

#225

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## An Example of A Wisconsin D.O.C. Psychologist Deliberately Misdiagnosing A Prisoner As A Psychopath to Justify Denying Treatment for P.T.S.D.

by Nate A. Lindell, created 24 April 2016

When someone with a Ph.D gives an opinion, people tend to believe that opinion, especially when the doctor works for the government, even more if the opinion appears to be supported by "facts".

Here you'll see, from copies of my psych. files, a Ph.D. employed by the W.D.O.C. fraudulently force a psychopath diagnosis on me in order to justify harsh treatment of me & disregard for my P.T.S.D.

The star of this piece is "Dr." [REDACTED] one of Wisconsin's favorite forensic psychologists: she's often called to testify that a sex offender is too dangerous to be released, a defendant is competent to stand trial, and/or that a defendant's Not-Guilty-by-Reason-of-Insanity plea is meritless. Look her up on [wicourts.gov](http://wicourts.gov). On paper she looks like a respectable person, a survivor of childhood sexual abuse who's doing something good with what could've been a broken life.

But I met Dr. [REDACTED] in person, when she interviewed me here at W.S.P.F. to label me a psychopath who needed to be punished and denied emotional interactions. Dr. [REDACTED] looked like a stereotypical witch - her hair was long, dirty blonde, tinged with gray & looked like she'd not combed it for days; wrinkles cracked her face, and her eyes were hooded, concealing anger and/or fear.

No one told me why she was seeing me. But I assumed it had something to do with my complaint that I had P.T.S.D. & it was severe enough that I shouldn't be kept at W.S.P.F. (See, e.g., Dr. Randy Grage's 31 March '06 Clinical Contact note - Appendix A)

Around that time I'd begun writing an autobiography about my childhood, which included severe abuse of all kinds. The recollections were stressing me, especially combined with staff's then calloused if not cruel treatment of all prisoners & especially litigators & essayists like me. The constant threats and insults from Black prisoners who hated white men & months, years with no comrade by me whom I could socialize with took it's toll too.

Anyway, Dr. [REDACTED] interviewed me twice, and at the end of the second

session, she stood up, said, "Well, you're a psychopath. Whether you were born one or made one..."

"What?!" I exclaimed, looking at her like she said grass was black.

She actually looked startled, a little doubtful, said something—but I'd already disacknowledged her existence as a pseudo-psychologist. Attached as Appendix B is the seven page report she created. Attached as Appendix C is the Psychopathy Checklist she came up with.

Go ahead & read them. Then read Appendix D, which is the report of a court-appointed psychologist — Dr. Diane Lytton, look her up — which (at p. 7 ¶2, p. 8 bottom ¶ continuing to p. 9) briefly reveals the flaws in Dr. [REDACTED]'s conclusion that I'm a psychopath. Below I give detailed, specific explanations as to how & why Dr. [REDACTED]'s report & checklist are psychological garbage, and why she'd put such a foul label on me.

### 1. Dr. [REDACTED]'s Report

a) Ignored Symptoms of P.T.S.D.: As Dr. Lytton explained in page 8 of her report "Much of this individual's behaviors could be viewed as stemming from PTSD, rather than... the simplistic conclusion he is a psychopath." E.g.,

- page 2 says there's "No evidence of thought disorder or other indications of psychosis", though in p. 1 she noted that I made long speeches that rambled & leapt to barely related topics. Hypervigilance, which is a symptom of P.T.S.D. can cause such pressured speaking, as can Bi-Polar Disorder, which I'd been diagnosed with

- page 5 says I wasn't responsible "either at home, in school, or on the streets," which are lies (more on this later), then says I threatened my "family" (a lie), "hit his siblings" (a lie, except for one time, when my brother John (who'd been diagnosed w/ Multiple Personality Disorder & had repeatedly slashed himself with knives, thus wasn't allowed to use knives, was holding a steak knife while grinning crazily & sitting next to our sister. I snatched the knife. John angrily tried to hit my head with an iron weight scale, which I sidestepped, then tossed him to the ground — he was bigger than me & a green belt in Aikido — hit him in ribs a couple times & told him to stay there 'til mom came

home. When mom came home, although John admitted everything, my mom had me put in juvenile detention "for a vacation" from all the madness at home. Previously I'd had to wrestle a cleaver from her after she'd cut her arm + neck open with it + swung it at me.)

It's an insult to say I wasn't responsible of + the records "Dr." [redacted] reviewed (e.g. my sentencing transcripts + a competency report by Dr. [redacted] - my mom's psychologist - verified I acted as my mom's + brother's psych. nurse - Case No. 97-CF-140, [www.co.la-crosse.wi.us](http://www.co.la-crosse.wi.us)), which I suspect [redacted] knew.

• Pg. 2 goes on to say I "swore at teachers" (I swore at one teacher "Did you take your pill, bitch?" after she asked me in front of the class if I took my Ritalin pill. A doctor saw fit to prescribe me Ritalin because I couldn't concentrate + was quick to blow up - he didn't take into account that at home my mom - who'd sexually + physically abused me as a child - was constantly having mental breakdowns, trying to kill herself, that I couldn't sleep at night because I was listening for the rattle of silverware from mom looking for a knife, which I'd caught her at twice. Maybe PTSD, hypervigilance, made it hard to concentrate at school + made me overreactive to threats.) and got in fights. Not only could PTSD cause that, but those are classic behaviors of boys (less so girls) who've been abused, as noted in A Mother's Touch, by Julie A. Brand, M.S.

• Page 5-6 labels my "escape" from work release as a symptom of psychopathy, rather than the action of a desperate young man with no hope in a world that didn't care about me. While I was in jail for disorderly conduct - based on the lies of a woman who worked at a school for troubled kids - new charges for petty thefts my "friend" turned himself + me in for, which ship-wrecked my enlistment with the Navy to be a Nuke Tech. (I scored really high on their tests.) So, I panicked + ran.

• Page 7 deemed the fact that I feel threatened easily, which can lead to me being violent - hypervigilance, a PTSD symptom - as another symptom of psychopathology.

What makes [redacted]'s sinister view of symptoms of P.T.S.D. so offensive is that she's written books on childhood abuse + was abused

herself. She knew better! She reviewed Dr. [REDACTED] files on his treatment of me as an adolescent, which reveal not only that Dr. [REDACTED] was a moron (another story), but that my mom cancelled my visits with a therapist because of "conflicts" - parents who've abused their kids do that (see A Mother's Touch), because they're afraid the therapist is on to the abuse, which was in fact my case.

Despite Dr. [REDACTED]'s observation of P.T.S.D. symptoms (Appendix A), [REDACTED] gave no consideration of that diagnosis or its implication on my behavior.

### b) Salter Revealed Prejudice Towards Me

• page 1 has Salter saying my possible hallucinations were "typical of malingering," when they are also typical of those in long-term solitary confinement. "Psychiatric Effects of Solitary Confinement," Stuart Grassian, M.D. (look it up).

• page 3 says I make "multiple excuses" for poor behavior, but what I did was answer her questions about why I did things. I guess I should've said "I don't know." She says "his excuses lack credibility," but records verify my statements.

• page 4 says because I saw A Time to Kill before committing murder that I was "callous." Obviously she's ignorant of that movie, and - what's the normal, non-callous thing to do before you go & kill someone?! She criticizes "my acceptance of violence" - well, it was inflicted on me since birth, part of daily life as a teen living with my mom - I'm not supposed to get used to it?! Maybe I felt extreme regard for the kids I believed the guy I killed had porn photos of?

• page 4 also considers my reference to my mom as a "biker whore." What do you call someone who has sex with bikers for drugs? A biker "prostitute"? A biker... "escort"? She fucked a guy I was in jail with ([REDACTED] - look up La Crosse Municipal Citation # M 750 222, Case 97-55794, it's attached report, then the statement [REDACTED] made to the D.A., Scott Horne.)

Amongst other sick things my mom did, she denied us all contact with her brothers, sisters & parents, claiming they were

part of a child-molesting + sacrificing cult. Those relatives only found out where I was when my homicide case hit the news. Mom threatened to disown me if I didn't sever all ties with them, which I refused, then she proved her word....

• page 5. Salter acknowledges my mom overdosed on heroin (cocaine too, but disacknowledged), then overlooks how that impacted me + my mental health.

████████ clearly saw everything as a symptom of psychopathy and didn't see anything that undermined that "diagnosis!"

And there's more. Page 2 says I assaulted a kid of age 13, leaving out that he ran up to me while I was delivering papers, got in my face + yelled "SPIC! SPIC! GO HOME!" over + over. (I didn't even know what a "spic" was + told him so. When he kept at it, I kicked him in his face.) The toilet I set on fire, I was high, thought I put it out — it wasn't malicious.

Page 5 criticizes me skipping classes cause I thought they were a waste of my time. Look at my August 2012 post, "A Genius Behind Bars... And?" — my I.Q. is at least 144. The classes did bore me!

Page 7 Criticizes me for having no friends. Well, how am I to make friends from a supermax cell? Every time I got cool with a White guy — the Blacks + Latinos were hostile towards me because I was white + wouldn't be their bitch — staff moved them away. Salter lied about me never having "close relationships": I had a girlfriend who agreed to marry me if I won my appeal (she split when I lost); my female trial attorney was a close friend who visited + wrote me; ██████████

████████ were close friends when I was a teen; ██████████ was my girlfriend when I was in high-school — but it was hard for me to be outgoing, as I feared I'd be rejected when kids saw how fucked up my home was.

### c) Weird Misstatements

Page 3 uses my response to ██████████'s question about what the murder was like against me: "it was like hitting a piece of coconut."

That's what it reminded me of.

Page 4, when referring to my theft of chips — "at the time I thought it was real cool" — she left out that I finished "but later I realized how stupid it was." She goes on to falsely say I didn't regret the murder — I told her "I wish I didn't do it, but 'what's done cannot be undone!'"

Page 6 — the 1st paragraph makes no sense. It was not an accurate quote from me.

It's just plain weird when she says in page 2 that I tried to kill myself with a "stapler," and in page 5 where she misquotes me as saying "I got a really high school, & they said you're really smart" — I said "score," & was referring to a military intelligence test, which was high enough that the Navy designated me to study for Nuclear Tech. Also in page 5, when referring to my siblings being hit by me, she left out that the one she's turning into siblings was mentally ill, holding a knife & tried to bash my head in.

Page 6 says I told her I "dropped a drug dealer in K.C.," when I "robbed" him. I shoulda "dropped" him, hate drug dealers!

#### d) Outright Lies

Page 5 the "records suggest... Mr. Lindell was not being responsibly either at home, in school, or on the street." At times, when shit seemed hopeless, yes. But in many ways this is a lie.

Page 6 Lied about me never having any "close, personal relationships"

Page 7 Lies when it says there's no known treatment for psychopathy, as noted in page 8 of Dr. [REDACTED]'s report.

I could go on & on, and did in an objection to [REDACTED]'s report, which I sent to the Psych. Dept. here after seeing Salter's report, explaining exactly why & how the report was basically libel.

"Why would they misdiagnose someone as a psychopath and ignore evidence of P.T.S.D.? [REDACTED] reveals that at the end of her report, where she prescribes no emotional interactions with me & harsh response to any misconduct.

That is not the first time a psychologist recommended harsh treatment. [REDACTED] Ed. D., WI License #1741 said as much in a 1996 court-ordered psych. eval.

It seems that the get-tough-(+ stupid, 'cause it hasn't worked) on-crime element within the judicial system has supporters within the psychology community. No doubt that element helped justify the emotionally harsh, abusive, and physically brutal conditions that once existed here at WSPF, which aggravated my P.T.S.D.

[REDACTED]'s lies, disregard for my obvious P.T.S.D., lack of remorse for the misery she was helping heap on me, etc. etc. support a diagnosis that she's a psychopath. But she's deluded herself into thinking I'm the psycho, so she's not, nor are prisonrats.

I was gonna go on about how the PCL-R checklist is also 90% bullshit, but you can figure that out from what I explained above.

All of my psych. files, all of my prison files period - both B.O.P. + W.D.O.C. - are available to any researchers, journalists, attorneys, or homeless people. I wrote the B.O.P. and records dept. staff here + advised them that I waive all confidentiality. So you can request + review the objection to the PCL-R checklist that Salter came up with.

I've been locked up, abused by staff + threatened by inmates for over 18 years. Yes, I am capable of violence, even murder, if necessary. But the system made me, after letting my twisted mom begin the process. Pardon me, but I don't feel guilty about surviving, nor do I pity the retribution my oppressors encounter; after all, they dragnosed me....

Feel free to share this information with other psychologists, students, journalists, etc.

Sincerely,

Nate A. Lindell #303724  
WSPF P.O. Box 9900  
Boscobel, WI

53805-9900

## PSYCHOLOGICAL SERVICES CLINICAL CONTACT

OFFENDER NAME <b>LINDELL, NATHANIEL</b>			<b>SOURCES OF INFORMATION</b>	
DOC NUMBER <b>303724</b>	INSTITUTION <b>WSPF</b>	DATE <b>3/31/2006</b>	<input checked="" type="checkbox"/> Clinical Interview	<input checked="" type="checkbox"/> PSU file
			<input type="checkbox"/> Social Services File	<input type="checkbox"/> HSU chart
			<input type="checkbox"/> Psychological Testing	
			<input type="checkbox"/> Other	

**REASON FOR CONTACT**

Met with I/M Lindell in attorney's booth at his urgent written request to be seen.

**RELEVANT HISTORY/ OFFENDER'S REPORT**

See initial clinical contact note written by this clinician on 3/28/06.

I/M was experiencing problems with disturbing recollections and nightmares "of being killed". He was minimizing his history of illicit drug consumption, and issues of lust. He was confused regarding why he would have this disturbing cognitive events taking place at this time. He was told that his having discussed his history with me three days earlier likely contributed to the "problems" about which he was now disconcerted. He rather abruptly requested the termination of the session, stating that it was time for dinner.

**MENTAL STATUS**

Alert, cooperative, socially appropriate, in denial as evidenced by his tendency to minimize his history of problematic behaviors, thought content and processes were logical and coherent, respectively. No indications of suicidal ideation/intent. No indications of psychoticism. I/M appears mildly frustrated and to be experiencing angst. He does not appear to be in acute emotional distress.

*Dr. Gage was an evangelical Christian, which I think was the reason he projected a burning lust on me. No facts support that I had any "issues" with lust, other than a total lack of female intimacy.*

**DIAGNOSES**

Axis I [REDACTED]

Axis II [REDACTED] Axis III (If Relevant) \_\_\_\_\_

**TREATMENT PLAN/FOLLOW UP**

Will discuss his reaction to the NA book which he is currently reading.

MH code has changed  MH code has not changed

<input type="checkbox"/> <b>MH-0</b> No MH need	<input checked="" type="checkbox"/> <b>MH-1</b> MH need (not *SMI)	<input type="checkbox"/> <b>MH-2</b> Diagnostic SMI or Functional SMI	<input type="checkbox"/> <b>MH-3</b> Mental Retardation
CLINICIAN SIGNATURE <span style="background-color: black; color: black;">[REDACTED]</span> Ph. D.		DATE SIGNED <b>3/31/06</b>	
SUPERVISOR'S SIGNATURE (If Needed) <span style="background-color: black; color: black;">[REDACTED]</span>		DATE SIGNED <b>4-5-06</b>	

\* SMI - Serious Mental Illness

**DISTRIBUTION:** Original - PSU Record (DOC-3370A); Copy - HSU (file in DOC-3370); Copy - Social Services File



## Psychological Evaluation

Name: Nathan Lindell  
DOB: 10/21/75  
Examiner: [REDACTED] Ph.D.  
Date: 2/26/08

### Referral

Mr. Lindell was referred for an evaluation to determine those psychological characteristics which would effect program planning and management issues.

### Sources of Information

The information in this report is based on the following:

DOC records  
Interviews on 1/18/08; 1/24/08

As part of this evaluation a Psychopathy Checklist II was administered and scored.

### Mental Status Exam

Mr. Lindell was adequately groomed and appeared his stated age. He had no oddities of gait or mannerism. Speech was normal in terms of voice characteristics and fluidity. He did make long speeches that rambled from the main topic, and thinking was frequently tangential. Nonetheless, thought processes were logical and coherent. When asked about hallucinations, Mr. Lindell responded as follows:

I think the answer is yes, but I'm not sure. Sometimes it seems like what I've had the sensation lately that I'm on a merry-go-round, and things are spinning and things in myself are pulsing. . . I see little bright spots of light and they flash. . . Dark shadows in my vision, like clouds.

He also noted that he's been "hearing guys in the vent insulting me. I ask them about it, and they say they aren't doing it." Mr. Lindell's reports of vague, primarily visual images are more typical of malingering than of true

hallucinations. In sum, there was no evidence of thought disorder or other indications of psychosis.

When asked about depression, Mr. Lindell stated that he was depressed and in the last week had frequently thought about shooting himself in the head. "It makes me feel good. Holding my finger to my head and pointing like it's a gun. . . Dying – that is not a bad thing." He also stated that he had attempted suicide while at WSPF with a stapler. He said he had intended to cut his wrist so he could bite out an artery.

### Offenses

Despite being incarcerated since age 22, Mr. Lindell has committed a variety of crimes, all in his teens and early adult years. These include:

- Arson
- Assault
- Auto theft
- Burglary
- Disorderly Conduct
- Homicide
- Theft of a Firearm
- Escape

He began committing violent acts at an early age. Records from 1992 indicate he beat up a kid at 13 and was charged with assault. When caught stealing 16 cases of soda he hit the man who caught him with a bottle. Also as a teen he was suspended from school for setting fire to a toilet.

By far, however, his latest crime is his most significant as it involved arson and murder. His account of this crime will be included as it demonstrates Mr. Lindell's thinking processes.

I was going to college for Marketing Management at WWTC. I was going to church. I had just got out of jail . . . I guess I didn't have any grounding. . . I heard of someone from some associates of mine who had a lot of money in his house. I wasn't the kind of person who would just rob anyone. I had to have a reason. Something about him that was not good. . . They said they found a bunch of bondage type pornography in his place. I put two and two together. For example, they robbed him one time and they got \$15,000 or \$17,000 sitting in a

briefcase on the table. So I thought he had to be involved in criminal activity. He's fair game. If I rob him, so what. If I rob him, I'm stealing from a thief. . . When I heard about the pornography I thought he's some kind of pervert.

So my brother came to me and he was talking about robbing a bank. . . And I said robbing a bank isn't a really smart thing to do. I haven't done it before. You haven't done it before. The Feds get involved, and you can have a whole lot of problems. . .

The thing is the night of the crime . . . we saw a movie, . . . a Time to Kill. In this movie some rednecks rape this little girl and killed her too. We saw the movie and then a half hour later we went to rob him. The movie had an impact. The guy got up and my brother hit him in the head and then I hit him in the head . . . it was like hitting a piece of coconut and a piece of the coconut came off. . . . Afterwards, I thought he was dead. I was pretty sure he was dead. I wasn't gleeful about it. I was dismissive of it. I didn't want to dwell on it. I thought, hey this guy is some kind of pervert. Too hell with him. . . but I wasn't sure because we didn't find any kind of porn.

I asked him about whether the murder was planned and he replied, "We did talk about the fact if we did the crime he might die." When asked why he gave up college to murder someone, he replied that,

My brother came to me. It's like going to an alcoholic and offering him a beer. . . I gave in to temptation. It seemed like a good idea at the time.

In his description of the offense, Mr. Lindell makes multiple excuses and rationalizations. He believed the victim was a "pervert;" he and his brother saw a violent movie, etc. However, his excuses lack credibility. He and his brother planned the offense long before they saw A Time to Kill. Not to mention they had no solid information the victim even had porn, much less the strangeness of the notion that he and his brother were self-appointed executioners of individuals who possessed pornography.

What is especially significant in his account is the degree of callousness that would allow him to go to the movies thirty minutes before a planned robbery and murder. Likewise, his response afterwards was not upset or distress: he felt "dismissive" of the murder and "didn't want to dwell on it." In this we see an extreme disregard for others and an acceptance of violence as a way of meeting his goals. Mr. Lindell said of himself that "I didn't have any link with society. I didn't feel a common bond. I didn't trust society a lot."

Likewise, in discussing an assault in prison he stated that, "A guy had a bag of potato chips. I basically attacked him for his potato chips . . . at the time I thought it was real cool."

Mr. Lindell at this point professes to have regret for his offenses, but when he ranks his regrets, the murder does not appear to have a prominent place.

I'm sorry I committed every offense. . . sorry about the assault over the potato chips. . . I'm really sorry I stole the firearms.

### Personal and Family Background

Mr. Lindell was raised by his mother Paulette Lindell and his stepdad Donald Lindell. He has never known who his biological father is. His stepfather died a few years ago but his mother is still alive.

He has three brothers and one sister. He reported that neither parent worked and referred to his mother in extremely pejorative terms, e.g., calling her a "biker whore." The family moved constantly. When asked how many times he moved, he was unable to name all of them but estimated approximately 20. He was born in Duluth, MN and has lived in various places in Minnesota, Montana, Washington State, Wisconsin, the Dakotas, and Canada.

Mr. Lindell stated that his mother molested him as a child and that it was "kind of awkward for her to have a relationship with me after that." He referred to his stepfather as "crazy, a religious fanatic." He stated his stepfather would tie his mother up and try to "cast the devil out of her." Records indicate his stepfather did, indeed, hold extreme religious beliefs which he imposed on the family. Other than the religious requirements in his household, he stated that there were few rules at home. "Our kids pretty much ran amuck."

When asked how many elementary schools he attended, he stated "probably" nine, no doubt because of the number of moves the family made.

At one point, he reported, all the children were placed in foster for approximately nine months. This occurred when his mother over-dosed on heroin. The children were eventually returned to his mother.

Mr. Lindell attended one high school for three years. When asked about attendance he replied:

I think my attendance was good at certain times and other times it was crappy. . . Just about every day, I'm skipping out of some class. A lot of the stuff they were doing was meaningless, just wasting an hour of my life.

Mr. Lindell has no current contact with his family, and reports that his current estrangement from his siblings has its roots in the role that was forced on him during his teenage years:

I couldn't be close to my brothers and sisters. I was the one telling them, "you can't do this; you can't do that." Someone has to cook. . . My brother was playing with a knife. I told him you can't play with a knife. I tried to wrestle it away from him, and he tried to hit me with a cast iron skillet.

However, records suggest that Mr. Lindell was not being responsible either at home, in school, or on the streets. At home, he threatened his family members and hit siblings. At school, he swore at his teachers and got into fights. On the streets he committed crimes. Eventually, he spent time in both juvenile detention facilities and a residential facility called Rawhide.

He left home at 17 or 18 and was soon in jail. He escaped from jail and went to Kansas City. When asked why he escaped, he said:

Because the powers that be were trying to ruin my life. I was supposed to go into the Navy. I got a really high school, and they said you're really smart. I know I'm smart. I did some petty theft when I was younger, and someone told on me. I think they told on me because I was going into the Navy and they were jealous. I thought people are trying to ruin my life, and there's no hope for

me to do anything good with my future. No future. No reason to do anything. . . I just stole stuff I didn't even care about. I stole a bike and gave it to a friend. I stole stereo equipment. There was nothing I could do about it.

He only stayed in Kansas City a couple of months. While there:

I was running from the law. I had a roommate, a crime partner. All we did was smoke pot and have a party. We lived off stolen money, and I think we did some petty crimes. Believe it or not we got caught for stealing a car. That was the first major crime.

In this interval between leaving home at 17 or 18 and his incarceration at 22, Mr. Lindell lived a transient life, never living in one place for any period of time. When asked if he ever "hit the road" and traveled with no real plans, he replied that:

I might have. Yes. Dropped a drug dealer in Kansas City. Had to roll with no plans. Went to Oregon to stay with a girlfriend. Stayed up there for a couple of days. After that went back to Kansas City. That's when I stole a car.

Along the way he continued the alcohol and drug use he began as a teenager. He began drinking at age 15, and began using marijuana at age 16 or 17. In Kansas City he smoked marijuana daily. He frequently used LSD. He has also abused cough syrup and nutmeg.

Mr. Lindell does not appear to have a history of close personal relationships, either during childhood, during this period of early adulthood or even now. While claiming he had close friends during his childhood, he was able to name only one, "a nerd from a good family" whom he was friends with when he was a younger child. His friends in high school were

headbanger type friends. . . We weren't really good friends because they were violent and aggressive. We got along because they saw that I had a violent and aggressive streak. We had no one else to hang out with but ourselves. . . One of them told on me and got me locked up. It wasn't that good a friendship.

Likewise, he has never had a real girlfriend. None of this three sex partners have been girlfriends. One was "someone else's girlfriend" in Kansas City. He reports they were together eight times. The second was a one night stand. The third was "one I came across in La Cross."

Currently, he reports that he has no friends in prison, and, as noted, no contact with his family. Thus it appears that he has no close relationships, past or present, and no affective ties to anyone.

### Psychological Testing

As part of the evaluation I administered and scored the Psychopathy Checklist Revised II. On the total score, Mr. Lindell scored well above the cut-off for psychopathy. He scored particularly high on the interpersonal, affective, and lifestyle facets and on the interpersonal/affective factor. Mr. Lindell's combination of glibness, grandiosity, conning and manipulation, callousness, lack of remorse and shallow affect is reflected in these scores. The scoring is attached.

### Summary and Conclusions

Mr. Lindell has the lack of conscience and shallow affect characteristic of those who score high in psychopathy. For this reason, it is unlikely that relationship-based psychotherapy will be of much help to him. While there are no known treatment modalities which have proven to be efficacious in the treatment of psychopathy, an approach based on clear expectations and clear consequences will likely result in the best management possible.

It is characteristic of psychopathy to feel easily angered, especially if the individual feels treated unfairly or disrespected in some way. Disrespect has a much broader definition for individuals afflicted with psychopathic traits than for other people, and staff may find – to their surprise -- that they have offended him in the normal course of their duties. Such individuals can be expected to become oppositional easily, and are likely to engage in power struggles on an almost continual basis. This is part of the way those who score high in psychopathy see the world and is not something they can turn on and off. In general, staff are more successful in working with psychopathic individuals if they do not expect the individual to form a bond with them, and therefore do not become angry, disappointed or frustrated when they do not.

As a final note, Mr. Lindell remains a risk for violent behavior. As he stated, "I feel threatened easily. I feel in danger easily. If I feel threatened I get violent."

PCL-R

INMATE COPY

1/19/08

1. Glibness/Superficial Charm

2

Very – always has an answer

Constantly telling stories and weaving tales

Has an answer, excuse or justification for everything

Talks endlessly

Impression management: tells story of the reason he murdered his victim was because he heard he had bondage pornography in his house and thought he was a "pervert." Also he had so much money, he thought he must have stolen it and therefore it was OK to steal from him. "I wasn't the kind of person who would just rob anyone."

2. Grandiose Sense of Self Worth

2

"Walks around with a superior attitude." Care Plan 6/13/02

"He believes that all of the inmates on his range are idiots" Clinical Contact Report 4/8/04

Clinical Contact Report 4/12/02 "his place in life is to be a 'super criminal'"

Expressed his anger at the officers for putting him in a cell next to 'morons'

In an article he wrote called other inmates "the stupidest of the stupid"

"I got a really high school, and they said you're really smart. I know I'm smart."

"Most psychologists and social workers are stupid asses – it's amazing how stupid they are."

2/1/02 Clinical Contact Report

3. Need for Stimulation

2



Told PSI he did crimes for money and boredom

In KS "All we did was smoke pot and have a party."

"Just about every day I'm skipping out of some class. A lot of the stuff they were doing was meaningless, just wasting an hour of my life."

"Tough question. I might have. Yes. Dropped a drug dealer in Kansas City. Had to roll with no plans. Went to Oregon to stay with a girlfriend. "

As an adult never stayed in one place any period of time

"I did drive fast. I've got a lead foot. . ."

When asked about boredom – "That's probably why I did drugs growing up. "

Says was prescribed amphetamines growing up – (no doubt for ADHD)

History of drugs, committing crimes, driving fast, doing things from boredom

As a kid, "Just about every day I'm skipping out of some class. A lot of the stuff they were doing was meaningless, just wasting an hour of my life."

#### 4. Pathological Lying

2

Staff reports he says on way to visits, "what story can I make up this time?"

Changes story in the middle. Confessed to murder then blamed brother.

Says things at variance with record, e.g., behavior towards sibling as an adolescent. (Gets angry when confronted.)

Stories about his being the responsible member of the family and siblings not liking him for his responsibility not credible given criminal record in adolescence

#### 5. Conning/Manipulative

2

Progress Note 6/11/02 "he is malingering in an attempt to stay at WRC as there is no behavioral evidence of support his self-reported claims of a serious mental disorder."

Used aliases to get free CD's

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Faked bad on MMPI

So many frivolous lawsuits judge has declared a moratorium

Gave me symptoms of psychosis that are not realistic

6. Lack of Remorse or Guilt

2

PSI notes no remorse for crime

"Psych Services Clinical Contact "He said he regretted his crime ever since he gained a correct impression of the person and discovered him to be 'more human than I thought.'" i.e., had no regret when he thought person was a criminal

Referring to murder, "I wasn't gleeful about it. I was dismissive of it. . . I thought, hey this guy is some kind of pervert. To hell with him."

Regarding his sentence, "It's not that I think I deserve it. I don't think I do deserve and I don't think I don't deserve it . . . it is what it is.

In interview, based his "regret" on his realization that the victim was something he might have wanted to hang out with. When discussing crimes spontaneously mentions regretting some specific minor crimes, but omits murder

7. Shallow Affect

2

No relationship with mother  
Turned in his brother, then threatened him  
No long term relationships  
No girlfriends ever  
No contact with family

Calls his mother a "biker whore"  
Claims he "can't be close to my brothers and sisters. I was the one telling them, 'you can't do this. You can't do that.'"

Does not have friends in prison

No evidence of close personal relationships ever

8. Callous/Lack of empathy

2

Listed as traumatic events "Got my hand cut while shooting somebody in a fight" & "Killed somebody saw their brains leak out"

Extremely callous crime – entered residence through basement window, found man lying on floor (asleep or passed out?) hit him twice in the head, then burned residence – turned in brother (his accomplice) and tried to say his brother killed victim (after first confessing)

Jumped a man in jail and beat him up to take his potato chips – told PSI he did crimes for money and boredom

Stabbed an inmate with a pencil - unprovoked

Tried to get someone to murder the man who turned him in for homicide (guy who drove get-away car)

Referring to murder, "I wasn't gleeful about it. I was dismissive of it. . . I thought, hey this guy is some kind of pervert. To hell with him."

Racist – believes in white supremacy "If a white guy would junk on a bunch of blacks I wouldn't give a fuck."

9. Parasitic Lifestyle

2

Presentence of 1994 states that "Nathan told me that while in Kansas City he primarily lived off of other people, staying with Mr. Reed's friends and getting high and drunk every day."

Left home at 17 or 18. "Lived with a friend for a couple of months."

10. Poor Behavioral Controls

2

Fights at school

Hit siblings

Described in records as "having a hair trigger"

Assaulted another inmate – stabbed him

Previous battery against an inmate

Threatened family while at home

While at LaCross Jail (1998 report) involved in 6 fights – had 22 disciplinary reports

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Clinical Contact Report 4/12/02 "Mr. Lindell indicated that he wanted to start killing staff and was encouraging other inmates to fight and harm staff as well."

4/8/02 Clinical Contact Report – battered a staff member during a cell extraction – convicted and got 1 more year of confinement

Stabbed another inmate – appeared unprovoked

3 conduct reports heard on 11/20/03 guilty of threats

Q. Do you get angry easily?

"I feel threatened easily. I feel in danger easily. If I feel threatened I get violent."

11. Promiscuous Sexual Behavior 0

Very little sexual experience of any sort

Intercourse with 3 partners

One was someone else's girlfriend; had sex with her 8 times

One was a 1 night stand

One was someone "I came across" in La Cross

12. Early Behavioral Problems 0

First contact with the law was 13

No evidence of early behavioral problems

13. Lack of Realistic/Long Term Goals 2

No history of setting any goals

Lived day to day

Needed money, decided to rob and steal

Needed a car in Kansas City; decided to steal one

14. Impulsivity 1

Lived day to day

Lifestyle impulsive

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Some crimes appear to be impulsive  
However, murder was planned

MN theft of a firearm, planned a day or two in advance

Auto theft – spur of the moment

The decision to have a black guy drive the car, that was spur of the moment

Most decisions impulsive but some planned

15. Irresponsibility

2

Got fired or quit several jobs

Employed at burger king for 9 months but was fired  
2 short-term jobs at Hardees and New Villa in La Crosse – quit both

Worked for a concrete construction company for about 8 months  
Quit construction because he hit his finger

Worked at Allstate Roofing for a period

From September 1996 to March 1997 worked at La Crosse Inn  
fired for having a girl behind the desk

Fast food place for 9 months. "I got in trouble I ran away for something. . no wait. I got locked up in a mental hospital for doing acid."

Went to work drunk and stoned

"When I was in KS I wasn't living on the street. I was running from the law. I had a roommate, crime partner. All we did was smoke pot and have a party. We lived off stolen money and I think we did some petty crimes. Believe it or not we got caught for stealing a car. That was the first major crime." (on run from escape)

Escaped from jail

As a kid, "Just about every day I'm skipping out of some class. A lot of the stuff they were doing was meaningless, just wasting an hour of my life."

Q. Have you ever had trouble paying your bills? yes

Q. Have you ever had a bank loan or a personal loan?

Right now I got about \$2000-\$4000

I owe money for restitution and I couldn't pay it.

Q. Have you ever borrowed money?

A. Yes shortly before I got arrested I borrowed money from a church person -

Q. Did you pay it back?

A. I think I did. I might have tried to and the check might have bounced. I felt really bad about. I think I might have paid him in cash.

16. Failure to Accept Responsibility for Own Actions 2

First confessed himself then tried to blame brother for murder, then tried to say he wasn't even there and "he should not have to take any responsibility and does not feel responsible for the death of Donald Harmacek or the arson or burglary" Commented after the attack "He's toast now" Presentence

Makes excuses for murder. Claims he thought the guy was a "pervert" because "someone said" he had bondage pornography

Claims he was told the guy had a lot of money so he assumed victim stole it, so why not steal it from him

Also blames movie "A Time to Kill" for murder; "it had an impact"

17. Many Short-term Marital Relationships 0

No relationships of any sort

In Presentence denied any long term relationships

18. Juvenile Delinquency 2

Yes, theft of cases of soda pop; hit man who tried to stop him in the head

Drug use since the age of 16 including marijuana, opium, alcohol

Assault charge at 13

Truancy

Shoplifting

Criminal Damage to Property and Negligent Use of Burning Material

Poured flammable liquid on toilet seat and set it on fire  
Sent to Raw Hide Ranch for Boys

19. Revocation of Conditional Release 2

Committed murder while on probation  
Escaped from Lacrosse County jail on 3/94 and 11/94

20. Criminal Versatility 2

Convicted of homicide current

1. Arson current
  2. Escape 3/94
  3. Disorderly Conduct 12/93; 12/94
  4. Burglary current
  5. Battery by prisoner
  6. Auto theft 1/95
- Theft of a Firearm MN 8/4/94

1. Theft (burglary; auto theft KS)
2. Arson
3. Homicide
4. Theft of a Weapon MN
5. Escape 94 twice
6. Assault – assault by a prisoner 2 years; 1 confinement and 1 supervision 2003  
murder

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[REDACTED] PH.D.  
LICENSED PSYCHOLOGIST  
[REDACTED]

CLERK OF CIRCUIT COURT  
FILED

JUN 10 2013

KIM KOHN, Clerk  
GRANT COUNTY, WIS.

June 3, 2013

Honorable Robert P. VanDeHey  
Grant County Circuit Court, Branch 1  
130 W. Maple Street  
Lancaster, WI 53813

RE: Nathaniel Lindell  
Grant County Case Nos.: 12CF338; 12CF285

Dear Judge VanDeHey:

I was appointed by the court to evaluate Mr. Lindell regarding whether he meets criteria for the special plea of Not Guilty by Reason of Mental Disease or Defect (NGRI). He entered the NGRI plea for the two charges listed above. According to WSS 971.15(1), "A person is not responsible for criminal conduct if at the time of such conduct as a result of mental disease or defect the person lacked substantial capacity either to appreciate the wrongfulness of his or her conduct or conform his or her conduct to the requirements of law."

The evaluation was delayed when Mr. Lindell refused the interview because of uncertainty about my role. After discussions he had with his attorney, who clarified my role with his client, I then returned to the facility and the interview was completed.

**OPINIONS**

My opinion is that, to a reasonable degree of psychological certainty, Mr. Lindell does not meet criteria for the special plea of NGRI. My opinion is that, at the time of the alleged events, he did not lack substantial capacity to appreciate the wrongfulness of his conduct, or to conform his conduct to the requirements of the law.

The remainder of this report summarizes the findings that led to my opinions. It concludes with an explanation of limitations to this evaluation, and my final opinions.

**SOURCES OF INFORMATION**

Sources used for the evaluation included an interview with Mr. Lindell at Waupun Correctional Institute on April 29, 2013, which lasted about 1.75 hours; criminal complaints for both charges, with related police interviews; available mental health records from Waupun Correctional Institute and the Wisconsin Secure Prison Facility (WSPF); and several phone consultations with Mr. Lindell's defense attorneys.

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*bl/1200  
P44  
M. [unclear] 6/10/13*



### **INFORMED CONSENT**

Prior to the interview with Mr. Lindell, we discussed the nature of the evaluation; that he could refuse the interview; that what he said and was reviewed in his records would not remain confidential, which meant my opinions whether he met criteria for the NGRI plea would be included in a report and sent to the court; that the court is my client in this case, and he must obtain further information about my opinions and a copy of my report directly from the court or his attorney; the range of possible outcomes; that the judge or jury makes the final decision whether he meets the NGRI criteria; that all my evaluations are impartial and objective, which meant that my opinions might not be what he or his attorney want; limitations of these evaluations, and that my opinions could be wrong; and the fee. He was also informed of my legal requirement to report to staff at his facility if Mr. Lindell expressed serious thoughts or intentions to harm himself or others. Mr. Lindell asked several questions, and then agreed to be interviewed. He was unable to sign the Consent Form because the interview took place in a booth with a physical divider between this examiner and Mr. Lindell.

### **BRIEF RELEVANT BACKGROUND**

Mr. Lindell, a 37-year-old Caucasian male (DOB: 10/21/75), has been incarcerated in the Wisconsin prison system following a life plus 50 years sentence for a homicide that took place when he was about 22 (97CF140). Concerning the current evaluation, he was charged separately with two counts of Assault by Prisoners, Repeater, for alleged events that occurred on or about September 16, 2012 and December 4, 2012. He was alleged to have thrown bodily fluids (likely urine and feces) at prison guards while incarcerated in segregation at WSPF. Soon after the last alleged incident in December, he was transferred for unknown reasons to Waupun, where he was placed in their segregation unit.

### **INTERVIEW FINDINGS**

Mental Status Exam. Mr. Lindell was interviewed in a booth at Waupun Correctional Institute, and was shackled during the interview. He seemed an intense individual, who initially expressed suspicions about who I was. He had refused my first attempted interview, but was later extremely apologetic to his attorney, and then to me during our interview. He said that he suspected prison staff set him up to believe I was an outside court-appointed evaluator, whereas he thought I might be a staff member.

At the beginning of our interview, when asked whether he had any questions, Mr. Lindell asked if I was a CIA agent. Rapport was easily established after I told him I was not a CIA agent, did not earn that much, and did not receive federal fringe benefits. He displayed a sense of humor after that explanation set him at ease.

Mr. Lindell spoke in connected and logical sentences that were free from bizarre material, and answered my questions. I interpreted his question about my CIA status as more a joke, or perhaps a test, of sorts, on his part. Speech was fairly rapid and a bit pressured, but coherent. There was an underlying sense that Mr. Lindell had a lot to say. He was anxious, and was notably hyperaroused and vigilant throughout much of the interview.

Intelligence seemed above average, although it was not formally assessed. He reported that he is sometimes depressed, tired and suicidal, but denied suicidal thoughts, plans or intentions to commit suicide, at the time of our interview. He also denied any plans to harm or to kill others. His mood was reported to be "kind of anxious." Antidepressant medication (Fluoxetine) helps the depression symptoms. He reported "yin yang" thoughts, and that he does not want to hurt anyone.

Mr. Lindell denied most obsessive thoughts or compulsive behaviors. However, he said that his main thoughts were about staff, and what his future holds. His thoughts were preoccupied by what he perceives as mistreatment by staff to himself and other inmates. He is particularly concerned about what he perceives as mistreatment of chronically mentally ill inmates housed near him on segregations units at WSPF, and now at Waupun. He did not have what seemed true paranoid beliefs of a psychotic or delusional nature at the time of our interview. For example, he did not believe staff put foreign substances in his food, but he does believe they might tamper with his mail.

Mr. Lindell reported that his thinking and memory skills work okay. There were no abnormalities noted in his thinking or memory during our interview. He easily recalled remote and more current events. There were no signs of a psychotic disorder present, and no current symptoms were reported by Mr. Lindell. He did not report seeing or hearing things that others do not see or hear. There were no signs of delusional thinking. However, Mr. Lindell reported past paranoid thoughts about the intentions of staff.

The clinical impression from the interview was that Mr. Lindell has traits of a mixed personality disorder. He also has anxiety and depression, the symptoms of which were moderately controlled with medication during our interview. His hyperarousal, vigilance and anxiety, coupled with his past history, suggests that he also has posttraumatic stress disorder (PTSD), with exacerbations when he is under stress or feels threatened.

Family/Social Backgrounds. Born in St. Paul, Minnesota, as Mr. Lindell described "out of wedlock", he grew up with his mother and stepfather. Records indicate he spent time in boys' homes, but the earlier records were not available for review. Most of what Mr. Lindell described about his upbringing in our interview, was consistent with information in available records.

Mr. Lindell described his mother as "kind of crazy." He reported that she was treated with ECT (electroconvulsive treatment) and was diagnosed with PTSD, multiple personality disorder and depression. Mr. Lindell said that his younger brother is also diagnosed with PTSD and multiple personality disorder. His mother apparently had drug treatment, and he was placed in foster care for awhile. He said that his mother left the family when he was about eight, but it was unclear if this was the time she was in treatment.

Mr. Lindell described his stepfather as "hard and cruel." He endured considerable physical abuse by his stepfather, which is also documented in Mr. Lindell's available records. He described that the physical abuse he and his siblings experienced seemed "normal to us." He termed his upbringing as very neglectful and stressful, but he considered (at the time) it was "normal."

Mr. Lindell said he had to care for his mother and little brother, at times. He also had another younger and older brothers. He said that his mother sometimes cut herself, and he had to take care of her and make sure knives were not around. He still ruminates about an incident in his childhood that he said was misportrayed. He was accused apparently of being the aggressor, whereas he said that he only attempted to take away a knife from a sibling. He was placed in foster care for awhile. He developed distrust of others when, he said, authorities returned him to an abusive home when younger.

Mr. Lindell never married and does not have any children. When he was 18, he applied to join the Navy in nuclear power operations, but then was imprisoned. He has not had contact with his mother since his trial, and has had only occasional contact with his younger brother who is also incarcerated.

Mr. Lindell has never been married and does not have any children. He said the he had a fiancée at the time he entered prison, but does not currently have a partner.

Religion/Spirituality. After he was raised in a Catholic church, he attended Pentecostal services in a jail. He apparently has been unable to attend regular church services due to being in segregation the past 10 years.

Education. Mr. Lindell said he was expelled from school in the 11th grade. He reported setting a toilet seat on fire with cologne. He later completed an HSED in about 1994, and a semester at Western Technical College where he said his GPA was 3.9.

Legal History. Mr. Lindell was convicted of a homicide that he apparently participated in along with his younger brother in about 1997. He related the circumstances in a manner similar to what he has told other evaluators. Before that conviction, he admitted in our interview to having gone on a "crime spree" that included an armed robbery. His story indicated he became deeper involved in criminal activity in the years before the homicide. He was sentenced to life in prison.

CCAP shows a legal history that began with case 93 CM 124, disorderly conduct, with 45 days jail sentence. For case 94CF566, he was convicted of escape-criminal arrest, and sentenced to probation with withheld prison sentence. On October 28, 1998, this was changed to 5 years prison. Case 94CF626 indicated he was extradited. For case 94CF855 he was convicted of battery, with a charge of theft dismissed, and was sentenced to 6 months jail. In case 94CM206 he was sentenced to 15 days jail for disorderly conduct. In case 94CM515 he was convicted of theft and bail jumping, with 6 months jail sentences for each. He was originally charged with 7 counts. In case 95CF1173 he was charged with escape-criminal arrest, and received a probation sentence with withheld prison of 5 years. He was later also sentenced on October 28, 1998 to 5 years prison. For case 97CF140, he was convicted of 1st degree intentional homicide, arson, and burglary, and has remained incarcerated since that conviction.

Institutional Adjustment. Mr. Lindell's general adjustment to prison, as described in records, has been poor. In our interview, he reported over 40 conduct reports, some of which he said related

to "group resistance" for being in what he called the Aryan Circle. He said that he was targeted for his involvement and that every six months or so he felt staff found a reason to keep him in segregation in the WSPF. Mr. Lindell noted he is not popular with all other inmates since he did not deal or use drugs, or "play games" with prisoners.

Mr. Lindell described a prior battery charge that was apparently done to a staff member while in prison. He said he had been upset because he was given some legal papers. He said he got out of control, but feels badly about the incident. He does not view himself as an aggressive person, and noted he only scratched and kick the prison staff.

Mr. Lindell said he spent some time at WRC, the prison's psychiatric facility, in 2003. However, he reported that it did not work out well, that he stabbed another prisoner, and was now "banned from WRC." He said he was not charged for stabbing the inmate.

Mr. Lindell said he spent the last 10 years at the WSPF, and has been maintained in segregation for 12 to 13 years. He described being single celled, and shackled whenever out of his cell. He is given limited toiletries. He denied any other attacks against staff. He said he had one fight with another inmate who picked the fight with him. He believes that "staff framed me" because he is "a litigator." CCAP confirms that he has filed civil actions against Department of Corrections employees.

In our interview, Mr. Lindell was asked how things were going at Waupun, and whether it was better for him compared to WSPF (where the alleged incidents took place). He noted that chronically mentally ill inmates are treated worse at Waupun, and that he helps an inmate who is mentally ill. Otherwise, he reported that his segregation cell is a bit better at Waupun because he has a window. He said he had not had a window in his cells for 13 years.

We discussed his plans and future goals. Although initially preoccupied with how segregation staff treat him, and especially those he considers to be vulnerable inmates, he quickly responded positively to a question whether he could focus, instead, on getting out of segregation and on considering further education. He intellectually understands that his preoccupation with treatment and management issues, especially involving other inmates, has been associated with his troublesome behaviors. He further recognized the possibility that he could refocus his energies towards developing a more productive relationship with staff, as well as a better future for himself.

Mental Health History. Mr. Lindell has a long and fairly complex mental health history. He self-reported he was diagnosed with attention deficit hyperactivity as a child, and that he was prescribed medications to treat it. Additional diagnoses over the years include antisocial personality disorder, depression, posttraumatic stress disorder, and mood disorder. He added, "Nothing fancy like multiple personality disorder." He said an earlier evaluator (apparently regarding an earlier event) found him not NGRI, but diagnosed bipolar disorder. He noted that a consultant with the Department of Corrections, ██████████ found he was a "psychopath." I was able to review ██████████'s 2008 report. He noted that ██████████'s report neglected his extremely neglectful and abusive upbringing, and the likelihood he suffers from PTSD.

The most recent available mental health diagnoses assigned to Mr. Lindell were adjustment disorder and antisocial personality disorder. Those diagnoses were given after he transferred to Waupun Correctional Institute, and were offered by Lesley Baird, Psy.D. in January 2013. The Waupun records indicated he continued on liquid fluoxetine and liquid hydroxyzine, apparently to treat his mood disorder and anxiety.

Prior to his transfer to Waupun, the last mental health note from WSPF, dated December 4, 2012, described an incident where Mr. Lindell tied a sheet around his neck. He requested to go into "obs." He was further noted to have said to staff that he had been at WSPF 12 years, and was not going to "do 13 years." When staff attempted to move him to the observation area, he allegedly threw a substance at staff. He also reported that he had overdosed on medications. He said that his head was "messed up" and that he did not know what was going on with him. When questioned by the Psychological Associate, Mr. Lindell was reported to say he would continue to be a harm to staff until transferred out of WSPF. He described that staff had stabbed him in the neck several years ago apparently during a fight. However, Mr. Lindell was not noted to have any symptoms of a psychotic disorder. He was described as alert and oriented, although upset and agitated. At some point, he was taken to a local emergency room for treatment.

A psychiatric report dated November 27, 2012 indicated Mr. Lindell spoke jokingly about killing himself with a gun, and that life was not worth living. He was diagnosed with "Depressive disorder, NOS; Anxiety disorder, NOS; History of posttraumatic stress disorder; Dyssomnia, NOS; Antisocial personality disorder." The MD wrote, "Thought content was without evidence of delusions or any current thoughts of suicide or homicide."

A psychiatric report dated October 23, 2012 noted the same mental health diagnoses. The report also described, "Thought process was logical and goal directed. Thought content was negative for any evidence of delusions or any thoughts of suicide (other than what is noted above)." Mr. Lindell reported his life was "futile."

The psychiatric report dated September 11, 2012 noted the same diagnoses, and medication treatments. The psychiatrist wrote that he last saw Mr. Lindell in June 22, 2012, at which time he was stable. At the September appointment the psychiatrist reported, "He does not have any plans to hurt anyone else; but he did say that if someone were to try to hurt him or if they were continually "messing with" him, then he might try to hurt them." The mental status exam indicated, "Thought process was logical and goal directed. Thought contact was without evidence of delusions."

Also reviewed was the Health & Psychological Rounds In Segregation/Security Log from WSPF, dated August 24, 2012 through November 2, 2012. The note from September 16, 2012 reported Mr. Lindell said he was never going to leave the WSPF. Mr. Lindell was further noted to have said that his only option was to kill or hurt staff so WSPF would be forced to transfer him. Staff wrote, "He stated that he planned to throw the feces cocktail on staff for about a week." Notes from October 2012 also reported that Mr. Lindell described planning the recent attacks on staff.

A Psychological Services Clinical Contact report dated April 30, 2012 noted, "He is not reporting any type of hallucination or thought disorder." On the other hand, testing indicated that Mr. Lindell believed that his thoughts were strange or peculiar, which was reported to be consistent with his presentation and reports to staff. Stacey Hoem, Ph.D., diagnosed "Anxiety Disorder, NOS; Polysubstance Dependence; Personality Disorder NOS (prominent psychopathic traits."

A Psychological Evaluation by Anna Salter, Ph.D., dated February 26, 2008, noted there were no true signs of hallucinations. She found him to have psychopathic personality traits. However, as Mr. Lindell pointed out in our interview, the report did not mention Mr. Lindell's history of extreme abuse and neglect early in life. She attributed his early acting out to be more reflective of psychopathy, rather than an upbringing in an abusive environment.

A psychologist at WSPF met with Mr. Lindell in March 28, 2006, and wrote, "His life history has been eminently [sic] and unusually fraught with trauma, neglect, abuse, and losses." The report goes on to describe long-term psychological problems back to childhood, various diagnoses given Mr. Lindell, and his "unresolved anger/rage issues." Mr. Lindell's diagnoses at that time were, "Polysubstance Dependence; Anxiety Disorder; Dysthymic Disorder; PDNOS (Antisocial/Paranoid Traits)." PDNOS stands for personality disorder, not otherwise specified. Dysthymic Disorder is a mild mood disorder.

Events Around Time Of Alleged Events (Crimes). In our interview, Mr. Lindell said that, around the time of the alleged criminal actions, he thought staff tampered with his food, and were otherwise taunting him. He was very anxious and felt out of control. He thought that he was forever trapped at WSPF, and that he was not being taken seriously. He was particularly disturbed about a female guard. He said the guard called him a punk, that he was on PCP (an illegal drug), and that he was going to die in his segregation cell.

Mr. Lindell said he recalled that he saved urine and feces, and that he planned to throw it at guards. At the time, he believed that his action would keep the guards away from him, and stop them from taunting him. He further reported that on occasion after the alleged incidents, he was denied both food and medications. He related that he is sometimes pushed "over the edge" and that while at WSPF he tried to kill himself.

Mr. Lindell said that, at the time of the alleged events, he knew it was against rules to throw bodily fluids to staff. However, he said that he felt out of control at WSPF. He said, "Something in me was different and made a different me."

## CONCLUSIONS

NGRI Opinions. The clinical interview with Mr. Lindell found that he continued to have symptoms of anxiety and a mood disorder, a mixed personality disorder, and most likely PTSD. He lacked symptoms of a psychotic disorder at the time of the interview. Mr. Lindell, however, reported that around the times of the alleged events, he experienced unusual thoughts that staff were doing something to him.

Available observations by staff were reviewed from around the time of the two alleged criminal events, and after his transfer to Waupun. Although Mr. Lindell briefly reported that he felt something was wrong with his head, staff did not find any signs of a psychotic disorder or delusional thinking. Consistent with information from records, in our interview Mr. Lindell reported that he planned to throw bodily fluids at staff.

Typically, the type of mental disorder that could meet criteria for a special plea are the psychotic mental disorders, or disorders that can result in brief psychotic or otherwise confused mental states. When symptoms of such a disorder are present, they can significantly impair a person's perceptions about their behaviors, or lead to lack of ability to control their actions. However, there is lack of support that Mr. Lindell suffered from such symptoms at the time of the alleged events, other than his limited self-reports.

Therefore, my opinion is that, at the time of the two alleged events, Mr. Lindell did not suffer from a mental disorder that would lead to his lack of substantial capacity either to appreciate the wrongfulness of his conduct, or conform his conduct to the requirements of law.

Limitations of Evaluation. That said, Mr. Lindell does have serious mental disorders. A difficulty of this evaluation is the likelihood he suffers periodically from symptoms of PTSD. However, PTSD was not noted in his more recent prison records. Records indicated he has anxiety and mood problems, and very dysfunctional personality traits.

The clinical impression, along with available records, suggests Mr. Lindell experienced trauma as a child and adolescent. He engaged in early acting out, including juvenile legal involvement and then a homicide at a young age. He has not adjusted well to incarceration, which apparently led to his lengthy time in segregation. The 2008 evaluation identified him as a "psychopath," but neglected any mention of the trauma he experienced as a youth. That evaluation recommended that he therefore was not suitable for therapy. Instead, he should be given "clear expectations and clear consequences." The report also inaccurately concluded persons with psychopathy are untreatable. That conclusion does not reflect what is known about persons with psychopathy.


The concern, and possible limitation of this evaluation, is that the 2008 evaluation might have led to self-fulfilling expectations about Mr. Lindell (i.e., he's just a psychopath who sometimes has anxiety and depression). Mentally ill persons in long-term segregation can experience bouts of true psychotic thinking. The underlying mental disorders can wax and wane in segregation, and certainly can worsen in some individuals. However, even though Mr. Lindell reported to staff that something seemed wrong with his thinking around the time of the alleged events, staff did not note anything unusual. Their focus seemed more on control of his behaviors, which were indeed sometimes aggressive and threatening.

On the other hand, if his mental make-up includes PTSD, then his alleged aggressiveness and threats could have been a reaction to very long-term segregation. Segregation could have led to increasing depression and anxiety, and slippage into more paranoid thinking about staff intentions. Much of this individual's behaviors could be viewed as stemming from PTSD, rather than necessarily always result from the simplistic conclusion he is a psychopath. Persons with

PTSD can react aggressively when they feel threatened or helpless. They can be temperamental, and hypervigilant to perceived threats.

A suggestion to DOC, which will house Mr. Lindell the rest of his life, is to reconsider whether therapy, or giving this very intelligent person a task to do (e.g., earn a college degree; help low functioning inmates with legal or educational work), might improve his mental status and manageability, and thus make DOC's task easier. In the brief time I spent with him, he was easy to engage, and was amenable to consideration of an alternate "career track" as a lifer.

Sincerely,

  
Ph.D.