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2
3 IN THE CIRCUIT COURT OF THE STATE OF OREGON
4 FOR THE COUNTY OF LANE

5 ELIZABETH DIANE DOWNS

6 Petitioner,

7 vs.

8 STATE OF OREGON

9 Defendant.

No. 22CV16308

DECLARATION OF MEGAN MCNEAL,
PSY.D.

11 Pursuant to ORCP 1E, I, Megan McNeal, Psy.D., do hereby declare as follows:

- 12 1. I am a forensic evaluator with a Psy.D. in Clinical Psychology, with a forensic
13 specialty. I have been licensed since 2009 and conducted over 1000 forensic
14 evaluations for both state and federal courts.
- 15 2. I was contacted by attorney Venetia Mayhew to offer my assessment in the above
16 referenced DNA post-conviction case. Ms. Mayhew asked me to undertake a forensic
17 psychological evaluation to provide diagnostic clarity for the court.
- 18 3. I recognize Attachment 1 pages 3-33 to be a 31-page report that I generated on behalf
19 of petitioner. In that report I concluded that because of petitioner's extremely cerebral
20 presentation, naïve interactions with the media, and her defense attorney's inability to
21 correct wrong assumptions about her, her character was assassinated at trial. Petitioner
22 has been maligned based due to misinterpretation of her conduct and blatant
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25 DECLARATION OF MEGAN MCNEAL PSY.D. 1

VENETIA MAYHEW
PO Box 22026
PORTLAND, OR 97269
T: 503 490 0777

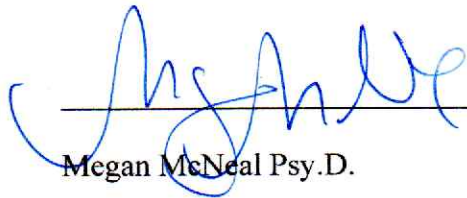
PET. EX. 32

1 misrepresentation of her character, when decades of information suggest she is
2 intelligent, optimistic and stoic and is a helpful and compassionate person to others. I
3 also concluded that emotionally detached, somewhat neurodiverse and overly
4 analytical presentation worked to convict her as much or more than the evidence in her
5 trial. I recognize attachment 2 pages 34-38 as a copy of my current curriculum vitae.

- 6 4. I hereby declare that the above statement is true to the best of my knowledge and belief
7 and, I understand it is made for use as evidence in court and is subject to penalty for
8 perjury.

9 Dated: this 1 day of NOVEMBER, 2025

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Megan McNeal Psy.D.

Megan McNeal, Psy.D.
Clinical & Forensic Psychologist

1130 SW Morrison Avenue, Suite 515, Portland, OR 97205
Ph: (503) 320-4190 Fax: (503) 227-0815
drmeganmcneal@yahoo.com

Forensic Psychological Evaluation
CONFIDENTIAL

Name: Elizabeth Diane Downs

Case Number: 22CV16308

Attorney: Venetia Mayhew, Mieke de Vrind

Date/s of Evaluation: April 3, 2025, June 23, 2025

Date of Report: August 11, 2025

Referral Question(s). Elizabeth Diane Downs has been convicted of Murder, Attempted Murder (two counts), and Assault in the First Degree (two counts). On August 28, 1984, she was sentenced as a dangerous offender and given a life sentence. At the time of this evaluation, Ms. Downs has served over forty years of her life sentence. This evaluator was asked by Ms. Downs's defense attorney to conduct a forensic psychological examination in an effort to provide diagnostic clarity for the court.

The following sources were used in this evaluation:

- Background investigation, which included review of transcripts from the Downs trial, sentencing, and post-conviction relief hearings.
- Diagnostic interviews with Ms. Downs (10.0 hours).
- Psychological testing, including administration of the Personality Assessment Inventory (PAI).
- Review of media footage from local news programs in 1983 and 1984 and numerous YouTube videos regarding the story of Diane Downs (various times and dates).
- Oregon and California Department of Corrections records, including disciplinary records, parole board evaluations, work history and commendations.

- Collateral interview with James Fredericksonerickson, Ms. Downs's brother on August 1, 2025 (1.75 hours).

Process of Evaluation. Before beginning the evaluation, the nature and process of this examination were explained to Ms. Downs, including the fact that this was strictly an evaluation and did not involve any counseling or therapy. Ms. Downs was told that the evaluation was confidential, unless she and her attorney agreed to use the results from this evaluation in her legal case. She was informed that if a report of my findings was prepared and presented to the Court, it would be neither privileged nor confidential. It was noted that this evaluator makes every effort to be objective and impartial and that results of the evaluation could potentially adversely affect her case. She appeared to understand the purpose of the evaluation and issues related to confidentiality.

Mental Status. Ms. Downs is a 70-year-old Caucasian woman who was evaluated over the course of two meetings in a correctional setting. During each meeting, Ms. Downs was dressed in jail-issued clothing with appropriate grooming and hygiene. She was engaged and cooperative throughout the evaluation process. Ms. Downs was talkative and energetic, and she provided detailed answers to questions, occasionally going off on tangents with the apparent intention to provide context for her explanations and reasoning. Ms. Downs appeared comfortable in her own skin, showing no signs of apprehension, anxiety, or social awkwardness. She had a dry sense of humor, which she occasionally used to poke fun at herself or her notoriety. Ms. Downs was matter of fact and forthcoming in her responses, even when her answers had the potential to cast her in a negative light.

Overall, her speech was within normal limits and her emotional expression was consistent with the topic of discussion. Although she became slightly tearful on a couple of occasions, her demeanor was typically cheerful and optimistic. When confronted with inconsistencies or information contrary to her assertions, Ms. Downs defended her opinion using logical and rationale. At no point did she become angry, verbally dismissive, or disparaging toward this examiner or anyone else. When speaking about other people, even those who have wronged her, she talked about them with respect and compassion.

Ms. Downs evidenced no gross impairments in her memory, reasoning, or decision-making skills. She appeared to have no difficulties staying focused on the topic of discussion and provided linear, detailed answers to questions. Her reasoning and language skills were reflective of an above average intelligence, which is consistent with prior cognitive scores that place her in a superior range of intellectual functioning.

When asked about her mood, Ms. Downs replied, "Usually pretty happy." Overall, she denied having chronic sleeping problems or challenges with her level of energy and appetite. During her incarceration, Ms. Downs has not been prescribed any psychotropic medication. Ms. Downs denied having a history of experiencing visual or

auditory hallucinations. Despite expressing some seemingly grandiose conspiracy theories related to her criminal case, Ms. Downs evidenced no unusual perceptions, thoughts, or beliefs suggestive of a psychotic disorder. She consistently denied experiencing recent or current feelings about wanting to cause harm to herself or anyone else.

Ms. Downs demonstrated a fair amount of insight into her past and current mental health issues. She spoke at length about the impact of six years in isolation on her mental health, which led to deep self-reflection. Ms. Downs was able to articulate feelings of longstanding grief related to the shootings of her children, which initially manifested as shock and avoidance. She described working through decades of frustration, anger, and sadness related to the loss of her children. Throughout the evaluation, Ms. Downs demonstrated self-awareness, referring to herself as 'cerebral' and 'logical' and 'introverted', and she could describe how these characteristics have kept her emotionally distant from others.

Psychosocial interview. *Ms. Downs's life history has been well-documented in other reports, and her self-report to this evaluator was very consistent with what she reported during other interviews.*

Ms. Downs was born in Phoenix Arizona, where she was raised by her mother and father, Wesley and Willadene Frederickson. Ms. Downs voiced her suspicions that the Fredericksons are really her adoptive parents. She expressed having some conspiracy theories regarding the identities of her potential biological parents, and that the FBI might have a file with the identities of her true biological parents. Over the course of the evaluation, Ms. Downs expressed concern that her legal case and birth origin are connected. In addition, she voiced her concerns about her true identity being somehow related to the deaths of several pets over the course of her childhood.

Ms. Downs has four younger siblings who she helped care for during childhood. Ms. Downs reported being raised in a Christian home, and her father was head of the household. Regarding her relationship with her father, Ms. Downs stated, "I'm not saying my dad was wrong, but he drew a hard line, and when you got to the line, it moved. That leads to growth, but there was that overachieving thing. I always felt I had to be a little bit better, so I was always trying, so I wouldn't be a failure." Ms. Downs described feeling close with her mother, referring to her as a "strong [and] quiet" person.

Ms. Downs indicated she "always" felt loved and cared for by her parents, though they were not a physically or verbally affectionate household. Ms. Downs denied the presence of domestic violence and verbal, physical, or sexual abuse¹ in her childhood. She noted that, when family members disagreed about something, they "talked about it, said your peace, and agree to disagree." Ms. Downs noted her parents "used praise,

¹ Review of extensive documents indicate there have been prior allegations of an instance of sexual molestation toward Ms. Downs, by her father. However, she disputed this as ever having happened.

positive reinforcement” and she added, “I got money for A's, but I would not be punished for C's. All I knew is you raise a child with positive reinforcement. You don't need to beat them to do something.”

Ms. Downs repeatedly expressed appreciation for her parents, and at one point stated, “Mom and dad didn't prepare us for the real world, because they were so nice to each other! I told my mom that, and she said, ‘Yeah, we were terrible parents!’” Ms. Downs laughed and added, “My mom has the best sense of humor. I love her so much! She's a very private person. You will never know what she is thinking. Her humor is very dry. If you didn't know her, you wouldn't know she is joking. She's the one who taught me ‘Don't show your emotions.’”

Ms. Downs described herself as “a shy kid, afraid of saying something that was stupid” and she added, “I was smart and praised for being smart. I got a dollar for every A. I was so afraid of doing something wrong. I was afraid that if I'm not smart, then people will tell everyone else.” Ms. Downs recalled having two really close friends during childhood, and she added, “At school, I didn't try to make new friends. I am a loner. I'm good with people, but it's just not where I want to be. I could do groups at church.” Ms. Downs referred to herself as “always an introvert” and she added, “But there was also social anxiety when I was young.” Ms. Downs also described herself as “a tomboy” in her childhood, and she added, “I don't like sports but I like building things.” Ms. Downs referred to herself as “mechanically inclined” and she added, “I liked to work on cars. My husband had an old car [and] I got out a Chilton's manual and rebuilt it.”

At age sixteen, Ms. Downs met Steve Downs, who she eventually married and with whom she had three children. She noted the first two children, Christie, born in 1974, and Cheryl, born in 1976, were Steve's biological children. However, he did not want more children, so Ms. Downs became pregnant by another person and gave birth to her son, Daniel, in 1979. Ms. Downs left her marriage in 1981, due to the chronic violence and infidelity. She expressed regret she stayed in the relationship as long as she did, stating, “I should have left years before. He would beat people up if they looked at me. At the time, I thought that was a sign he loved me. I know now it meant he was a guy who liked to hit, and I was his punching bag...I thought, ‘I can fix him.’ I know now that's not possible.” In regard to the domestic violence, Ms. Downs stated, “The kids saw him choke me [and] I regret that. I tried to teach my kids to pass on kindness, because that's what I was taught.” After her divorce, Ms. Downs dated several different men, many of whom were married, to keep the relationships casual. Ms. Downs explained that, after being in a violent relationship, she had not been interested in jumping right into another marriage.

In 1975, Ms. Downs enlisted in the military when her daughter, Christie, was approximately six months old, and she stated, “I went into the military because I had a husband who wouldn't work. I did psych tests there and was accepted. I immediately went into basic training. Steve said he would take Christie for 42 days, then I'd be

home. I really thought he could do it. The tests showed I was good at engine mechanics, but the military said they didn't let women do that job, because 'you'd be a distraction.' " Ms. Downs recalled her husband was struggling to take care of Christie and wanted her to return home. Ms. Downs explained her husband called her Sargeant to request that Ms. Downs return home, and she was subsequently honorably discharged². Ms. Downs stated, "I think about how different my life would have been if I'd left Steve sooner. I would have been in the military, working as a road paver, seeing the world. My kids would have seen the world..." Ms. Downs noted she was honorably discharged, and she added, "The presentence people said I was discharged for being antisocial, disruptive, and I was none of those things. If I had, there would have been 'Section 8' written across my paperwork, showing I wasn't fit to re-enlist, but the discharge paperwork says honorable discharge."

Between 1975 and 1979, Ms. Downs worked for six months as an electrician's assistant, which she reportedly enjoyed, in addition to having various other short-term jobs. Between 1979 and February 1984, Ms. Downs worked for the post office, as a letter carrier, substituting for other employees who were on personal leave. Ms. Downs reported enjoying this job very much, due to the variability of the letter carrier routes. Reflecting on that time in her life, Ms. Downs stated, "I worked every Saturday, so Sunday was family day. We [referring to herself and her children] would go to the zoo, or hiking, wherever. It was happy. We didn't have ugly times. They say, 'Oh, you just aren't admitting to the bad times, but it's because there weren't. The kids didn't really argue with each other. We had house rules for everyone, just like at my parents' house...If we have a disagreement, you make your case and say, 'I disagree' and that's it."

Regarding her parenting, Ms. Downs stated, "Growing up at home, we weren't allowed to have conflict. That's what I grew up with. They don't like chaos. Same with me. I don't like chaos. If there's a problem, you sit down and discuss it. I have since learned that people who don't know how to use words, use hands. I learned that with Steve Downs. He'd get mad at me because he thought I was talking down to him...He would get so mad and then get violent."

Ms. Downs reiterated the story she has told on numerous occasions, about what happened to her and her children on the night of the shooting. Her story is consistent with other versions, and she maintained being innocent of the charges. When talking about her interactions with the media and other people, prior to and during her trial, Ms. Downs explained she felt as though she had to appear "always happy" and she added, "I remember walking with my parents and seeing the media and thinking, 'Oh God, I can't do this' and my mom saying, 'Be strong. Be smiling all the time. Don't let them see you sweat.'"

² According to trial transcripts, Steve Downs testified that he had called Ms. Downs's military Sargeant and told them she was needed at home to care for their six-month old baby, and the Sargeant agreed to discharge her.

Ms. Downs expressed frustration about how the media mischaracterized her statements and behavior. For example, she recalled an incident when she watched a cameraman walk backwards while filming her and he ran into a telephone pole. She said she winced and gave him a small smile, to show him sympathy, and she noted the media referred to that look as 'The Princess Di'. Reflecting on that time, Ms. Downs stated,

I would get media calls after 9pm, them saying, 'We need to see you.' They would park at the end of my driveway to wait for me. One time, I come out to my car and there's a cameraman sitting in my car. I was going to Albertson's to get a cake for Christie's birthday. He wouldn't get out of my car. I had to drive with him in the car, and he's filming the whole time. I didn't ask them to do that. I can't show I'm annoyed. I have to keep smiling.

Ms. Downs explained she bought an ice cream cake to take to her daughter, Christie, along with some birthday presents, and she stated,

I get there with the ice cream cake and Christie was not there, and I ask them to put it in the fridge. They say, 'You shouldn't have brought an ice cream cake.' They said, 'She has a foster family to give her cake.' I went to the bathroom, cried, cleaned myself up, then went back outside. The media was asking, 'Diane how did it go?' Just keep smiling. They keep saying I love the media. I have never loved the media. They would call my name and I'd look over, and they would make it seem like I'm looking for them and their attention. If I ignored the, then they'd call me a 'stuck up bitch'. You can't win.

Ms. Downs described that period of time as "a maelstrom" and she added, "Having to be 'up' for them and being maligned by the media and feeling like I need to fix it, answering police calls at any time to answer questions, trying to work because I felt like I needed to." Ms. Downs recalled, "Right after it happened, I felt like I had to be 'on' and happy. I was telling kids, 'It's gonna be OK.' But I didn't feel OK. I was enraged, confused, so sad. I would cry and scream in my car driving from one hospital to another to see Daniel."

Ms. Downs described her mood as "really high for the kids and really low by myself and trying to navigate the media." Ms. Downs recalled being harassed while at work, and she stated, "I was on my mail route and this guy pulls up in a big truck and pats his gun on the dashboard and says, 'You need to be shot.' And then in June [1983] they were saying I can't see my kids ever again. All I did was worry trying to fix it." In addition to her worry, she acknowledged not sleeping well over those months. Ms. Downs reported having "bad nightmares [and] also weird, bizarre dreams, like Cheryl being alive but still shot, leading me to Danny's hospital room. In these dreams, Cheryl was alive."

Reflecting on that time, Ms. Downs stated, “I didn't know how to communicate very well, and the media would ask me things, and I would get defensive or they would provoke me and then twist things around and make up their own stories.” When asked about her behavior during the re-enactment video with police, Ms. Downs stated “I left the hospital that day and the police were sitting outside my [hospital] door. I was on morphine [opioid medication], Demerol [synthetic opioid medication], Vicodin [combination of opioid and non-opioid pain medication], and Percodan [opioid medication], and they wheeled me out. The police followed me to my mom’s house and said they wanted me to show them where it happened.” Ms. Downs said the police drove her to the police lab, where they had cameras set up to record the re-enactment. She reported being so medicated she passed out on the drive to the police lab. Ms. Downs said she had been given so much pain medication, that she clumsily hit her arm on the steering wheel of the car while re-enacting the incident, and she stated, “I was just laughing, saying, ‘Oh my god, I hit my arm!’ I was so drugged, it didn’t even hurt.” Ms. Downs expressed her regret for doing the re-enactment, because the police had the impression she did not take the situation seriously.

When talking about the prosecutor, Fred Hugi, Ms. Downs stated, “I know you guys think Fred Hugi is my enemy, but I don’t want to see him as a bad person. He cared for the children [and] wanted to protect them. I do think he loved them.” Ms. Downs expressed appreciation for her former attorney, Jim Jagger. Although she noted he had been “in over his head,” Ms. Downs also expressed sympathy for him, stating, “I felt bad for him. His wife left him and left the kids with him.” In addition, Ms. Downs voiced concerns about her daughter, Christie, who testified in trial, and she stated, “I know she was teased by other kids. They probably said, ‘That’s the girl who testified against her mom.’ Can you imagine how hard that was for her? She probably hasn’t told her children who I am so they won’t be bullied in school. Kids are mean. I want them to know their mom is not a psycho.”

Ms. Downs referred to herself as “very naive back then” and she added, “I believed everything everyone said. Even the first few years in prison, if they said they didn’t do it, I believed them, because I didn’t do it. I was very naive. I think sometimes I still am. I want to believe the best in them because I don’t see the darkness. But I am far more suspicious than I was before.”

During her forty years in prison, Ms. Downs has occasionally engaged in individual therapy and group programs. She acknowledged having social anxiety when she was younger, though added it has “gone away” due to skills she learned in therapy. Ms. Downs described herself as a “very accommodating” person prior to prison, however, she added, “After I went to prison, I had a teacher, a psychologist who taught me how to be more in the middle of the pendulum, not too accommodating and not too aggressive. Ms. Downs explained she had not known about the stages of grief until she did counseling in prison, and she stated, “I was so angry for years, and anger is a stage of grief. I was in shock, [and] kept thinking, ‘This isn’t real. It can’t be happening.’”

Collateral information. *The following section is a summary of records including transcripts from trial, sentencing, and post-conviction hearings, prison records, and parole board hearing evaluations.*

Dr. Pollyann Jamison, the psychologist who had been treating Ms. Downs, wrote a letter to prosecutor Fred Hugi, dated June 13, 1984, after finding out Mr. Hugi implied Ms. Downs was a 'deviant sociopath' during trial. This letter was copied to Jim Jagger, Ms. Downs' defense attorney. The letter is provided verbatim below:

Fred Hugi,

I understand from the newspaper and from people in the courtroom that you asked Diane, 'Are you aware that your psychologist has diagnosed you as a deviant sociopath?' This has not, as far as I know, been cleared up in front of the jury – Is that true?

I want you to know that I did not diagnose Diane with that diagnosis – In fact, 'deviant sociopath' is not even a psychiatric diagnosis at all in the official DSM-III. Plus, Diane's score on the Pd scale (Scale #4) is within normal limits. Nobody would use just that to put such a diagnosis on a client.

I need to register a protest regarding this issue – I am very unhappy with the jury being left with the impression that I gave that diagnosis to Diane. Why didn't you let me testify to explain my notes and tests to you?

Polly Jamison

During Ms. Downs' sentencing hearing, on August 28, 1984, George Suckow, M.D. testified about his evaluation of Ms. Downs, which consisted of a one-hour interview with her. Dr. Suckow described Ms. Downs as having a "severe personality disorder" due to having "practically all of the requirements [criteria]" for that disorder. He testified that people with narcissistic personalities are "shallow in their opinions [which] tend to increase the propensity for criminal activity" and they are "exhibitionistic, so they may do something illegal to show off like small children on a school ground." In addition, Dr. Suckow described narcissistic people as having "a tendency to go into rages when they're confronted or thwarted which again may indicate a propensity toward criminal activity." According to Dr. Suckow, people with personality disorders "tend to be exploitive of others which may be criminal in intent, but the big thing is there's no empathy. There's no feeling for the rights of others." Dr. Suckow testified that "personality disorders, they're lifelong patterns of behavior. They're repetitive. They tend to be predictable in the sense they follow patterns."

When asked to describe the evidence Ms. Downs had of a narcissistic personality disorder before age fifteen, Dr. Suckow listed her “history of suicide attempt [at] age 13 [and] history of being sexually molested by her father.” Dr. Suckow noted that

Narcissistic people are seductive in order to gain attention, not to gain sex...What I’m saying is narcissistic people are often seductive in behavior in order to gain attention because that’s what they want, the attention...By itself [the sexual molestation] doesn’t show that she’s narcissistic, but it is consistent with a narcissistic personality.

In further support of his diagnosis, Dr. Suckow added

Another one was that she was – what would I say –outwardly calm and inwardly angry most of the time. She would please people, but she really didn’t want to. She wanted her own way, but she wasn’t able to achieve it [which] again is consistent with a narcissistic personality, also consistent with other personality disorders.

Dr. Suckow described Ms. Downs’ anger at her father as another factor to support his diagnosis of narcissistic personality disorder, noting “she was angry at him [because] she felt that he did not live up to her expectations of what he should. She couldn’t respect him.” Dr. Suckow added that Ms. Downs was ‘grandiose’ because she “was going to start a surrogate mother program here in Eugene, had fantasies about that or thoughts about it.” He described her as having “a lot of preoccupation with her notoriety [and] some thoughts about the love which she had with her daughter Cheryl, which I thought were kind of idealistic.”

The defense presented no information at sentencing, including no testimony by Ms. Downs’ treating psychologist, Dr. Jamison, who had diagnosed her with depression/cyclothymic disorder. In the Memorandum in Support of Request for Relief, or, in the Alternative, for an Evidentiary, Hearing/Opposition to Government’s Motion to Dismiss (page 86), the following summary is provided:

During Ms. Downs’ testimony, the prosecutor suggested on cross-examination that her psychologist had labeled her a ‘deviant sociopath.’ After that occurred Ms. Downs’ psychologist, Polly Jamison, wrote the prosecutor a note stating that she had not labeled Ms. Downs a deviant sociopath. The prosecutor did nothing to correct the jury’s misimpression. Both the prosecutor’s initial, incorrect suggestion and his later failure to correct the misstatement were separate instances of prosecutorial misconduct.

Defense counsel knew that there was not a legitimate basis for that suggestion, yet he did nothing to disabuse the jury of that idea either by objecting or by calling Dr. Jamison to rebut the suggestion.

According to Dr. Jamison's PCR testimony, Dr. Jamison explained she did not give a diagnosis of deviant sociopath to Ms. Downs and that no such diagnosis existed. Furthermore, Dr. Jamison explained Ms. Downs sought therapy "because she was extremely distraught over what was happening; the loss of her children, dreams she was having, suicidal feelings off and on." Dr. Jamison testified that Ms. Downs was "sent to me for personal therapy as anybody going through a real stressful time would likely do. She was not sent to me for any kind of forensic evaluation or for use in the trial."

Ruth Pontius, Parola and Probation Officer, conducted the first presentencing investigation report, dated August 8, 1984. In this report, P.O. Pontius contacted Postmaster James Eberle, Ms. Downs' supervisor at the post office, who described her as "an excellent employee." According to the report, Ms. Downs enlisted in the U.S. Air Force on March 21, 1975, and was awarded an honorable discharge on April 8, 1975. Regarding Ms. Downs's honorable discharge, P.O. Pontius noted she had been deemed 'socially and emotionally unsuited' and that she presented herself as 'egocentric, demanding, manipulative, and impulsive.' When asked about the military history, Ms. Downs reportedly informed P.O. Pontius she had been "distraught about the separation from Christie and her husband."

According to the presentence report, Ms. Downs had been evaluated by a mental health clinician prior to being accepted as a surrogate mother. In addition, Ms. Downs was seen by Dr. Jamison for therapy during the trial and diagnosed with cyclothymic disorder. P.O. Pontius scored the Criminal History and Risk Assessment measure, which considers prior juvenile or adult criminal behavior/convictions and problems with opiate abuse. Scores fall between 0 – 11, with high scores reflecting low level of risk. Ms. Downs received a score of 11, which was in the Excellent range, due to having no criminal history and no issues with opiate use.

Ms. Downs was sentenced to life in prison and categorized as a dangerous offender. She was incarcerated in the Oregon Department of Corrections on August 31, 1984. Between August 31, 1984, and November 24, 1987, Ms. Downs was held at the Oregon Department of Corrections. She received the following disciplinary actions: Disrespect of Another and Disobedience of an order (March 20, 1985), Attempt to commit, possess, or manufacture the use of dangerous contraband (April 22, 1985), sexual activity, disrespect of another, disobedience of an order (June 5, 1985); escape (July 11, 1987). While in Oregon DOC, from January 6, 1986, to June 15, 1987, she attended college and graduated with an Associated Arts degree. Between December 31, 1984, and February 26, 1985, she worked as a culinary worker.

On July 11, 1987, Ms. Downs escaped from the Oregon Women's Correctional Center. She was captured and returned to custody on July 21, 1987. After Ms. Downs's escape, she was evaluated on August 27, 1987, by Dennis H. Martin, Clinical Psychologist from Oregon's Correctional Center. Dr. Martin noted Ms. Downs declined to be interviewed and the evaluation was based on the following: "a Minnesota Multi-Phasic Personality Inventory administered on August 25, 1987, a review of Ms. Downs administrative segregation plan, a review of the recent events, and Ms. Downs' reaction to those events, and an interview with a Correctional Officer who had had frequent contact with Ms. Downs since her return from escape."

Dr. Martin noted that, based on the results from the MMPI, Ms. Downs did not evidence depression or excessive anxiety and that the test results were "consistent with the diagnosis of Narcissistic Personality Disorder with Anti-Social and Histrionic features as previously noted by Dr. Suckow in July 1984." Dr. Martin added that "No unusual or self-destructive behaviors were reported since the defendant's return to custody." Dr. Martin deemed Ms. Downs "a high escape risk [because] of her longstanding character and personality problems."

Sharon J. Schneider, CS III, completed the presentence investigation report, dated November 9, 1987, subsequent to Ms. Downs's escape attempt conviction. In this presentence report, Dr. Suckow's July 17, 1984, evaluation was referenced, specifically his description of Ms. Downs as having Narcissistic Personality Disorder with features of Histrionic and Anti-Social Disorders, hallmarked by "a grandiose sense of self-importance, fantasies, exhibitionism, lack of empathy, exploitiveness (sic), poor interpersonal relations, physical aggressiveness, impulsivity, disregard for the truth, and at times, angry irrational outbursts [and] predisposed to the further commission of dangerous and anti-social acts."

In the presentence investigation report, Ms. Schneider deemed Ms. Downs as "an active and extreme escape risk [and] an immediate and continuing danger to other individuals, especially in the event of escape." Ms. Schneider noted that, while Ms. Downs was on escape status for ten days, there was "no indication that [she] was involved in new criminal activity [and] readily admits commission of the instant offense [Escape]" though added, "Considering the magnitude of her prior offenses, and her personality profile, there is ample reason to believe that Ms. Downs does pose a serious threat to society at this time."

Ms. Downs was subsequently referred to Administrative Segregation for 3 years, from July 22, 1987, to July 21, 1990. On November 11, 1987, Ms. Downs was transferred to New Jersey Department of Corrections as part of an Interstate Corrections Compact agreement. She remained in this facility until June 18, 1991, where she received the following disciplinary actions: Refused to work or accept a program assignment (January 25, 1988) and Attempt or planning to escape (May 17, 1989, and May 9, 1991). While incarcerated in New Jersey, Ms. Downs worked as a House person

(February 8, 1988 to April 5, 1988), a seamstress (April 1, 1988 – February 17, 1989), an evening calls employee (November 1, 1988 – January 9, 1989), and house person (February 20, 1989 – June 14, 1989) and in food service (March 13 – March 20, 1991).

On June 18, 1991, Ms. Downs was transferred back to Oregon for a court appearance to appeal her sentence, where she remained until August 30, 1991. While in Oregon DOC, she received the disciplinary actions of possession, manufacturing or use of a dangerous contraband – escape device. On August 30, 1991, Ms. Downs was sent to Washington Department of Corrections where she remained until March 23, 1993. While there, she was held in the Intensive Management Unit (isolation), where she was not eligible to receive programming or work assignments. In October 1992 and January 1993, she was placed on suicide watch, after making threats to harm herself and refusing to eat. On January 21, 1993, Washington DOC requested Ms. Downs return to Oregon, due to “the additional amount of time required doing daily health assessments based on her refusal to eat and self harm threats [and] Washington DOC felt that long-term segregation was having a detrimental effect on her mentally and physically.”

Between March 23, 1993, and August 30, 1993, Ms. Downs was incarcerated in Oregon DOC, where she was “confined in Administrative Segregation” and unable to receive any programming or work assignments.

On August 30, 1993, Ms. Downs was transferred to California DOC, under the Interstate Corrections Compact program. She was placed in Administrative Segregation until September 27, 1996 (three years). Prison staff noted Ms. Downs was “dissatisfied” with her placement in the Special Housing Unit, where she was unable to engage in programming or work assignments. While in isolation in California DOC, Ms. Downs received the following disciplinary actions: attempted escape (April 9, 1994), disobeying a direct order (May 24, 1994), disrespect (July 21, 1995). On September 27, 1996, Ms. Downs was transferred to general population, and she received the following disciplinary actions: refused to work (June 25, 1998), possession of a hair braid (November 7, 1998), and refusing to work (August 21, 2006).

When she was transferred to general population, on September 27, 1996, Ms. Downs’ classification was reduced to ‘Close custody level B’, making her eligible to work. According to California DOC records, Ms. Downs “has been gainfully employed in work assignments. Her work performance ratings indicate she has had average, above average, or exceptional ratings. She is described as a good worker, a self starter with good organizational skills. In 2006, she received an unsatisfactory work performance rating when she refused to work and received a disciplinary sanction.”

According to the records, Ms. Downs participated in the Mental Health Program at VSPW for one year, between July 13, 1998, to July 13, 1999, following her release from being in Administrative Segregation for approximately six years. The psychologist who treated Ms. Downs diagnosed her with Adjustment Disorder with Depressed Mood, as Ms. Downs described having feelings of anger and “felt the need to control her emotions in the general population of inmates because of her case [and] that she could not talk about or display feelings related to her children.”

Ms. Downs went before the parole board for the first time in 2008, and she was evaluated by L. Williams, Ph.D., Chief of Mental Health. According to Dr. Williams’s October 27, 2008, report, the evaluation of Ms. Downs consisted of four hours, which included interviews and testing with the Rorschach, Minnesota Personality Inventory II, and the Millon Clinical Multiaxial Inventory – III. Dr. Williams described Ms. Downs as a person who “related in a pleasant cooperative manner but displayed defensiveness at times when challenged.” Dr. Williams described her level of judgment and insight as “fair.”

Dr. Williams administered the Rorschach to Ms. Downs, who “makes every effort to avoid emotional stimuli in order to reduce the demands made on her.” According to Dr. Williams’s report, Ms. Downs completed the MMPI-II and the MCMI-III, which were “essentially invalid and reflective of someone attempting to present themselves in a highly favorable light.” Dr. Williams described Ms. Downs’s responses as “reflective of individuals who have been institutionalized over long periods of time.”

Dr. Williams opined Ms. Downs has a negative sense of self-worth and that she “has a well managed image allowing you to see what she wants you to see. When challenged, she tends to over-rely on defense mechanisms, particularly intellectualization. She has done very little in the way of self-improvement in the past 25 years.” Dr. Williams characterized Ms. Downs as showing “virtually no evidence of any type of meaningful exploration, re-evaluation or reflection. The interviews conducted as well as the testing results demonstrate that Ms. Downs has some problematic personality characteristics that she has not dealt with during her 25 years of incarceration.”

Dr. Williams noted Ms. Downs engaged in therapy between July 13, 1998, and July 13, 1999, and Ms. Downs described the therapy with the mental health clinician as “helpful.” Dr. Williams also noted Ms. Downs was diagnosed with Adjustment Disorder with Depressed Mood.

Dr. Williams maintained Ms. Downs’s prior diagnosis of Personality Disorder Not Otherwise Specified with Narcissistic and Antisocial Traits. Dr. Williams estimated Ms. Downs’ level of dangerousness as “below average compared to other inmates while in a controlled setting” and added, “She has had few disciplinary problems and knows how to demonstrate socially appropriate behavior while in prison. She is not impulsive and

has clear non-psychotic thought processes. She also has skills that will allow her to function appropriately in society."

In the report, Dr. Williams opined the following:

This is a very complex case that has received much media attention over the past 25 years. Ms. Downs received notoriety after a book and a movie were written about her. She became somewhat of a celebrity and this writer believes that this has had serious negative effects on her psychological development. It's as if Ms. Downs is stuck at the same developmental stage that she was when she entered prison 25 years ago. Fame and notoriety allowed her to maintain a stance of self importance that does not serve her well. The writer has worked extensively with life prisoners over the past 13 years. One hopes and expects to see long term or life prisoners go through a series of developmental stages over the years that are reflective of greater self-awareness and growth. By year 20, one hopes that the life prisoner has come to a place of deeper self reflection and introspection regarding their life and incarceration. By this time there should be some struggle and contemplation with existential life issues. Regardless of guilt or innocence one normally would be asking the how and why questions of life.

The thing that is most troubling regarding Ms. Downs is that she appears to have done very little of this. She received an AA degree shortly after becoming incarcerated and has had few accomplishments since that time. When confronted about this, she states, "I've survived prison." "I haven't put my hands on people." While surviving prison without engaging in violence with other inmates is an accomplishment, it's not necessarily a reflection of personal growth. She claims that there was no value in any of the activities offered to inmates. Previously she has been diagnosed with narcissistic personality disorder. When asked if she sees a connection between her lack of engagement in the past 25 years and narcissism, she indicates that she does not. She states that narcissists viewed themselves as the center of the universe which she does not. She maintains very limited awareness of her own personal dynamics.

As reflected in the psychological testing, Ms. Downs tries to present herself in a highly favorable light. Her approach is to focus on her lack of responsibility related to the crime to the point that she avoids other important life issues. Although capable, she seems unwilling to examine her life in a way that allows her to demonstrate a sense of personal responsibility for her life choices. Even if she is innocent of the murder of her daughter and the assault and her children, at a minimum she should have examined in great detail her personal choices that lead her to be involved in the circumstances of this crime.

Between 2008 and 2010, Ms. Downs participated in Transforming Lives Network, an educational and personal improvement program, and Laubauch Literacy Tutor, a program to help other AICs improve reading skills. According to a note dated December 25, 2008, Ms. Downs was "Correctional Learning clerk, 5 days a week, above satisfactory work." A note dated July 01, 2009: Transforming Lives Network tutor, 5 days a week, satisfactory work." According to note dated January 10, 2010, she worked as "Correctional Learning Network clerk, 5 days a week, satisfactory work."

In 2010, Ms. Downs was evaluated for her second parole board hearing. According to a psychological evaluation report, dated October 29, 2010, by S. Schulte, Ed.D., Ms. Downs was interviewed and tested over a total of four hours. She was described as "Polite, highly energetic, and cooperative" with "poor" insight. During the interview with Dr. Schulte, Ms. Downs described waking up "happy" most days and going about her business. Dr. Schulte described Ms. Downs as "polite, pleasant, humorous, energetic and cooperative subject who is extremely intelligent and very characterologically damaged. [who] continues to deny any responsibility for her life crime."

Dr. Schulte described Ms. Downs as "angry" when talking about children and parenting, and noted she continued to deny committing the crimes which led to her incarceration. When confronted about how this looks to others, Ms. Downs insisted she would "not lie to buy [her] freedom." According to Dr. Schulte's report, Ms. Downs reported that "the only time in her whole incarceration that she has talked about her children was during this evaluation and the [evaluation] a year ago with Dr. Williams." Dr. Schulte noted Ms. Downs became slightly tearful when talking about how her mother kept the rocking chair she used to nurse her son, Danny, and concluded "The impression taken from the story was more of her remembering suddenly and thinking it was a good story about her important her kids were to her. However, it is not about her emotions for them, but her mother's emotions. Again, she is using someone else's appropriate emotions as her own or to cover up for a lack of emotion."

When asked about her biggest challenges in the past two years, Ms. Downs reported she was stressed about being put in Administrative Segregation for 5 days for protective custody, due to threats in a letter she received and feeling concerned about being harmed after 'The Movie³' comes out and she is recognized by other AICs due to concerns someone might want to harm her. In addition, Ms. Downs reported being upset when someone took some of her personal belongings. Dr. Schulte concluded that these "examples illustrate her continued intolerance of anything that challenges her perceived control of her environment or of her view of life."

³ This is referring to a made-for-TV movie Small Sacrifices, which is based on Ann Rule's book by the same name, about Diane Downs and her legal case.

Dr. Schulte administered the Mini-Mental State Examination and Neurobehavioral Cognitive Status Examination, and her performance revealed “global and cognitive functioning remains grossly intact.” Ms. Downs’s overall performance on the Wechsler Adult Intelligence Scale – III fell in the very superior range, with a Full Scale IQ score of 137. Dr. Schulte administered the Rorschach personality test, the results of which indicate Ms. Downs was “currently experiencing situational stressors that are beyond her coping capacity, signaling an overall personality immaturity. She tends to respond to situations based on her emotions and when her feelings are provoked by circumstances, she tends to fail to get a more objective view of the situation.” Dr. Schulte indicated Ms. Downs’s “self esteem is probably low [and] this tends to be expressed with an inflated sense of self worth.” Dr. Schulte cautioned readers to “Expect [Ms. Downs] to use maladaptive methods for getting her needs met in relationship and expect a history of losses.”

Dr. Schulte described Ms. Downs as “learning other people’s emotions and justifications in order to convincingly give the ‘right answers’ when probed.” Dr. Schulte described Ms. Downs as continuing “to identify with the book and movie made about her crime [and] said that she does not like being recognized after the movie is played at the prison” though added, “She tried to say this matter-of-factly, but had to stifle a grin. These type of emotional changes are like flashes on her face that show for only a moment. She comes off very reasonable and cooperative, except for these tiny cracks in her impression management.” Dr. Schulte noted Ms. Downs “has some genuine concern about the loss of her parents [because] they are her main supporters [and] without them, she has no backing for her story and she has no parole plans.”

Dr. Schulte diagnosed Ms. Downs with Personality Disorder Not Otherwise Specified with Narcissistic, Histrionic, and Antisocial Traits. Dr. Schulte described Ms. Downs’ level of dangerousness as “estimated to be below average compared to other inmates while in a controlled setting” and added, “She has had no violent interactions and very few disciplinary warnings. Her level of dangerousness compared to other inmates outside of prison would be well below average.” Dr. Schulte noted Ms. Downs “maintains her innocence and an incredible amount of consistency of behavior and personality.” He noted she “has a very complex explanation for her crime and her incarceration that is so exaggerated that many wonder if she is mentally ill to have such odd thinking patterns and beliefs. Ms. Downs is not a mental health patient.”

Dr. Schulte opined Ms. Downs “could benefit from in-depth, long-term individual psychotherapy.” Dr. Schulte noted that, since 2009, Ms. Downs “finished 3 academic courses, 2 job preparatory courses, Victim Awareness, Stress Management, Anger Management, Communication, and Parenting. She has also been a volunteer Pro-Literacy Tutor.”

The California Department of Corrections and Rehabilitation mental health records show that, between 2010 and 2012, Ms. Downs engaged in therapy with A. Shoji, Ph.D. These sessions occurred once every month or two. Dr. Shoji noted the therapy focused on Ms. Downs's daily activities and setting boundaries. Dr. Shoji described Ms. Downs as "emotionally stable" and did not diagnose her with any mental health condition.

According to a Dangerous Offender Report by K. Williams, Interstate Corrections Compact Coordinator, dated June 2, 2020, Ms. Downs had engaged in four different vocational programs: Office Services (3 months), Vocational Computer Related Technology (4 months), Vocational Electronics (3 months), and Vocational Carpentry (5 months). K. Williams noted "In all these training programs [Ms. Downs] received satisfactory behavior assessments."

Since the 2010 board review, Ms. Downs participated in numerous group activities, including, Silver Bells Crochet project, Honor Dorm 512 Spring Cleaning Day, Senior Committee Member, Noah's Project, Gifted Hands Outreach project, Defining Emotions, Beyond Violence, The Cornerstone Honor Dorm, Harvest Fest Event, Criminal and Addictive Thinking Group, From the Inside Out, Relationships, Criminal Growth and Development Group, Insight Foundation. K. Williams noted Ms. Downs had "donated her own funds to the unit's needs."

K. Williams noted in the report, between October 14, 2014, to January 25, 2016, Ms. Downs worked as a Clerk, and she received "Exceptional, Above Satisfactory and Satisfactory Job/Program Performance Evaluations." Between January 26, 2016, to February 16, 2017, she was a Yard Worker and received "Exceptional, Above Satisfactory and Satisfactory Job/Program Performance Evaluations." Between June 6, 2017, to March 18, 2018, Ms. Downs worked as AIC Day Labor, and she received "Above Satisfactory and Satisfactory Job/Program Performance Evaluations." From March 28, 2018, and July 19, 2018, Ms. Downs participated in LTOPP Victim Impact, and she received "Exceptional, Above Satisfactory and Satisfactory grades." Between September 1, 2018, to June 2, 2020, Ms. Downs worked as Plant Operations Maintenance and Repair, and she received "above Satisfactory and Satisfactory Job/Program Performance Evaluations."

In addition, Ms. Downs was one of three individuals assigned to a job refurbishing bicycles for children in need, where she "worked with various tools." According to the records, Ms. Downs donated the earnings she made from that job back to the program.

On February 8, 2019, C. Celestin, Correctional Officer, recommended Ms. Downs for a commendation. C. Celestin wrote the letter with the intent “to recognize and commend [Ms. Downs] (HONOR DORM).” In the letter, C. Celestin noted the following:

I have observed Inmate DOWN'S excellent report (rapport) with staff as well as her peers, despite all the different attitudes within the institutional environment. Inmate DOWNS has always been helpful, and consistent with her attitude and behavior. Along with being helpful, she practices integrity and aside from her good deeds, Inmate DOWNS stays focused and committed to being herself. In addition, Inmate DOWNS should be commended for having a good outlook on life and for her behavior and the progress she has attained regarding her personal growth. Ms. DOWNS is currently employed for IDL, and has learned many other skills since her incarceration that would make her be a valued employee once released.

On March 31, 2019, D. Saucedo, Correctional Officer, commended Ms. Downs, noting she “shall be applauded for her efforts and dedication in maintaining the landscape in front of ‘C’ Facility Building 512 and as well as surrounding areas of the yard.” Officer D. Saucedo noted “It takes a lot of patience and responsibility to work around inmates and staff while gardening.”

According to a note dated April 14, 2019, by M. Coakley, Correctional Officer, Ms. Downs was commended for her participation in cleaning the dorm. Officer Coakley noted Ms. Downs “volunteered her time and efforts to provide and maintain this service to the Honor Dorm Community.”

On December 24, 2019, R. Berber, Recreational Therapist, commended Ms. Downs “for her donation to the Skilled Nursing Facility...This donation demonstrates Inmate DOWNS compassion and her enthusiasm to spread the holiday spirit during a particularly difficult time of year for the inmate patients at SNF.”

On December 31, 2019, Corrections Officer C. Dill commended Ms. Downs for participation in Gifted Hands Outreach Crochet Project, specifically for “[Ms. Downs]’ dedication and commitment to the outside establishments in the community, such as Children’s Hospitals, Disaster Relief, Orphanages, convalescent homes, and many more by crocheting blankets, beanies, scarves, and stuffed animals” for the year of 2019.

Also on December 31, 2019, Correctional Officer C. Celestin commended Ms. Downs

for her voluntary participation in various activities within ‘The Cornerstone’ [which] provides an opportunity for each resident to fulfill their rehabilitative needs on a voluntary basis, Inmate DOWNS should be recognized for her diligent interest in her own self-improvement endeavors, and should be

acknowledged for her involvement in the following activities throughout the calendar year of 2019.

According to the records, on March 13, 2020, Correctional Officer C. Celestin, wrote a letter to commend Ms. Downs “for successfully completing the ‘Criminal and addictive thinking’ group, a 9-week program designed to promote inmate rehabilitation.” C. Celestin noted Ms. Downs “openly shared and worked diligently to help change her negative thinking into positive thinking.”

On March 23, 2020, Corrections Officer C. Celestin commended Ms. Downs for participating in The Insights Foundation, which was focused on working through stages of grief. In addition, C. Celestin commended Downs for completing “From the Inside Out: Relationships” a 12-week self-help course focused on taking personal responsibility for the relationships in their lives. C. Celestin described Ms. Downs as “open and willing to share with the group, and her participation enhanced the group as a whole. Inmate DOWNS’s participation, commitment of working towards her rehabilitation, and willingness to seek change is to be commended.”

In 2020, Ms. Downs was evaluated for a third parole board hearing, by Michelle R. Guyton, PhD, ABPP. According to Dr. Guyton’s report, dated August 17, 2020, Ms. Downs was evaluated by video, due to the Covid-19 pandemic, over two meetings, for a total of eight hours. In the report, Dr. Guyton noted the video “froze on numerous occasions” during the first meeting. However, Ms. Downs “was patient and good-natured about these disruptions and worked collaboratively with security staff at the facility to address these technology issues.” Dr. Guyton noted these interruptions “did not impede the quality of data collection process or negatively impact the evaluation overall.”

Dr. Guyton described Ms. Downs as “highly engaged and attuned during both interview sessions [and] made good eye contact with no staring.” Dr. Guyton depicted Ms. Downs as having “overly relaxed boundaries during the interview” and added, “On several occasions, she addressed me as ‘girl’ when answering a question and laughing.” Dr. Guyton described Ms. Downs as being “attuned to [her] facial expressions and remarked on them several times [and] told me it was okay to yawn while she spoke at a time when I had not yawned.” In addition, Dr. Guyton noted Ms. Downs “informed me two or three times that I should ‘write a book’ about her.” She noted Ms. Downs’s “receptive and expressive language skills were intact and well developed.”

During the evaluation with Dr. Guyton, Ms. Downs “denied having problematic personality characteristics.” Dr. Guyton described her level of insight into her present functioning as “limited” and added, “Judgment appeared problematic due to her beliefs about herself and the world; there was no noted impulsivity.” Ms. Downs presented with “bright and stable” affect over the course of the evaluation and “did not appear nervous

or uncomfortable during the extensive interviews.” Dr. Guyton added that Ms. Downs “shed tears briefly in response to a few content-appropriate situations, but these emotional displays were short-lived.”

Dr. Guyton characterized Ms. Downs as having “grandiose beliefs” as evidenced by Ms. Downs “endors[ing] concerns that many things are not as they seem which may be related to violent acts against her.” In addition, Ms. Downs reported she had been adopted by her parents and that the FBI was aware of her and that this conspiracy might be why many of her childhood pets were killed. Dr. Guyton noted Ms. Downs has expressed concerns about people who sent her correspondence not being the people they seem and meaning to cause her harm. Ms. Downs wrote about her concerns to Lane County District Attorney, Patricia Perlow, to the FBI, and to Scotland Yard in letters dated 5/4/2020. She expressed concerns about a man writing her who may be a dangerous psychopath and whether she is possibly the daughter of King Michael of Romania and later adopted by her parents.

During the interviews with Dr. Guyton, Ms. Downs described having challenges living with five other cellmates. She expressed feeling as though she is a good leader who takes the hardest jobs, is fair, and gives other workers tasks in a kind way, by “saying please and thank you.” Ms. Downs generally denied experiencing long periods of depression, though noted she felt sad after the death of her father. She described feeling sad for her mother, who is now alone after her father’s passing. When asked if she had remorse for things she had previously done, Ms. Downs reported she felt bad being “harsh” with one of her cellmates. In addition, she reported feeling regret and guilt for taking her children out on the night they were all shot. When asked about future concerns, Ms. Downs implied she did not feel stressed or anxious about the future, other than the concern she could pass on Covid-19 to her mother, if she were paroled to her mother’s home.

When asked to describe a main accomplishment in her life, Ms. Downs explained she feels as though she has “done nothing” in her life, and that if she died, “it never mattered that I was on this planet. And I feel sad, not depressed.” Overall, she expressed feeling “satisfied with her life the way it is ‘except for the prison part’ and stated, “I’m 65 and I have arthritis and I’m fat and I get heartburn, and I said I wish they would transplant my brain into another body. I’m clearly satisfied with all of my memories, all of my memories make me who I am.”

As part of the evaluation, Dr. Guyton reviewed DOC records and noted Ms. Downs was in therapy with A. Shoji, Ph.D. 2010 and 2012. Dr. Shoji described Ms. Downs as “emotionally stable” and did not give Ms. Downs a mental health diagnosis.

Dr. Guyton sent the Personality Assessment Inventory (PAI) to Ms. Downs who completed it on her own. The results of the PAI indicated Ms. Downs “exhibited a largely defensive approach to the test [and] described herself as free of the many common problems and shortcomings to which other people admit.” Dr. Guyton noted Ms. Downs “may be unwilling to describe these faults to others but may also have low insight into her own shortcomings [and] an uncritical approach to her own behavior and lack of awareness for the resulting negative consequences.”

Dr. Guyton noted the PAI results showed “no mental health problems or concerns; all scale and subscale scores were within the average range or lower.” In addition, Dr. Guyton wrote that Ms. Downs

endorsed a stable self-concept with average levels of friendliness and assertiveness. Ms. Downs endorsed few to no stressors and that she has a large base of social supports. She reported a low interest in psychological treatment, has little interest in personal change, and is likely to be satisfied with herself as she is.

On the Minnesota Multiphasic Personality Inventory – 2RF, Ms. Downs’s responses indicated she “tended to deny or minimize common difficulties [and] may have been invested in presenting herself as an individual with traditional values.” Dr. Guyton noted there were “no elevations on the clinical, somatic/cognitive, internalizing, or externalizing scales.” Ms. Downs had “mild elevations on two scales suggesting an interpersonal timidity and desire to avoid social situations.” The MMPI – 2RF results indicated that Ms. Downs “may be introverted, uncomfortable in social circumstances, and have difficulty forming close relationships with others due, at least in part, to emotional constriction.”

As part of her evaluation, Dr. Guyton scored the Psychopathy Checklist – Revised (PCL-R), a test which measures various antisocial and narcissistic traits. This measure has 20 items, which are rated from 0 (absent) to 2 (present). Total scores range from 0 to 40, with higher scores indicative of psychopathy.

Dr. Guyton noted that “the average total PCL-R score for female prison inmates is 19.0 with a standard deviation of 7.5. This means that the majority of female prison inmates score between 11.5 and 26.5.” The PCL-R scores are broken down into two factor scores: Factor 1 describes interpersonal and affective characteristics related to psychopathy. Factor 2 considers features related to antisocial behavior, criminal lifestyle, and impulsivity.

On Factor 1 of the PCL-R, Dr. Guyton gave Ms. Downs 15 points. On Factor 2, Dr. Guyton gave Ms. Downs 3 points. Dr. Guyton went on to explain that Ms. Downs had a total score of 21 on this measure⁴, which places Ms. Downs score “at a moderate to high level of severely antisocial or psychopathic personality” and that she “exhibits several strong features of psychopathy.”

Dr. Guyton described Ms. Downs’s presentation on the PCL-R as “unusual” compared with most women in prison, because

she has no known history of violence beyond the convictions in the instant offense. She has no previous criminal justice involvement, no history of early behavioral problems, and no known violence. To the contrary, Ms. Downs worked as a federal government postal employee for many years [and] was often employed and able to support herself and her children. She paid her bills, owned her vehicle, and lived a prosocial lifestyle.

However, Dr. Guyton added that Ms. Downs has “strong personality-based features of psychopathy” and opined the following

Overall, Ms. Downs presented as a glib, self-involved individual who told many stories that highlighted her importance and were unlikely to be true. She provided lengthy, rambling responses to most items, told stories that presented her as meek, naïve person who was frequently manipulated by others, however, it is clear from the data that Ms. Downs is not the unassertive, timid individual that she attempts to portray herself as. While she at times downplays herself by describing herself as ‘fat’ and ‘old,’ she is clearly preoccupied with fantasies of fame. She crafts fantastical stories of intrigue that only she is able to piece together. She described herself as the most important person to her mother and noted I should write a book about her. Further, there was a high degree of inconsistency both within the interview data and between what she said in the present interview and previous records. Ms. Downs at times contradicted things she had said to others as well as data contained in other records. The report contains some of these examples, why the Board rejected her parole in 2010, and her fantastical stories about potentially being of royal genetic lineage. Despite these inconsistencies, Ms. Downs explained these things as always in her favor. Ms. Downs goes out of her way to deny responsibility for the harm she has inflicted upon others. Obviously, she denied responsibility for the deaths of her children but reported she has learned over time to ‘take responsibility’ for driving them around strange country roads in the middle of the night.

⁴ Of note, it appears Dr. Guyton mis-scored the PCL-R test she administered. The total is 18 points, not 21. This score would place Ms. Downs below the average score of 19, when compared with other female inmates.

Emotionally, Ms. Downs has little range and ability to experience typical emotional responses. She described her mood as 'always good,' said she is rarely anxious or worried, and presented as primarily unaffected throughout our lengthy interview and difficult topics. Ms. Downs' lack of emotional appreciation for how she has affected others as well as her refusal to accept responsibility for even minor problems much less her more troubling criminal behavior suggests a very poor understanding of her own behavior and risk.

Dr. Guyton noted Ms. Downs was "quick to minimize and deny problems" and added,

Ms. Downs appears invested in viewing herself, and having others view her, as having few to no problems...Ms. Downs denied having even transient, common experiences of anxiety, depression, and other things that the majority of people endorse. Her response style is best characterized as defensive. Individuals with this response style may have more personal problems tha[n] they acknowledge and are unwilling to admit to others. Other individuals with this response style are unaware of their personal functioning and limitations at a basic level and are thus unable to communicate these to others. It is unclear whether Ms. Downs 1) has such insight and is unwilling to divulge it, or 2) does not have anything more than a rudimentary insight into her own emotions, behavior, and motivations.

Dr. Guyton diagnosed Ms. Downs with narcissistic personality disorder with antisocial features and noted the following

In Ms. Downs' case, she exhibits the following features of narcissistic personality disorder: (1) grandiose sense of self-importance, (2) preoccupation with fantasies of unlimited success, power, brilliance, beauty, or ideal love, (3) believes that she is special and unique and can only be understood by, or should associate with, other special or high-status people, (4) requires excessive admiration, (5) has a sense of entitlement, and (7) lacks empathy. Ms. Downs does not have an antisocial personality disorder but does exhibit the following features: (2) deceitfulness and (7) lack of remorse."

On the Historical, Clinical, Risk Management – 20, version 3 (HCR-20-v3), which is a violence risk assessment measure, Dr. Guyton characterized Ms. Downs as being "at low risk for violence, as she has been for decades." When asked about thoughts of violence, Ms. Downs stated, "No, I'm cerebral. I clearly think you can talk things out. It's nothing that big that you have to blow something up."

Interview with James Frederickson. *James Frederickson is Ms. Downs's younger brother, and the following is the summary of an interview with him on August 1, 2025, for nearly two hours.*

When asked to describe their childhood, Mr. Frederickson stated, "Our lives were boring. My father liked boring." He noted Ms. Downs is five years his senior and she was in high school when he was in elementary school, and he stated, "There was not much interaction back then, but one of my fondest memories was getting a pigeon coop on the property, because Diane raised pigeons." Mr. Frederickson described his childhood as having "lots of rules" though he added, "But if you wanted to play tennis or baseball or play the flute, that's fine. All that clean, wholesome fun was allowed."

When asked what types of things their family did together, Mr. Frederickson replied, "Going to church a lot of time, for about a six year period. We did a lot of driving and driving games, spelling and math. Went to Disneyland once or twice, Six Flags once or twice. They had 5 kids to raise and not a lot of money. We went to school, then from 2 or 3 pm, we stayed outside and played until about 9 o'clock most days."

Mr. Frederickson recalled his home "wasn't a touchy-feely house" and he added, "Even now, I'm not a touchy feely guy. We don't hug in my family." Mr. Frederickson added, "Their [referring to his parents] form of affection was to do things like send the kids on a school trip to Mexico, play on baseball teams, a nice new bicycle, and they didn't have a lot of money. There wasn't lots of gifts, because there was no money." Regarding their father, Mr. Frederickson stated, "I have absolutely, positively zero doubt about how my father felt about me growing up. He wouldn't tell me he loved me, but he treated me with respect." Mr. Frederickson explained his father "had a temper" and he added, "One time he spanked me, when I was a freshman in high school, because I lied to him. The next time he asked me a question, I told him 'You aren't going to like the truth.' That was the one thing he hated, being lied to."

Mr. Frederickson denied his parents used physical discipline as a regular form of punishment, and he added, "His form was verbal, and not calling you 'worthless', but like 'Why would you do that? You know better.'" Mr. Frederickson described his mother as "quiet" and he added, "She was not a snowflake, just quiet. With my mom and dad, the male had a role and the female had a role, very literally. Like, my mom didn't talk on the phone to PGE, that was my dad's job. After my father had a stroke in 2008, she had to talk on the phone. That's not her M.O, not her job, but then she had to do it." Mr. Frederickson described his mother as being supportive of him all through his life, and he stated, "She was there every day. It was all nonverbal communication." Mr. Frederickson explained his father passed away in 2017, and he stated, "I never had a doubt about how my mom and dad felt about me, to this day."

Mr. Frederickson explained his parents expected him and his siblings to be well behaved, and he stated, "It was not like what you see nowadays. It was: 'You will sit down in the restaurant, not going to scream and cry and throw a temper tantrum. You will be a well behavior child.' And we were. The only child not properly behaved, sometimes, was John." Mr. Frederickson acknowledged his family is 'stoic' and he added, "We're just not huggers and it's bad to fall apart in front of people. You just don't do it. If you lost the game, you didn't throw a tantrum and throw the ball. You never do that. If you lose, then you lose and learn from it for the next time."

Mr. Frederickson explained his family moved to a farm for approximately eighteen months during his childhood. While living there, his sister met Steve Downs, who she eventually married. He described their relationship as "way volatile" and added, "There is no doubt. Steve was a very strong man's man [who] got into fights with guys who looked at Diane." Mr. Frederickson recalled staying with them for a brief period of time and witnessing the violence, and he stated, "They would fight, like physically fight. I remember him being on top of her, telling her to 'stop' while hitting her. They fought like that a lot...He would continually go out, hang out with his guys. I think he probably cheated on her, he was a womanizer."

Mr. Frederickson recalled living out of state at the time of his sister's trial and he visited Oregon three or four times in 1983 and 1984. Mr. Frederickson stated, "The first time I was around, I remember seeing Diane sleeping on mom and dad's sofa, and her having a nightmare. She was fighting in her dream, tormented by something happening to her in her nightmare." Mr. Frederickson recalled attending the first day of trial. However, he was unable to stay, due to his own personal issues which needed attention. He expressed regret for not being present for more of her trial and noted he has been in regular contact with her over the decades of her incarceration.

Regarding Ms. Downs's notoriety at the time of her trial, Mr. Frederickson stated, "In 1983, Diane was the most publicized person in the state of Oregon. She was on the news station and radio every day, or so." He indicated she has remained infamous all these years, and he stated, "Even Anne Jaeger has a YouTube channel called 'Diane Downs TV', she is still posting today about Diane. She was a reporter back in the 80s. It doesn't ever stop."

Mr. Frederickson explained he talks with his sister "most days" for periods of time and then "once a week or so" for periods of time, depending on the status of her legal case. Mr. Frederickson noted he manages her website dianedowns.com, and he stated, "This website is for her kids. She says, 'At some point someone will read this and try to get it back to my kids.' She still thinks about her kids every day." When asked what they talk about over phone, he replied, "We talk about her case, talk about the weather a bit, our brothers and sisters, normal stuff." Mr. Frederickson described Ms. Downs as "content" and he added, "She's accepted it. Her spirit is amazingly

optimistic. It has never not been optimistic. Even when my father died, she stayed optimistic, extremely positive minded."

Mr. Frederickson described his sister as "a super intelligent person [who] has a lack of emotion" and he added, "It's not like she thinks, 'It's my way or the highway'. She's never been like that." He acknowledged Ms. Downs rarely talks about her feelings, though he added, "She'll have bad days, be sad. She's really stressed about mom, because she's had a spell the past few days." When asked how Ms. Downs reacts if she disagrees with someone's opinion, Mr. Frederickson replied, "She will say her opinion and move on...She doesn't get angry or verbal, ever."

Psychological Testing results.

Personality test results. Ms. Downs completed the Personality Assessment Inventory (PAI), which is a standardized personality assessment instrument designed to measure multiple facets of an individual's thinking, emotional functioning and behavior that are both situational and consistent over time. Ms. Downs was fully cooperative and attentive during the personality testing, and her responses indicate she attended to the items in a consistent manner.

The personality test includes scales which assess an individual's style of responding to the test items. These scales provide a measure of a person's tendency to present themselves in either favorable or unfavorable fashion which helps to assess the validity of the test results. Ms. Downs's response style suggested that she was not motivated to portray herself in a more negative light than her clinical picture would warrant. However, her responses reflected a somewhat defensive posture, in that she denied difficulty with the typical problems and shortcomings common for most people. Profiles like this can indicate an unwillingness to admit such problems and/or poor insight into her own psychological functioning.

Ms. Downs's responses to the PAI were consistent with her presentation in the evaluation, in that she endorsed having little to no problems with intense mood fluctuations, severe depression, suicidality, psychosis, antisocial attitudes, or substance abuse. Overall, the results indicate Ms. Downs has a fairly stable self-concept and that she feels confident and optimistic about her future. Interpersonally, Ms. Downs enjoys having close relationships with others and her responses suggest she has numerous individuals she can turn to for support and connection. Overall, her responses reflected a sense of satisfaction with herself and no acute distress which would prompt her to seek counseling at this time.

Clinical and Diagnostic Formulation. When considering Ms. Downs's psychological presentation, it is important to consider the origin of her ongoing diagnosis, as such disorders can be made with little supporting data and perpetuated within the records. With Ms. Downs, it would appear as though the roots of her initial diagnosis began during her trial, when the prosecutor indicated Ms. Downs had been diagnosed as a "deviant sociopath" by her psychologist, Dr. Jamison. When Dr. Jamison discovered this, she wrote a letter to the district attorney and the trial judge, expressing that she had never given this diagnosis to Ms. Downs, and that no such diagnosis even exists.

For reasons unknown, Ms. Downs's defense attorney did not bring Dr. Jamison in to rebut the supposed diagnosis. The jury's misperception of Ms. Downs as a 'deviant sociopath' was never corrected. Over the years, this mischaracterization has taken on a life of its own, as much of her future behavior has been viewed through this inaccurate label of 'deviant sociopath.'

This mischaracterization of Ms. Downs was further exacerbated by the testimony of Dr. Suckow, who spent approximately one hour with Ms. Downs and diagnosed her as having a "severe" personality disorder. As part of his justification for this diagnosis, Dr. Suckow listed her suicide attempt at age 13, her anger toward her father, and the "seductive" behavior she engaged as a child to seek attention from her father. To characterize a child/young adolescent as narcissistic due to 'seductive' behavior that led to reported sexual abuse by the father (which remains in dispute) is not consistent with the state of the science regarding personality disorder criteria. Furthermore, if abuse *had* occurred, sexual or otherwise, Ms. Downs' anger toward her father would be considered by many to be a reasonable and/or expected response to abuse.

Additional supporting criteria used by Dr. Suckow included characterization of Ms. Downs as 'grandiose' because she had planned to start a surrogate mother business. Ms. Downs had been a surrogate mother on more than one occasion prior to the trial and had more knowledge than most laypersons about the process. It remains unclear why the desire to start a business would lead an evaluator to conclude the person was 'grandiose' but this is what occurred. No other signs of 'grandiosity' were reported by Dr. Suckow to support his diagnosis. In addition, Dr. Suckow did not provide any symptoms or characteristics to support other criteria of narcissism, despite asserting Ms. Downs met nearly all criteria of the disorder.

The initial diagnosis by Dr. Suckow was referenced or highlighted in Ms. Downs's pretrial reports and parole evaluations. In these parole evaluations, Ms. Downs has been described as a "very characterologically damaged" individual who has often been disparaged for showing little emotion. However, when she does express emotion, she has been criticized as being false or manipulative. Minor facial expressions shown by Ms. Downs are identified as signs of her 'severe' personality disorder. Other evidence used to support this severe personality disorder include Ms. Downs expressing concerns about her safety in the prison after a made-for-TV movie about her life is

shown, frustration with being placed in isolation for five days after she received a threatening letter, and annoyance toward another inmate who stole her belongings. When Ms. Downs talks about her infamous status, she is subsequently described as 'grandiose' or preoccupied with her fame.

In most of the prior evaluations, little to no weight has been given information that reflects positively on Ms. Downs. For example, she had been treated by a psychologist for six months prior to her trial. Dr. Pollyann Jamison saw Ms. Downs over 19 sessions and diagnosed her with a mood disorder, not a personality disorder. While in prison, Ms. Downs was seen for a year in 1998 to 1999 by a mental health therapist who diagnosed her with an adjustment disorder, not a personality disorder. Between 2010 and 2012, Ms. Downs saw Dr. Shoji, a prison psychologist, for individual therapy. Dr. Shoji identified Ms. Downs as "emotionally stable" and gave no diagnosis, personality disorder or otherwise. In the past thirty years, Ms. Downs has worked in many different jobs and participated in a variety of programs. She has repeatedly been given 'above satisfactory' and 'exemplary' employee reviews, and she has received numerous commendations from correctional officers. By the people who see her daily, for many years, Ms. Downs is described as 'helpful' and a person who "practices integrity." She is recognized for doing "good deeds" on her unit. In group therapy, she has been commended for being "open and willing to share" and her participation is notable for "enhanc[ing] the group as a whole."

For someone deemed severely characterologically disordered, there is a remarkable lack of supporting evidence for this diagnosis over the past thirty years. Typically, people with personality disorders create or instigate interpersonal conflict in their work and personal environments. An individual who is truly 'grandiose', 'exploitative', and 'impulsive' (as Ms. Downs has repeatedly been characterized), would be chronically engaged in interpersonal conflict. People with narcissistic and antisocial personalities are easily offended and generally engage in retaliation toward others they believe have insulted or disrespected them. They tend to criticize and disparage others on a regular basis. In addition, these types of individuals frequently upset others due to their selfish and manipulative behavior.

However, in documents spanning decades, there is no indication that Ms. Downs has engaged in a pattern of maladaptive interpersonal behaviors, such as pitting people against one another, exploiting others for personal gain, or retaliating against someone who has wronged her, for example someone who stole her belongings. There is no pattern of Ms. Downs stirring up drama of any type with staff or inmates, which would be expected if she truly had a severe personality disorder.

Personality disorders are lifelong conditions and extremely resistant to improvement, even with intense psychotherapy and/or medication management. By definition (from the Diagnostic and Statistical Manual of Mental Disorders, Fifth Edition, Text Revision), a personality disorder is “an enduring pattern of inner experience and behavior that deviates markedly from the expectations of the individual’s culture.” A personality disorder is evidenced by dysfunction in two, or more of the following areas: cognition, affectivity, interpersonal functioning, and impulse control. The pattern of behavior is “inflexible and pervasive across a broad range of personal and social situations [and] leads to clinically significant distress or impairment in social, occupational, or other important areas of functioning.” In addition, the “pattern is stable and of long duration, and its onset can be traced back at least to adolescence or early adulthood.”

Throughout childhood, adolescence, and early adulthood, Ms. Downs did not evidence a pattern of maladaptive behavior. She did well in school and followed the rules and expectations laid out by her parents and teachers. For approximately five years, she worked for the post office and her supervisor described her as an “excellent” employee. She passed psychological examinations to become a surrogate mother and to enlist in the military. While there is some dispute about what led to her discharge from the military, she was still *honorably discharged* from service and offered the option to reenlist once her family issues had been resolved. For many years, Ms. Downs was in a volatile and violent marriage, the trauma of which may have briefly negatively impacted her sense of self-esteem, which is not uncommon for women who have been in such relationships. After ending the abusive relationship, she dated unavailable men (many of whom were married), continued to work, and raised her children on her own. Until the charges which led to her life sentence, Ms. Downs had no legal history. Her pattern of behavior throughout childhood, adolescence, and early adulthood does not reflect a person with maladaptive qualities significant enough to cause distress or impairment across multiple life domains.

Over the course of her incarceration, she has shown very few qualities associated with a narcissistic personality. Although she has an escape history⁵ in the few several years of her incarceration, Ms. Downs has a fairly insignificant disciplinary history over her forty-year imprisonment. While many evaluators have pointed to Ms. Downs’s personality test results as indicative of a narcissistic person, these personality profiles are also consistent for people who have poor insight into their own shortcomings. Having poor insight, or being in denial, about one’s own weaknesses is not enough to warrant a personality disorder diagnosis.

⁵ Ms. Downs has reported she escaped with the intention to continue searching for the person who shot her and her children. According to prison records, Ms. Downs did not engage in violent or criminal behavior while on escape status.

Even if one concedes that Ms. Downs demonstrates some grandiosity when talking about her notoriety and the conspiracy theories related to her legal case, these topics appear to come up primarily in the context of an evaluation, not during her daily life while working and interacting with staff and peers on her unit. Her pattern of behavior has consistently been described as 'helpful' and 'patient' and 'responsible'. In the past forty years, no staff or treating psychologist has expressed any concern about Ms. Downs acting superior to others, needing excessive admiration, or showing a sense of entitlement. In addition, no concerns have been expressed by staff or treating psychologists that Ms. Downs has a history of exploiting others, being arrogant/haughty, or lacking empathy toward her peers.

A truly severely personality disordered person would not be able to fake being pro-social for decades. While some might argue that Ms. Downs's therapy or the structured environment has led to reduction in her 'severe' symptomology, it is well known in the field of psychology that therapy is fairly ineffective in treating personality disorders. While a structured environment tends to reduce the severity of acting out behaviors by a personality disordered individual, there would still be a pattern of interpersonal conflict, whether with correctional officers, other inmates, in work or academic settings, and/or family members. Even a mildly personality disordered person would show a pattern of burned bridges with peers, disagreements with co-workers or supervisors, and arguments with family members. Rather than showing signs of conflict with others, Ms. Downs history is notable for patience, cooperation, and harmony.

Based on the extensive information available, there is no pattern of maladaptive features to support a diagnosis of a personality disorder of any type. Because personality disorders are lifelong and essentially incurable, if she does not have one now, it means she never had one. At this point, Ms. Downs does not meet criteria for any mental health diagnosis.

Conclusion. Decades of information suggest Ms. Downs is an intelligent, optimistic, and stoic person, who is consistently helpful and compassionate towards others. Unfortunately for Ms. Downs, she has been maligned based on misinterpretation of her conduct, a variety of errors, and blatant misrepresentation of her character. Ms. Downs's extremely cerebral presentation, her naïve interactions with the media, and her defense attorney's inability to correct wrong assumptions about her fueled a character assassination prior to and during her trial.

It would appear as though a series of misinformation, intentional or unintentional, led to numerous inaccurate conclusions about Ms. Downs. Many of these mistaken beliefs about her have continued, despite considerable information to the contrary. The initial mischaracterization of her as a 'deviant sociopath' provided a lens through which her behavior was, and still is, judged by those who evaluate her. Nearly all conduct demonstrated by Ms. Downs has been viewed as fitting within the framework of

personality disorder, regardless of how small or large the behavior. Contradictory information is either ignored or misconstrued to support this incorrect diagnosis.

Ms. Downs has been vilified, to this day, by media and others for not showing the emotions expected from a mother in such a situation. Many highly intellectual people demonstrate difficulty showing emotion, but this does not mean they do not feel emotion. Especially when the feelings are overwhelming, many people resort to avoidance or intellectualization to keep from experiencing distress.

If she is, in fact, innocent of the charges, as she has claimed for over forty years, then her behavior after the shooting could be explained by other reasons, including being in a state of shock from the trauma and dissociating from the emotion of it. Her lack of emotional expression, and tendency to rely on analysis and logic when making her case, has been a consistent part of her presentation over the course of her life. It is very likely that her emotionally detached, somewhat neurodiverse, and overly analytical presentation worked to convict her as much or more than the evidence in her trial.

The opinions expressed above are based on all available information at the time of this report. Should additional information become available, my opinion may change. Please do not hesitate to contact me if I can provide any additional information or answer any questions.

Sincerely yours,

A handwritten signature in blue ink, appearing to read 'Megan McNeal', with a stylized, cursive script.

Megan McNeal, Psy.D.
Clinical and Forensic Psychologist
Certified Forensic Psychologist, Oregon

Megan A. McNeal, Psy.D.

1130 SW Morrison, Suite 515, Portland, OR 97205

Phone: (503) 320-4190

drmegamcneal@yahoo.com

Clinical Experience

Clinical and Forensic Psychologist

Oregon License #2063 – licensed since 2010

Washington License PY 60073214 – licensed since 2009

Certified Forensic Evaluator, Oregon – since 2012

Forensic work: Mitigation, criminal responsibility, mental state, and competency evaluations with male and female defendants who have been charged with crimes ranging in severity from drug crimes to Aggravated Murder; Case consultation in criminal defense and civil cases.

Clinical work: Conducting evaluations with patients to evaluate cognitive/psychological functioning and to provide differential diagnoses, risk assessment, and treatment recommendations; Therapy with clients with anxiety and depressive disorders.

Psychology Resident (Oregon), Supervisor: Dr. Linda Grounds, 2/2009 – 4/2010.

Psychological Assistant, Dr. Linda Grounds, 9/2008 – 2/2009.

Conducting forensic evaluations with male and female defendants charged with serious crimes.

Psychology Intern, Western State Hospital, Tacoma, WA, 2007 – 2008.

Rotation I: Forensic (competency, diminished capacity, and sanity) assessments of inpatient forensic defendants.

Rotation II: Forensic (competency) assessment, psychological assessment, and therapy with children and adolescents at Child Study and Treatment Center (CSTC).

Rotation III: Assessment and group treatment with sexually violent predators at the Special Commitment Center (SCC).

Supervisors: Dr. Julie Gallagher, Dr. Fran Lexcen, Dr. Jan Bacon, and Dr. Dan Yanisch

Psychometrician, Dr. Gary Sacks, 2005 – 2007.

Administered and scored cognitive and neuropsychological tests to adults, adolescents, and children, for developmental disability, learning disability, adaptive functioning, and parenting evaluation assessments. Tests used included: WAIS-III, WMS-III, WISC-IV, WRAT, WRAML, TOMM, Trails, Rey-O, and Boston Naming.

Forensic Psychometrician, Dr. Linda Grounds, 2004 – 2007.

Administered objective and projective tests to defendants and inmates.
Conducted forensic interviews for mitigating and diagnostic purposes.
Wrote reports incorporating clinical and collateral interview data.
Researched literature regarding forensic issues relevant to current cases.
Conducted psychodynamic therapy with forensic clients.

College Counseling Center Assessment Clinician, Reed College, Spring 2006.

Conducted clinical interviews with, administered cognitive tests to and wrote reports for Reed students referred for learning disabilities testing. Assessment battery included: WAIS-III, Woodcock-Johnson-III, WMS-III, Color Trails, Stroop, Nelson Denny, DKEFS, Rey-O.

Supervisor: Dr. Barre Stoll

College Counseling Center Clinician, Cascade College, 2004 – 2005.

Provided therapy to college students and community clients with Axis I and II disorders from psychodynamic and cognitive behavioral orientations.

Used assessment tools to evaluate learning disorders and plan treatment.

Assisted students with career counseling and study skill development.

Supervisor: Dr. Julianna Ee

Psychological Services Center Clinician, Pacific University, 2003 – 2004.

Developed therapy skills and interventions from a cognitive behavioral perspective with clients with Axis I disorders.

Created a case conceptualization for each client from a cognitive behavioral framework.

Used standardized instruments and self-report to assess suicidality, symptomatology of various disorders, and client treatment progress.

Supervisor: Dr. Paula Truax

Domestic Violence Shelter Crisis Counselor, Raphael House, 1998 – 1999.

Performed phone crisis counseling with women in violence situations.

Interviewed women to determine eligibility for shelter services.

Relief Counselor, Chehalem House, 1996 – 1997.

Worked with adolescents with a variety of mental/emotional health issues.

Duties included analysis and assessment of behavior on a graded scale.

Education

Psy.D. Clinical Psychology, Pacific University, Forest Grove, OR 2009.

M.S. Clinical Psychology, Pacific University, Forest Grove, OR 2004.

B.A. Psychology and Music, Linfield College, McMinnville, OR 1996.

Teaching Experience

Guest lecturer, Portland Community College, Fall 2019, Spring 2020, Fall 2020

Course: Mental Health and the Law

Instructor: Anne Nichol, JD

Adjunct Faculty, Lewis and Clark University, Winter and Spring 2009.

Course: Assessment for Counselors

Recipients: Masters Graduate Students

Adjunct Faculty, Lewis and Clark University, Summer 2007.

Course: Assessment for Counselors

Recipients: Masters Graduate Students

Adjunct Faculty, Lewis and Clark University, Spring 2006 and 2007.

Course: Diagnosis of Mental and Emotional Disorders

Recipients: Masters Graduate Students

Adjunct Faculty, Tillamook Bay Community College, 2005 – 2006.

Course: General Psychology

Recipients: Undergraduate College Students

Teaching Assistant, Pacific University, 2005 – 2006.

Course: Professional Roles I and II

Recipients: Doctoral Graduate Students

Teaching Assistant, Pacific University, Summer 2005.

Course: Psychology of Women

Recipients: Doctoral Graduate Students

Teaching Assistant, Pacific University, Spring 2005.

Course: Research Design

Recipients: Doctoral Graduate Students

Articles/Presentations/Posters

Representing a Client Charged with Murder - It's not like TV. SXSW 2025 Panel Presenter, March 2025.

Forensic Mitigation, Mental State, and Competency Evaluations. Federal Public Defenders, January 2024.

Evaluation of Competency and Mental State in adolescents. Washington Indigent Defense Attorneys, May 2010.

What's up with my client? Signs that your client may need a mental health evaluation. Oregon Criminal Defense Lawyers Association, January 2010.

Thelma and Louise: What do we know about women who commit serious crimes and how do we evaluate them? American College of Forensic Psychology. March 26, 2009.

The evaluation of women who have been charged with serious crimes. Multnomah County Public Defenders, September 2009 and Washington County Public Defenders, October 2009.

Female Sex Offenders. Special Commitment Center. August 8, 2008.

Underdiagnosis of comorbid mental illness in repeat DUI offenders mandated to treatment. McMillan, G. P., Timken, D. S., Lapidus, J., Lapham, S. C., *McNeal, M.*, C'de Baca, J. Journal of Substance Abuse Treatment. Vol. 34(3), 2008, 320-325.

Research Experience

Project Coordinator. Oregon Health & Science University. 2001 – 2005.
Coordinated a study that evaluated an innovative court program (DUII Intensive Supervision Program – DISP) for 477 repeat drunk drivers. Trained, supervised, and evaluated research assistants. Developed research related tools and completed IRB approval and renewal processes. Maintained confidential records according to HIPAA standards. Conducted literature reviews for substance abuse research projects. Reviewed client treatment charts for abstraction purposes. Liaised between court, corrections, and New Mexico Research Team. Performed other duties, such as: budget reconciliation, database management, grant writing.

Research Assistant. Oregon Research Institute. 2000 – 2003.
Maintained caseload of 180 participants in clinical research project that measured the amount of adolescent physical activity obtained by the participants over a four-year period. Interviewed adolescents and family members, assessed adolescent behavior, family dynamics, and environment. Compiled, coded, and entered confidential data.