBIAN
RIGHTS
(Counsel for Plaintiffs)

Craig Durham
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PARSONS, BEHLE & LATIMER

/s/ Krista Zimmerman
Krista Zimmerman

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Attorneys for Defendants Idaho Department of Corrections, Henry Atencio, Jeff Zmuda, Howard Keith Yordy, Richard Craig, and Rona Siegert

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF IDAHO**

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| ADREE EDMO, |) | Case No. 1:17-cv-151-BLW |
| |) | |
| Plaintiff, |) | |
| vs. |) | DECLARATION OF DR. JOEL T. |
| |) | ANDRADE |
| IDAHO DEPARTMENT OF |) | |
| CORRECTION; HENRY ATENCIO, in |) | |
| his official capacity; JEFF ZMUDA, in |) | |
| his official capacity; HOWARD KEITH |) | |
| YORDY, in his official and individual |) | |
| capacities; CORIZON, INC.; SCOTT |) | |
| ELIASON; MURRAY YOUNG; |) | |
| RICHARD CRAIG; RONA SIEGERT; |) | |
| CATHERINE WHINNERY; AND |) | |
| DOES 1-15; |) | |
| |) | |
| Defendants. |) | |
| _____ |) | |

I, Joel T. Andrade, Ph.D., LICSW, CCHP-MH, hereby declare under penalty of perjury of the laws of the United States that the foregoing is true and correct:

1. I am over the age of eighteen and am competent to testify to the matters herein. I make this declaration based upon my own personal knowledge.

2. I am the Director of Clinical Operations – Mental Health at MHM Correctional Services, Inc. I am a Licensed Independent Clinical Social Worker and Certified Correctional Health Care Professional – Mental Health by the National Commission on Correctional Health Care.

3. I am a Doctor of Philosophy in Social Work, and I have my Master's degree in Clinical Social Work, with a concentration in Forensic Social Work, and Bachelor of Arts degree in Psychology and Social and Rehabilitation Services. A description of my education, research, experience, and publications is provided in my CV, which is attached hereto as **Exhibit 1**.

4. I have been working with inmates in a clinical setting since 1998. I have interviewed numerous inmates and conducted countless interviews and evaluations in my capacity as a clinical social worker, crisis clinician, clinical supervisor, director of assessment, clinical risk assessment coordinator, clinical operations specialist, program manager, director of clinical programs, and director of clinical operations.

5. In my years of experience conducting clinical interviews and evaluations, I have never conducted such an interview in the presence of a patient's counsel.

6. I have been retained as an expert witness by the IDOC Defendants in this case and am scheduled to perform a clinical interview of Plaintiff Adree Edmo on July 31, 2018, in Boise, Idaho.

7. It is my understanding that counsel for Ms. Edmo has asked to be present during my clinical interview of Ms. Edmo. I object to counsel's presence for several reasons.

8. First, the presence of counsel will prevent me from having a therapeutic alliance with Ms. Edmo, which is necessary for an open and free-flowing interview. An attorney's presence would disrupt the interview and would impede my one-on-one exchange with Ms. Edmo. An attorney's presence would likely cause Ms. Edmo to view the interview as an adversarial encounter and could work to diminish the accuracy and completeness of my examination.

9. In order for a clinical interview to be successful, it requires a limited amount of clinical trust between me and Ms. Edmo. Such trust allows for the free flow of information so that Ms. Edmo will feel comfortable providing answers to the interview questions.

10. My clinical interview does not create a clinician-patient relationship, but it does allow me to evaluate Plaintiff's medical needs and to perform an independent assessment of her current mental health condition, the treatment she has received, the treatment she requires, and what is necessary to address her overall mental health issues, for the ultimate purpose of identifying what treatment is in her best interest.

11. I am greatly concerned that the presence of an attorney would create an adversarial process that would destroy the therapeutic alliance that is vital to conducting an open, cooperative, and productive interview.

12. My clinical interview will not be conducted or used for any purpose outside of my expert retention and testimony in this lawsuit.

Dated this 24th day of July, 2018.

/s/ Joel T. Andrade

Dr. Joel T. Andrade

Joel T. Andrade, Ph.D., LICSW, CCHP-MH

617.620.3664

joeltandrade@gmail.com

EDUCATION

Doctor of Philosophy in Social Work, Boston College Graduate School of Social Work, Chestnut Hill, MA, April 2009.

Dissertation Title: *Psychosocial Precursors of Psychopathy in a Psychiatric Sample: A Structural Equation Model Analysis.*

Dissertation Chair: Thomas O'Hare, Ph.D.

Master of Social Work, Boston College Graduate School of Social Work, Chestnut Hill, MA, May 1998, with a concentration in Forensic Social Work.

Bachelor of Arts in Psychology and Social & Rehabilitation Services, Assumption College, Worcester, MA, May 1996.

Licensure/Certifications

- Licensed Independent Clinical Social Worker—Massachusetts & Florida
MA License Number—110161; FL License Number—SW13904
- Certified Correctional Healthcare Professional—Mental Health (CCHP-MH) by the National Commission on Correctional Health Care

FUNDED RESEARCH

R01 MH095230 (Principal Investigator: Jennifer Johnson, Brown University)

Role: Co-Principal Investigator

7/1/11 – 6/30/14

NIH/NIMH

\$360,587 (DC Yr1)

Effectiveness of Interpersonal Therapy for men and women prisoners with major depression

- To conduct the first fully-powered effectiveness study of major depressive disorder in an incarcerated population, along with cost and pilot implementation data.

Research Fellowship

9/2002-8/2003: Boston College Graduate School of Social Work/Cash & Counseling Program

Principal Investigator: Kevin Mahoney

- Worked as a member of a team conducting initial interviews regarding the Cash and Counseling program with health administrators in all 50 States.
- Worked as a member of a team to create a database to analyze data gathered from interviews.

Professional Experience

MHM Correctional Services, Inc.

Vienna, Virginia

Director of Clinical Operations—Mental Health

March 2015 to Present

- Provide clinical supervision to statewide mental health directors for MHM contracts nationwide.
- Develop treatment programs, staff training modules, and group psychoeducational curriculum for clinical staff.
- Develop policies and procedures related to clinical operations for MHM contracts.
- Monitor compliance of MHM contracts based on contract compliance indicators and national standards (NCCHC, ACA).
- Provide consultation and training for all MHM contracts in the areas of violence risk assessment and risk management; suicide risk assessment; clinical evaluation; forensic issues; sex offender issues; psychopathy; gender dysphoria, etc.
- Direct and oversee the treatment of all inmates diagnosed with gender dysphoria in the Massachusetts Department of Correction.
- Conduct statistical analysis for company-wide research projects.
- Provide behavior management consultation for behaviorally disturbed inmates.
- Provide clinical support during implementation phase of a contract and when needed thereafter.

MHM Correctional Services, Inc.

Norton, Massachusetts

Program Manager & Director of Clinical Programs

March 2010 to March 2015

- Direct and oversee statewide mental health services provided to the Massachusetts Department of Correction Prisons and medical and mental health services at Bridgewater State Hospital.
- Clinical and administrative oversight of over 350 clinical staff including social workers, psychiatrists, psychologists, nurse practitioners, nurses, and internists.
- Ensure compliance with accrediting bodies such as the American Correctional Association (ACA), the National Commission on Correctional Health Care (NCCHC), and the Joint Commission (TJC).
- Conduct clinical evaluations for complex cases.
- Develop behavior management plans as required for inmates or patients who engage in significant self-injurious and/or violent behavior.
- Supervise the criteria development and process management for all residential and special mental health programs throughout the Massachusetts Department of Correction.
- Implement and manage the Mental Health Classification designation process.
- Develop, approve and maintain policies and procedures specific to mental health services.

MHM Correctional Service, Inc.

Vienna, Virginia

Clinical Operations Specialist

August 2008 to March 2010

- Develop treatment programs, staff training modules, and group psychoeducational curriculum for all MHM contracts nationwide.
- Develop policies and procedures related to clinical operations for all MHM contracts nationwide.
- Provide clinical support for medical directors, CQI managers and psychologists.
- Provide consultation and training for all MHM contracts in the areas of violence risk assessment and risk management; suicide risk assessment; clinical evaluation; forensic issues; sex offender issues; psychopathy; etc.
- Conduct statistical analysis for company-wide research projects and present findings at conferences and meetings.
- Provide behavior management consultation for behaviorally disturbed inmates.

Bridgewater State Hospital

Bridgewater, MA

Clinical Risk Assessment Coordinator

September 2007-April 2009

- Conduct violence risk assessment evaluations, including the administration of risk assessment tools such as the HCR-20, and PCL-R or PCL:SV for high-risk patients being considered for transfer from Bridgewater State Hospital (maximum-security forensic hospital) to a less secure setting.

Bridgewater State Hospital

Bridgewater, MA

Admission Coordinator

July 2003-August 2008

- In 2003 standardized and wrote the admission criteria for patients being admitted to Bridgewater State Hospital from county and state correctional facilities.
- Provide clinical consultation to all State and County correctional facilities in the State of Massachusetts regarding inmates that may require inpatient hospitalization at Bridgewater State Hospital.

Bridgewater State Hospital

Bridgewater, MA

Director of the Intensive Treatment Unit

September 2002-August 2008

- Provide clinical and administrative oversight of the Intensive Treatment Unit at Bridgewater State Hospital.
- Conduct violent risk assessment evaluations and provide expert witness testimony in commitment hearings and dangerousness hearings throughout the Commonwealth of Massachusetts.
- Provide clinical administrative services for a group of patients on the Maximum-Security Admissions unit, which includes initial diagnostic assessments, treatment

planning, crisis intervention, violence risk assessments, suicide risk assessments, etc.

- Member of several hospital committees including: Seclusion and Restraint Task Force; Seclusion and Restraint Performance Improvement Team; Violence Reduction Performance Improvement Team; De-escalation Performance Improvement Team; Administrative Segregation Legislative Work Group; Forensic Training Committee; JCAHO Assessment Chapter Committee; and Self-Injurious Behavior Performance Improvement Team.
- Chair of the Law & Mental Health Training Committee (2003 to 2008).

Sexual Disorders Clinic—Community Health Link

Worcester, MA

Director of Assessment

January 2004-October 2007

- In conjunction with the clinical director, developed a laboratory for physiological and psychological assessment. Evaluations included penile plethysmography, psychopathy assessments, and other clinical evaluations.
- Research topics include: Comorbid Mental Illness, Psychopathy Among Sex Offenders, and Violence Risk Assessment among Sex Offenders.

New England Forensic Associates (NEFA)

Arlington, MA

Laboratory Consultant

July 2005-September 2006

- Oversee physiological and psychological assessments conducted in the laboratory. These include the following: Penile Plethysmograph, Abel Assessment for Sexual Interest, and Millon Clinical Multiaxial Inventory—III.
- NEFA is an outpatient treatment and assessment clinic for individuals with sexually related disorders.

Bridgewater State Hospital—Correctional Medical Services

Bridgewater, MA

Forensic Clinical Social Worker

April 1999-October 2002

- Conduct violent risk assessment evaluations and provide expert witness testimony in civil commitment hearings and forensic recommitment hearings.
- Clinical administration, initial diagnostic assessments, treatment planning, crisis intervention, suicide risk assessments.
- Long term individual and group psychotherapy with committed patients.
- Discharge planning to Department of Correction facilities, Department of Mental Health facilities, and community based agencies.

Stoughton Youth Commission/ Boston College Graduate School of Social Work

Stoughton, MA

Clinical Supervisor

September 2001-January 2003

- Provide clinical supervision for Master's level Clinical Social Workers and Social Work Interns.
- Conduct group trainings and seminars on topics including: administering psychosocial assessments with adolescents and families, working with at-risk populations, engaging clients in court ordered treatment, and conducting suicide and violence risk assessments

South Shore Mental Health---Crisis Intervention Team

Quincy, MA

Crisis Clinician

June 1999-September 2001

- Conduct psychiatric crisis evaluations for acutely distressed adults, adolescents, children, couples, and families.
- Assess for violence risk and suicide risk, as well as acute psychiatric distress.
- Present clinical information to third party payer and advocate for the level of care needed to effectively treat the individual.

Massachusetts Correctional Institute-Concord—Correctional Medical Services

Concord, MA

Forensic Clinical Social Worker

June 1998-April 1999

- Conduct initial intake assessments immediately after sentencing, provide crisis intervention for acutely at risk inmates, conduct suicide and institutional violence risk assessments, and provide long-term individual therapy.
- Case management and treatment planning of a caseload of 50 to 75 mentally ill incarcerated men.
- Oversee clinical services at Northeastern Correctional Center, which is the minimum-security facility associated with MCI-Concord.

Clinical Internships**1997-1998, Bridgewater State Hospital**

Bridgewater, MA

1996-1997, Barron Assessment and Counseling Center

Jamaica Plain, MA

1995-1996, Auburn Youth & Family Services

Auburn, MA

1994-1995, Department of Social Services

Worcester, MA

TEACHING EXPERIENCE**2007-2010—Adjunct Faculty—Bridgewater State University, Department of Social Work**

- Introduction to Social Research
- Research: Evaluating Practice (2007 and 2010)
- Human Behavior in the Social Environment I
- Human Behavior in the Social Environment III: DSM-IV-TR

2004 – Teaching Assistant – Boston College Graduate School of Social Work.

- Introductory research methods and statistics course

PUBLICATIONS

Peer-Reviewed Journals

Johnson, J. E., Miller, T. R., Stout, R. L., Zlotnick, C., Cerbo, L., **Andrade, J. T.**, Wiltsey-Stirman, S. (2016). Study protocol: Hybrid Type I cost-effectiveness and implementation study of interpersonal psychotherapy (IPT) for men and women prisoners with major depression. *Contemporary Clinical Trials*, 47, 266-274.

Andrade, J.T. (2008). The inclusion of antisocial behavior in the construct of psychopathy: A review of the research. *Aggression & Violent Behavior*, 13, 328-335.

Kayser, K., Watson, L.E., & **Andrade, J.T.** (2007). Cancer as a “We-Disease”: Examining the process of coping from a relational perspective. *Families, Systems & Health*, 25(4), 404-418.

Andrade, J.T., Vincent, G.M., & Saleh, F.M. (2006). Juvenile sex offenders: A complex population. *Journal of Forensic Sciences*, 51(1), 163-167.

Books

Andrade, J.T. (Editor, 2009). *Handbook of Violence Risk Assessment and Treatment: New Approaches for Mental Health Professionals*. New York: Springer Publishing.

Book Chapters

Pinals, D.A. & **Andrade, J.T.** (2015). Recovery in Correctional Settings: Challenges and Opportunities. In Trestman, R.L., Appelbaum, K.L., & Metzner, J.L. (Eds.), *The Oxford Textbook of Correctional Psychiatry*. New York: Oxford University Press.

Andrade, J.T. (2009). Psychopathy: Assessment, treatment, and risk management. In **J.T. Andrade** (Ed.), *Handbook of violence risk assessment and treatment: New approaches for mental health professionals*. pp. 241-290. New York: Springer Publishing.

Andrade, J.T., O’Neill, K., & Diener, R. (2009). Violence risk assessment and risk management: A historical overview and clinical application, In **J.T. Andrade** (Ed.), *Handbook of violence risk assessment and treatment: New approaches for mental health professionals*. pp. 3-39. New York: Springer Publishing.

Blog Posts

Andrade, J.T. (2017, June 22). Mental Health Units as Alternatives to Segregation It Can Be Done [Vera Institute Blog Post]. Retrieved from <https://www.vera.org/blog/addressing-the-overuse-of-segregation-in-u-s-prisons-and-jails/mental-health-units-as-alternatives-to-segregation-it-can-be-done>

Webinars:

Andrade, J.T. (2018, May 31). *Medical and Mental Health Professionals' Role in Segregation: Charting Policies to Ensure Quality Care*. National Commission on Correctional Health Care. Retrieved from: <https://www.ncchc.org/medical-and-mental-health-professionals-role-in-segregation>

Other Publications

Andrade, J.T. (2015). Providing Care for Incarcerated Psychopathic Patients. *CorrDocs*, 18(2), 8-9.

Andrade, J. T., Wilson, J. S., Franko, E., Deitsch, J., & Barboza, S. E. (December, 2014). Developing the Evidence Base for Reducing Chronic Inmate Self- Injury: Outcome Measures for Behavior Management. *Corrections Today*.

Andrade, J.T., & Saleh, F.M. (Winter, 2007). Book Review: Patrick C.J (Editor). Handbook of Psychopathy. Guilford Press 2006. *American Society for Adolescent Psychiatry Newsletter*.

Andrade, J.T. & Saleh, F.M. (Winter, 2005). Juvenile psychopathy: What do we know? *American Society for Adolescent Psychiatry Newsletter*.

Conference Presentations

- Wilson, J.S. & Andrade, J.T. (2018, March). *Evidence-Based Approaches to Safety Promotion and Harm Prevention for Patients in Isolation*. Presented at the American College of Correctional Physicians Spring Conference. Houston, TX.
- Fagan, T., Fleming, M., & Andrade, J.T. (2017, November). *Building an Ethics Toolbox: Strategies for Correctional Health Professionals*. Presented at the National Commission on Correctional Health Care Annual Conference: Chicago, IL.
- Wilson, J.S. & Andrade, J.T. (2017, November). *Evidence-Based Approaches to Safety Promotion and Harm Prevention for Patients in Isolation*. Presented at the American College of Correctional Physicians Annual Conference. Chicago, IL.
- Garvey, K., & Andrade, J.T. (2017, October). *"Tax Dollars at Work": Treating Inmates with Gender Dysphoria*. Presented at the American Academy of Psychiatry and the Law: Denver, CO.
- Andrade, J.T. (2017, July). *Psychopathy: Providing Treatment and Managing Risk*. Presented at the National Commission on Correctional Health Care Summer Conference: Las Vegas, NV.
- Andrade, J.T. (2017, July). *Serious Mental Illness and Segregation: Recommendations for a System that Works*. Presented at the National Commission on Correctional Health Care Summer Conference: Las Vegas, NV.
- Andrade, J.T., Peterson, M.S., & Norcliffe, N. (2017, April). *Mental Health Units as an Alternative to Segregation for SMI Inmates*. Presented at the National Commission on Correctional Health Care Spring Conference: Atlanta, GA.
- Fagan, T., Fleming, M., & Andrade, J.T. (2017, April). *Building an Ethics Toolbox: Strategies for Correctional Health Professionals*. Presented at the National Commission on Correctional Health Care Spring Conference: Atlanta, GA.
- Andrade, J.T. (2017, February). *Violence Risk Assessment in Forensic Settings: An Update on the Research Literature*. Presented at the American Correctional Association Winter Conference. San Antonio, TX.
- Andrade, J.T. & Fagan, T. (2016, October). *Beyond Good and Evil: The Soul of the Psychopath*. Presented at the National Commission on Correctional Health Care Mental Health Conference: Las Vegas, NV.
- Andrade, J.T. (2016, October). *The Science of Violence Risk Assessment*. Presented at the National Commission on Correctional Health Care Mental Health Conference: Las Vegas, NV.

- Andrade, J.T. (2016, August). *The Science of Suicide Risk Assessment Prevention in Correctional Settings*. Presented at the American Correctional Association Summer Conference. Boston, MA.
- Turney, A., Williams, K., Boyd, B., Fleming, M.C., & Andrade, J.T. (2016, August). *Effective Management of Self-Injurious Behavior in the Correctional Health Care Setting*. Presented at the American Correctional Association Summer Conference. Boston, MA.
- Andrade, J.T. (2016, July). *Serious Mental Illness and Segregation: How Massachusetts Resolved This Litigation*. Presented at the National Commission on Correctional Health Care Mental Health Conference: Boston, MA.
- Andrade, J.T. & Garvey, K. (2016, July). *Gender Dysphoria: Recommendations for a Successful Program*. Presented at the National Commission on Correctional Health Care Mental Health Conference: Boston, MA.
- Andrade, J.T. (2016, July). *Continuous Quality Improvement*. Roundtable Discussion at the National Commission on Correctional Health Care Mental Health Conference: Boston, MA.
- Andrade, J.T. (2016, April). *Continuous Quality Improvement: Motivating and Measuring Change*. Preconference Workshop presented at the National Commission on Correctional Health Conference: Nashville, TN.
- Andrade, J.T. (2015, October). *Gender Dysphoria: Developing and Implementing a Successful Program in the Correctional Environment*. Presented at the National Commission on Correctional Health Conference: Dallas, TX.
- Andrade, J.T. (2015, October). *Continuous Quality Improvement: Strategies and Techniques to Improve Patient Care*. Preconference Workshop presented at the National Commission on Correctional Health Conference: Dallas, TX.
- Andrade, J.T., & Neitlich, D. (2015, April). *Psychopathy: Providing Treatment and Managing Risk*. Presented at the National Commission on Correctional Health Conference: New Orleans, LA.
- Andrade, J.T. (2015, April). *Continuous Quality Improvement: Strategies and Techniques to Improve Patient Care*. Preconference Workshop presented at the National Commission on Correctional Health Conference: New Orleans, LA.
- Metzner, J., & Andrade, J.T., (2014, December). *Serious Mental Illness and Segregation: Recommendations for a System That Works*. Presented at the NYS Correctional Medical and Behavioral Health Care Workshop: Albany, NY.
- Andrade, J.T., Wilson, J., & Franko, E. (2014, December). *Measuring Effectiveness of Behavior Management: Individual- and Unit-Based Outcome Data*. Pennsylvania Forensic Rights and Treatment Conference/Drexel University, Grantsville, PA

- Andrade, J.T., & Metzner, J. (2014, July). *Serious Mental Illness and Segregation: Recommendations for a System That Works*. Presented at the National Commission on Correctional Health Care Mental Health Conference: Denver, CO.
- Andrade, J.T., & Diener, R.B. (2014, July). *Gender Dysphoria: Clinical and Legal Aspects*. Presented at the National Commission on Correctional Health Care Mental Health Conference: Denver, CO.
- Andrade, J.T. (2014, July). *Serious Mental Illness and Segregation: Clinical and Legal Aspects*. Roundtable discussion at the National Commission on Correctional Health Care Mental Health Conference: Denver, CO.
- Andrade, J.T. (2014, July). *Gender Dysphoria and Correctional Mental Health*. Roundtable discussion at the National Commission on Correctional Health Care Mental Health Conference: Denver, CO.
- Andrade, J.T. & Wilson, J.S. (2014, January). *Measuring Effectiveness of Behavior Management: Individual- and Unit-Based Outcome Data*. Presented at the American Correctional Association Winter Conference. Tampa, FL.
- Andrade, J.T. (2013, July). *DSM-5: From Gender Identity Disorder to Gender Dysphoria*. Roundtable discussion at the National Commission on Correctional Mental Health Conference: Las Vegas, NV.
- Wilson, J.S, Andrade, J.T., & Barboza, S.E. (2013, July). *Behavior Management Strategies for Individual and Group Programs*. Presented at the National Commission on Correctional Health Care Mental Health Conference: Las Vegas, NV.
- Andrade, J.T., O'Neill, K., & Neitlich, D.P. (2013, July). *Segregation and Serious Mental Illness: Creating a System to Ensure Quality Care and Minimize Clinical and Legal Risks*. Presented at the National Commission on Correctional Health Care Mental Health Conference: Las Vegas, NV.
- Andrade, J.T., Diener, R.B., Cohen-Kettenis, P., Levine, S.B., & Zucker, K. (2013, March) *Trends, Uncertainties, and Controversies in the Treatment of the Transgendered*. A symposium presented at the 166th American Psychiatric Association Annual Meeting. San Francisco, CA.
- Andrade, J.T. (2013, April). *Alternatives to Long-Term Segregation for Inmates with Serious Mental Illness*. Presented at the Society of Correctional Physicians Spring Conference. Denver, CO.
- Andrade, J.T., Bissonnette, L., Holowecki, C., O'Neill, K. (2013, January). *An Intensive Treatment Unit for Female Offenders in Massachusetts*. Presented at the American Correctional Association Winter Conference. Houston, TX.

- Andrade, J.T., Neitlich, D.P., & Deitsch, J. (2013, January). *Maintaining a Correctional mental Health System to Ensure Quality Care and Minimize Clinical and Legal Risks*. Presented at the American Correctional Association Winter Conference. Houston, TX.
- Andrade, J.T. (2012, October). *The Treatment of Psychopathic Offenders within a Correctional Setting: The Behavior Management Unit in Massachusetts*. Presented at the National Commission on Correctional Health Conference: Las Vegas, NV.
- Andrade, J.T. & Franko, E. (2012, July). *Continuous Quality Improvement (CQI) to Improve Patient Care and Clinical Efficiencies, Successfully Defend Against Litigation, and more...* Presented at the National Commission on Correctional Mental Health Conference: Chicago, IL.
- Andrade, J.T. (2012, May). *Treatment of Problematic Behavior in a Correctional Setting: An Analysis of Behavioral outcomes*. Presented at the National Commission on Correctional Health Conference: San Antonio, TX.
- Andrade, J.T., & O'Neill, K. (2012, March). *The Behavior Management Unit: An Alternative to Long-Term Segregation*. Presented at the Academic & Health Policy Conference on Correctional Health: Atlanta, GA.
- Andrade, J.T., & Neitlich, D.P. (2012, March). *A Descriptive Analysis of 2,000 Incidents of Self-Injurious Behavior*. Presented at the Academic & Health Policy Conference on Correctional Health: Atlanta, GA.
- Andrade, J.T. (2011, July). *Alternatives to Long-Term Segregation for Inmates with Serious Mental Illness: Outcomes of Secure Treatment Units in Massachusetts*. Presented at the National Commission on Correctional Health Care Mental Health Conference: Las Vegas, NV.
- Andrade, J.T., Diener, R.B., & O'Neill, K (2011, July). *Gender Identity Disorder: A Correctional Mental Health Perspective*. Presented at the National Commission on Correctional Health Care Mental Health Conference: Las Vegas, NV.
- Masotta, M., & Andrade, J.T. (2011, March). *Suicide and Self-Harm Risk Assessment within Correctional Settings: Avoiding Common Pitfalls*. Presented at the Academic & Health Policy Conference on Correctional Health: Boston, MA.
- Andrade, J.T. & O'Neill, K.L. (2011, March). *Alternatives to Segregation for Inmates with Serious Mental Illness*. Presented at the Academic & Health Policy Conference on Correctional Health: Boston, MA.
- Andrade, J.T., O'Neill, K.L., Hallett, A., & Mulvey, R. (2010, November). *A Collaborative Training Model for Behavior Management Units*. International Association of Correctional Trainers: Boston, MA.

Andrade, J.T. (2010, July). *Behavior Management Interventions*. Roundtable discussion at the National Commission on Correctional Health Care Mental Health Conference: Boston, MA.

Andrade, J.T. (2010, July). *Behavior Management Strategies That Won't Reinforce Inmate Self-Injury*. Presented at the National Commission on Correctional Health Care Mental Health Conference: Boston, MA.

Barboza, S.E., Andrade, J.T., Wilson, J.S. (2010, April). *Ending It All: Data Informed Suicide Prevention*. Presented at the National Commission on Correctional Health Care Conference: Nashville, TN.

Wilson, J.S., Barboza, S.E., & Andrade, J.T. (2009, December). *Ending It All: What the Data Tell Us About Suicide Prevention*. Presented at the Academic & Health Policy Conference on Correctional Health Linking Best Practices to Best Evidence: Fort Lauderdale, FL.

Andrade, J.T. (2009, June). *Psychopathy in Correctional Settings: Assessment & Risk Management*. Presented at the Michigan Sheriffs' Association 2009 Summer Conference: Frankenmuth, MI.

Andrade, J.T. & Barboza, S.E. (2009, April). *Taking A Chance on Change: Treating Offenders in Restricted Housing*. Presented at the Mental Health in Corrections Consortium 2009 Symposium: Kansas City, MO.

Andrade, J.T. (2009, March). *The Institutional Treatment of Psychopathy*. Presented at the American Correctional Health Services Association Conference: Orlando, FL.

Andrade, J.T., Weiner, L., Mitchell, L., Zakai, A. (2008, September). *Roundtable Discussion: Mental Health Treatment within Maximum-Security Institutions and Segregation*. Presented at the National Institute of Corrections Conference: Leominster, MA.

Andrade, J.T. & Terry, A. (2008, March). *Workshop: Violence Risk Assessment in Youthful Populations*. Presented at the American Society for Adolescent Psychiatry Annual Conference: Boston, MA.

Andrade, J.T. (2007, October). *Assessment of Inpatient Aggression and Violent Behavior*. Poster presented at the American Academy of Psychiatry and the Law Annual Conference: Miami, FL.

Dwyer, R.G., Saleh, F.M., Vincent, G.M., & Andrade, J.T. (2007, October). *Assessing and Treating Violent Women: What Do We Know?* Poster presented at the American Academy of Psychiatry and the Law Annual Conference: Miami, FL.

- Andrade, J.T., & O'Neill, K. (2007, April). *The Forensic Assessment of Malingering*. Presented at the National Organization of Forensic Social Work Conference: Las Vegas, NV.
- Andrade, J.T. (2007, April). *Juvenile Psychopathy: Assessment, Treatment, and Risk Management*. Presented at the National Organization of Forensic Social Work Conference: Las Vegas, NV.
- Andrade, J.T. (2007, March). *Psychopathy within a Correctional Setting: Assessment, Treatment, and Risk Management*. Presented at the University of Massachusetts Correctional Health Program Academic and Health Policy Conference; Quincy, MA.
- Saleh, F.M., & Andrade, J.T. (2006, October). *Clinical and Ethical Consideration in People with Gender Identity Disorder*. Poster presented at the American Academy of Psychiatry and the Law Annual Conference: Chicago, IL.
- Andrade, J.T., & Saleh, F.M. (2006, October). *Measurement of Treatment Outcome in Paraphilic Patients*. Poster presented at the American Academy of Psychiatry and the Law Annual Conference: Chicago, IL.
- Andrade, J.T., & O'Neill, K. (2006, July). *Beyond a Reasonable Doubt: Violence Risk Assessment and Expert Witness Testimony in Massachusetts*. Presented at the National Organization of Forensic Social Work Conference: Chicago, IL.
- Andrade, J.T. (2006, July). *The Psychopathic Personality: Historical and Current Perspectives*. Presented at the National Organization of Forensic Social Work Conference: Chicago, IL.
- Saleh, F.M., Kenan, J., Dwyer, R.G., & Andrade, J.T. (2006, March). *Workshop: Evaluation and Treatment of Adolescent Sex Offenders*. Presented at the American Society for Adolescent Psychiatry Annual Conference: Miami, FL.
- Andrade, J.T., Vincent, G.M., & Saleh, F.M. (2005, October). *Meta-analysis of Psychopathy and Sex Offending: Preliminary Findings*. Presented at the American Academy of Psychiatry and the Law Annual Conference: Montreal, Canada.
- Andrade, J.T., & Saleh, F.M. (2005, October). *The Penile Plethysmograph in the Assessment and Treatment of Sexually Offending Behavior*. Poster presented at the American Academy of Psychiatry and the Law Annual Conference: Montreal, Canada.
- Kayser, K., Watson, L., & Andrade, J.T. (2005, May). *How couples talk about their coping with breast cancer: A relational-cultural perspective*. Paper Presented at the Advances in Couples' Coping and Stress Research: Psychosocial and Clinical Perspectives Conference: Milan, Italy.

- Andrade, J.T., & Peebles, J.L. (2005, April). *The Relationship Between Psychopathy and Sexual Aggression: A Review*. Presented at the National Organization of Forensic Social Work Conference: New Orleans, LA.
- Andrade, J.T. & Caratazzola, P. (2005, April). *The Assessment of Violent Offenders: Implications of the MacArthur Violence Risk Assessment Data and Its Application to Forensic Social Work Practice*. Presented at the National Organization of Forensic Social Work Conference: New Orleans, LA.
- Andrade, J.T. (2005, March). *Therapy with Juvenile Sexual Offenders*. Presented at the American Society for Adolescent Psychiatry Annual Conference: Houston, TX.
- Guidry, L. & Andrade, J.T. (2004, October). *Comorbid Mental Illness Among Paraphilic Sex Offenders: Clinical Implications*. Poster Presented at the Association for the Treatment of Sexual Abusers Annual Conference: Albuquerque, NM.
- Andrade, J.T., Guidry, L., Saleh, F., Vincent, G.M. & Berlin, F. (2004, October). *Comorbid Mental Illness Among Sex Offenders: A Pilot Study*. Presented at the American Academy of Psychiatry and the Law Annual Conference: Scottsdale, AZ.
- Andrade, J.T. & Saleh, F.M. (2004, October). *Self-Injurious Behavior Among Incarcerated Individuals*. Poster presented at the American Academy of Psychiatry and the Law Annual Conference: Scottsdale, AZ.
- Andrade, J.T., Vincent., G.M., & Saleh, F.M. (2004, October). *Psychopathy Among Sex Offenders: A Systematic Review*. Poster presented at the American Academy of Psychiatry and the Law Annual Conference: Scottsdale, AZ.
- Kayser, K., & Watson, L., & Andrade, J.T. (2004, May). *Cancer as a "We-Disease:" A Relational Perspective of the Process of Coping*. Paper presented at the Fourth International Conference on Social Work in Health and Mental Health: Quebec City, Canada.

Reviewer Scholarly Journals

Journal of Forensic Social Work
Personality and Individual Difference
Journal of Clinical Psychology
Clinical Psychology Review
Scandinavian Journal of Psychology
Journal of Correctional Health Care

Reviewer Books

Columbia University Press

DSM 5

- Expert rater for DSM 5 Workgroup on Personality and Personality Disorders
- Provided input on the proposed Antisocial/Psychopathic type in terms of the proposed DSM-5 trait model
- Provided expert ratings on traits of Antisocial Personality Disorder and Borderline Personality Disorder