



Crimes and Neuroimaging: Essay Refuting the Biological Factors of Criminal Minds Part II

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Abstract

In the previous paper, a description of a common phenomenon among popular neuroscience books authors was highlighted. In this paper, the philosophical roots of these ideas will be dissected and this paper will examine the strongest two cases these authors postulate to the public as hard evidence that sleepwalkers have no consciousness or free will.

Keywords: Neuro-Criminology; Crimes; Neuroimaging; DNA; Philosophy

Abbreviations: LAPD: Los Angeles Police Department.

Introduction

In the previous paper, we explained why biological roots of crimes does not exist and it is promoted due to a political party pushing this idea [1]. This paper will present the philosophical roots of these arguments and dissect these two forensic famous cases. The deep root of why the left is having these ideas is materialism/physicalism. Physicalism do not believe in consciousness like Danial Dennett or free will like Sam Harris [2,3]. Both of them claim that consciousness and free will are illusions. Physicalism deny the existence of consciousness or free will because we did not choose to born humans; therefore; from an evolutionary point of view humans' destination is determined and for no obvious reasons! We are like robots or animals we are not; conscious, aware, or have a free will, therefore; we are not responsible for our actions; therefore; we should not be punished! So, physicalism depends on hard determinism and absurdism.

Mad/lunatic is a literary term describe someone who is behaving outside what human consider normal.

For example, eating insects or defecting on yourself. But what is normal? The normal for people in war like in Gaza is different than the normal lets say for the people in London. For example, eating an insect is common in some countries and some cultures as a normal thing. There is no medical term to describe mad or lunatic. The closest will be psychosis, schizophrenia, neurosis (today called anxiety and stress). What is the difference between mad and lunatic? Madness is fully out of control self-behaviors, meanwhile a lunatic is someone who controls him/herself but do idiotic things. You can say lunatic is half crazy or mad. Atrophy in locus coeruleus can cause someone to be a lunatic [4], for affecting norepinephrine secretion which then allows epinephrine to secrete more. Madness is a spectrum and every person have it to some degree.

Some are too much crazy and some are a little bit. There is no standard to measure madness, because simply no one is normal. Every person has their ups and downs. They tried to use the IQ test to measure madness, if you pass 70% then you get executed for committing a murder. If you score 69% you do not get killed! People emotions and feelings play a big rule in how you control yourself. You have a moment of

losing control of yourself then you commit a crime, but when you relax and think about it, you realize that it was not worth it. Women speak about being crazy when they have their period, pregnancy, and menopausal.

Hormonal imbalance could make someone too much agitated. For example, having hyperthyroidism cause nervousness, but when the patients take thyroxine, they become normal and describe themselves to be crazy when they were sick. If someone have hormonal imbalance and temporary insanity then committed a murder then after been arrested the test were done on this person and they concluded he/she is a sane normal person, how is that just or considerate for people with temporary insanity? Everyone can have these diseases and many people have these conditions. Do all of them commit crimes? No. Some control themselves and a few cases lose it. Can we let everyone off the hook? We would live in the jungle then.

How about crimes of passion? A man walks inside his house which he spent all his life savings and a big chunk of his salary on then get to his bedroom and find his wife with another man! If he kills them, is this situation will impair the man rational thinking? Yes. Should we punish the man? In the legal system they already do, but why nobody is defending these men in similar situation? Because it is political and such cases are described as toxic masculinity. Why is not the testosterone a hormone that impairs the man logic and rational thinking? They leave such cases and actually ask for more harsh punishment for men in such cases. Why? Are they not crazy like everyone else? This is double standards. This is a mixture of feminism with materialism, a combination of atheistic believe set with women's empowerment movement which is prominent in one political party.

You will find Adrian Raine who is a Christian who believes in evolution and works as an apologetic defender for the rapists writing in his book "the rapists are pre-determined to spread their genes as an evolutionary necessity which is justified!" [5]. Let's examine another case that the authors of popular neuroscience books claim that he did not commit the crime intentionally.

Somnambulism and Hypnotic Crimes: Kenneth Parks vs. Scott Falater

As someone who had sleeping walking and talking experience; a sleepwalker must follow a routine that he/she does in his/her life. My father used to take me go to the mosque every day early in the morning at 4:00 am to pray. I used to cover myself with heavy clothes then walk outside the house. It happened with me twice due to my father routine of taking me to the mosque daily. Luckily, my family captured me the two times.

Sleepwalker can see, hear, think, and they want to do a specific task that they have been stressed to do as a routine. By talking with someone you will understand that what you do not make any sense then wake up and go to bed. The sleepwalker will do this routine as a specific task like going to the mosque while sleeping. Sleepwalking continues for 30 minutes then the sleepwalker will wake up. Waking up a sleepwalker aggressively might cause a fight, otherwise they are peaceful.

If a sleepwalker crosses the timeframe of 30 minutes count down from walking from bed then that will be not true and sleepwalkers do not do killing as a routine except if that what they do when they are a wake.

Here are two famous cases that the pop-neuroscience books use as arguments against free will and consciousness that people sometimes do major crimes without knowing! Let's agree for the sake of the argument that these cases are true. These cases will be the exception not the rule because you can count them on your hand. Let's examine these two cases. One case of Scott Falater in the United States and Kenneth Parks case in Canada. This paper does not intend to cause defamation since the cases were both happened in the 90's and 80's respectively and we examine them as a medical literature available for the public. Another rule is, sleepwalking happens mostly in children and very rare in adults. For example, sleepwalking happens once in normal adults in 2-2.5% of population [6].

Scott Falater's Case

This case happened in 1997 in phoenix Arizona where Scott stabbed his wife 44 times than realized after 30 minutes that she did not die so he wear his working gloves then dragged his wife to the pool and hit her head multiple times then drown her in the pool and the neighbors saw him doing that then they called the police. The police arrived and Scott was walking down the stairs. The police asked him how many people in the house he answered four. The authors claim he was not aware that his wife is dead so he counted his wife as one of the people living in the house! The court finds him guilty of a first-degree murder. Sleepwalkers do not kill then check on their victims to make sure they are dead. Why you have to wear gloves? If you want to hide any kind of evidence incriminating you; therefore; this case shows it was intentional and the sleepwalking was a defense strategy by the legal team.

Kenneth Parks' Case

In 1987 in Ontario, Canada, a sleepwalker took his car and drove for 23 kilometers for 15 minutes. This will mean driving at a speed of 60 kilometers per hour which is impossible for a sleepwalker. This case is impossible for

many reasons. For example, driving a car for 15 minutes required focus and attention on the road to avoid hitting cars which is impossible for a sleepwalker. Awake people get in car accidents all the time and they are focused 100%. There is no a sleepwalker could drive a car for 15 minutes. The complexity of driving a car, navigating through streets, and avoiding hitting other cars. The suspect brought with him a crime weapon which indicates his attentions to kill so he was not aggressively awakened up then engaged in a fight. There are two ways of making a proof: 1-by necessity (no other option) or 2-by probability. Therefore, the probability of being criminal in Kenneth's case out-weights being innocent.

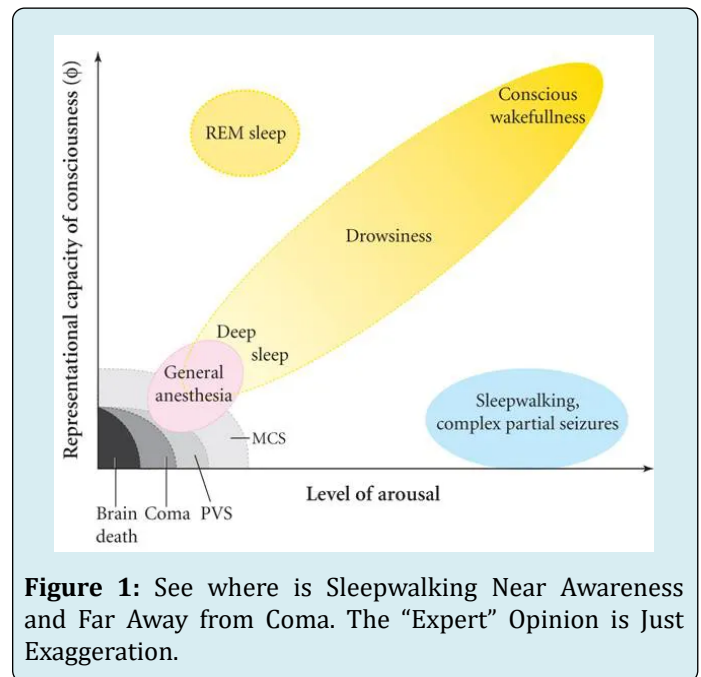
This case has one murder (i.e. The mother in law) and one attempted murder (i.e. The father in law). Can you get in a deadly fight with two people and not wake up? And bring a weapon from home and use it to kill them without knowing? This seems less likely to be the case. This is the defense strategy of the legal team and it worked in a Canadian court and Kenneth was sent free. Do we know in the legal history any cases that everybody knows that the defendant was guilty and was sent free? Yes, like O. J. Simpson and their defense strategy was accusing Los Angeles Police Department (LAPD) to implant the evidence to incriminate the famous African American football player O. J. which was during upraise of black people protests against police brutality. Was the defense strategy successful? Yes, but everyone including the black people in the United States say "We know O. J. did it and killed his white wife, but we are happy that a black person can get of the hook with a murder like white people".

Can we build arguments in neuroscience books based on O. J. Simpson case to say for example, black people are more incarcerated based on their skin colors because jury always send black people to prison and O. J. was a good example of being a victim of a such system! Using O. J. Simpson like this will make your argument laughable.

The team of so-called "experts" are Dr. Roger James, a Neurophysiologist in sleep disorders, Dr. John Gordon, a Neurologist, Dr. Roland Frederick, a Psychiatrist, Dr. Robert Wood, a Forensic Psychiatrist, Dr. Frank Ervin, a Neurologist and Psychiatrist. No one of them is sleep disorders specialist because sleep disorder is distinct specialty like psychiatry, neurology, or forensic medicine. They brought someone with a PhD in physiology which is not a real clinician in sleep medicine. Psychiatrists or neurologists are not experts in this field nor internal medicine. For example, a neurologist can't take the psychiatrist rule. Nor a psychiatrist can take the sleep medicine rule. Asking someone who just works in the hospital is not an empirical evidence. There are PhD holders who believe in flat earth. There are physics scientists like Stephen Mayer who believes in God and others like Astrophysicist like Neil deGrease Tyson who Denys God. Richard Dawkins,

a Biologist and the biggest enemy of God and Michael Behe, a Biochemist and the hardest anti-evolution person. All have qualifications and they say contradictory things. The law of non-contradiction makes it a must that one side is true and the other is false, or both false, but never can be that both sides are true. So anyone can bring many experts to say what he believes and pay them off. You can claim the sun is purple and make someone with a PhD to testify that. The biggest form of evidence in court is testimony and to be honest nobody cares about what these non-experts say. They can say whatever they want and it does not make it a scientific fact.

Kenneth's case known as R. v. Parks as insane automatism was based on a testimony of "a medical expert" named Dr. Frank Ervin who said "during the slow wave sleep stage the cortex, which is the part of the brain that controls thinking and voluntary movement, is essentially in coma" [6]. Being comatose is beyond being a sleep or general anesthesia (Figure 1). Did frank do an EEG for Kenneth when he was committing the crime? Of course not, so how did he know? Frank Ervin is a social activist that type that has strong opinions which affect the testimony and make it worth ignoring.



Neuroimaging

On SPECT imaging, a 16-year-old patient with an episode or two of sleepwalking a night, his scan showed increased cerebral blood flow by 25% in the posterior cingulate cortex and anterior cerebellum [7]. The activity in the cingulate cortex might be associated with confusion of sleepwalking [7].

Conclusion

The hardest two cases that these books use as evidences were presented here and shown to be weak evidences to support their claims that there are no free will or consciousness of sleepwalkers. Some people might commit a crime for temporary insanity or mental illness, but in the sleepwalking cases, the evidence takes us to the contrary.

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