

January 1993

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### Recommended Citation

Kunik, M.D., Mark E. (1993) "Five Hours with Frank: A Case Study," *Jefferson Journal of Psychiatry*: Vol. 11 : Iss. 1 , Article 10.  
Available at: <http://jdc.jefferson.edu/jeffjpsychiatry/vol11/iss1/10>

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# Five Hours with Frank: A Case Study

Mark E. Kunik, M.D.

## Abstract

*This manuscript explores a resident's dilemma when performing a psychiatric evaluation within the context of releasing a convicted rapist.*

Frank was a 40-year old white male who had spent the last 20 years of his life surrounded by fifty-foot stone walls because he had raped three women. It was several months ago when I began working at a state prison to supplement my resident's salary. The first few months quickly passed, evaluating and treating newly admitted inmates. The most frequent presenting problem was difficulty sleeping and my most common intervention was reassurance and sleep hygiene lectures. Just as I began feeling fairly confident, my supervisor asked me if I would like to assess an inmate for parole release. I was intrigued, if not a little anxious, and agreed. However, I was not prepared for the next month of sleepless nights and obsessive ruminations.

The task of recommending an inmate for release from a psychiatric standpoint is to evaluate the motivation for committing past crimes and assess whether these have changed. For example, were the crimes committed while he was psychotic and he now is well controlled with treatment; or alternatively, were the crimes related to long term personality structure, which is difficult to treat? Psychiatrists are asked to take part in this process because of our training in human development, behavior and mental illness.

My task was to decide if he was safe to return to society, not whether his punishment (20–50 years) fit the crime. I was given as much time as I needed. Separating the two issues seemed impossible. This man had changed and possibly destroyed the lives of his victims. Could they feel safe knowing he was released? Would he rape again after I cleared him for parole? If he did, would I be to blame? I certainly would feel guilt. I desperately wanted to hate this man and hoped to find that he had many discipline problems in prison and that he had constant thoughts of being released to rape once more. I wanted an easy decision, but that was not to be.

Frank was a tall, well groomed, articulate man who arrived for our first appointment on time and eager to begin the evaluation. Frank revealed that he was the oldest of eight children and his family moved from the Northeast to the West when he was seven years old. The summer after he moved, their new home caught fire, killing his three month old brother. Frank was the oldest child at home while his parents were away visiting friends. From that time on, they blamed Frank for his brother's death. Subsequently, his alcoholic father would often strip him and beat him with a belt for, "all the bad things you do which I don't know about and all the

bad things you will do in the future." When he was nine years old his father taught him about intercourse. He took him to his girlfriend's house where Frank was forced to fondle the girlfriend's nine year old daughter. This occurred weekly as prelude to Frank's father's intercourse with his girlfriend. Frank was embarrassed and hated these weekly trips to entertain his father. At age ten, he was doing poorly in school and at eleven he stabbed a school-mate in a fight. His father had many girlfriends and at twelve years old he was forced to have intercourse with these girls to excite his father. When he tried to tell his mother, she slapped him and called him a liar. At 15, his parents divorced and he was expelled from school after threatening to kill the principal. At 17, his Marine Corps sergeant ordered him to "bark like a dog and dig a ditch with your paws." He knocked the sergeant out and was subsequently court-martialed.

Frank disclosed whatever I wanted to know in great detail, in a peculiar distant fashion. This both intrigued and bothered me that Frank was so detached from his horrible life story, while I had to hold back tears and anger. I began to realize that Frank's prey were not the only victims to occupy my mind.

On the day of his return home from the Marine Corps, Frank's mother told him that he was not welcome until he found a job and could pay rent. He escaped to a friend's party, had a few drinks, and was trying to forget how useless he felt. Frank showed a woman his skill in picking locks. She was not impressed and told him that he was not capable of picking the locks at her house. He wagered that if he could, she would sleep with him. To this she replied, "I wouldn't sleep with you if you were the last person on this earth." That night Frank raped for the first time. He explained that he was furious at this woman and did not care if he was caught or killed.

Four hours into our interview I found myself liking Frank and was disgusted by this. He appeared gentle, sincere, and eager to please. I wondered what was wrong with me for liking a man that had hurt so many? Was this an implicit acceptance or approval of his rapes? In contrast, I found myself hating his family. I fantasized locking them up and freeing Frank. His story continued.

He served one year on a plea bargain and returned home where his mother and sister welcomed him by asking him if he had any money for them. Feeling rejected once more, Frank went to his father's house. He found his father's best friend intoxicated. This man began yelling at him and stumbled when he tried to hit Frank, and fell down the steps. Frank's father yelled, "You knew he was drunk, why did you let him fall?"

Over the next three months he raped three women and burglarized countless homes. He wanted his family to disappear. He wanted his life to end. At nineteen, he was given a sentence of 20 to 50 years. The legal system had confirmed what his family had taught him and what he had come to believe: that he was not fit for society.

Frank had revealed his own tragic past with the detachment of a newscaster, while I felt chilled and held back tears. He shed not a tear and had no clue of any anguish. Here was a gentleman who had so little control over his life. He had little

hope of winding up anywhere but prison. Frank was essentially born into his fate. How could I hold him responsible?

After interviewing Frank for five hours, I was to recommend whether Frank was ready for parole. I reminded myself that my job was not so much to understand his past or to blame others, but to decide if he was safe for release. I couldn't stop myself. After our time together, I ruminated for countless hours over his chaotic past and his victims scarred futures. Had twenty years in the cold confines of state prison changed this man or healed his vulnerability to shame and ensuing rage reactions? Six years of involvement in the sex offenders program had brought him insight into some of his problems; however, his emotional facade seemed just that: a facade. Without the structure of the prison, the emotions he had learned to suppress so well, might explode. He expressed little remorse.

This decision was so different from those which I had previously made in medicine. Prior decisions had been based on making an ill patient better or lessening their suffering. Here, I was essentially acting as legal gatekeeper. I discussed these problems with my supervisor who explained that I was acting as an expert and was expected only to give an opinion, not to act as treating physician. As a physician this role felt peculiar and wrong. I rationalized that I was only giving my opinion and that it was ultimately the parole board that made the final decision.

I had spent hours with Frank and listened to his story, asked him to clarify certain points and asked for his understanding of his life and crimes. I offered him little—no interpretations, no behavioral or cognitive therapy interventions, and few empathic statements. My supervisor encouraged me to share my final decision and feelings with Frank. At first this terrified me and I worried about my safety, however, I felt he deserved to hear from me directly.

After a couple of weeks I met Frank for the last time and told him that I did not feel he was ready for parole. I told him that his childhood saddened me, and no doubt, played a large role in placing him in prison. I tried to explain that he still was emotionally detached from his childhood and crimes, which I felt made him a high risk to rape once more. He took the news with no surprise; I was just another person confirming what he already knew.