

Summaries

Justitiële verkenningen (Judicial explorations) is published six times a year by the Research and Documentation Centre of the Dutch Ministry of Security and Justice in cooperation with Boom juridisch. Each issue focuses on a central theme related to judicial policy. The section Summaries contains abstracts of the internationally most relevant articles of each issue. The central theme of this issue (no. 6, 2017) is *Intelligence and crime*.

Children and young adults with mild intellectual disability and borderline intelligence and criminality

X. Moonen and H. Kaal

In criminological literature there is an ongoing discussion about the relation between intellectual disability and criminality. Because of differences of definitions and measurement methods prevalence figures may vary. Recent assessment of prevalence in the Netherlands using a valid Dutch screener (the SCIL) reveals a relatively high percentage of people with mild intellectual disability and borderline intelligence in the Dutch criminological system. People with mild intellectual disability and borderline intelligence cannot be considered as belonging to one group. Five typologies with even more subtypes based on mixed characteristics can be distinguished. A need for early detection and personalized interventions is stressed as is treatment based on the specific characteristics of these subtypes.

High intelligence and delinquency

J.C. Oleson

Criminologists generally regard below-average intelligence as a robust correlate of delinquency and crime. In this article the author argues that the negative association between IQ and crime could be explained at least in part by a lack of research access to gifted adults who possess wealth, power and privileges. Asking these adults about other types of offending (e.g. white-collar crimes) than usual in self-report studies might uncover a positive relationship between IQ and prevalence rates, in accordance with the results of the exploratory study underlying this article. As a consequence different conclusions

about the linkages between intelligence and crime might have to be drawn.

'The smart Don': Russia's intelligent mafia boss

D. Siegel

Drawing on material from her extensive study of Russian organized crime, the author sketches a portrait of Semjon Mogilevitsj. This Russian 'godfather' enjoys the reputation of being the smartest and highest educated mafia boss worldwide. Indeed Mogilevitsj obtained a master's degree in Economics with good results, but this alone doesn't explain his phenomenal successes in criminal as well as in legal business. Describing the steady expansion of his criminal activities from Russia into Israel, the United States, Eastern Europa, Italy and Canada, the author suggests that the social and economic circumstances in Russia just before and during the collapse of the Soviet Union might have served as an ideal playing ground for Mogilevitsj to develop the specific social intelligence and skills needed to successfully run a criminal organization.

Intelligence, executive functioning and MBID in the criminal justice context

E. Platje, L.J.M. Cornet and C.H. de Kogel

Individuals with a mild to borderline intellectual disability (MBID) are thought to be over-represented in the criminal justice system. The current article reviews research on the associations between executive functioning with antisocial behavior and MBID. Associations with executive functions such as working memory, inhibition, planning and cognitive flexibility, as well as punishment and reward sensitivity, are described. Working memory appears particularly strongly associated with antisocial behavior as well as with MBID. Research on MBID to date, however, almost exclusively focused on children and adolescents. More research on these issues could provide practical information for supervision as well as aid the adaptation or development of interventions for this population, and provide tools to allocate individuals to interventions tailored to their specific needs.

**Recognizing and registering MID in the criminal justice system:
food for thought**

H.L. Kaal and B.J. de Jong

A recent study on the registration of mild intellectual disabilities (MID) in the judicial domain raised various questions regarding the possibilities for and desirability of recognition and registration of MID in the criminal justice system (CJS). There is general unanimity on the necessity to recognize MID. Identifying a MID, however, is not without its pitfalls. That said, not everywhere within the CJS is the same level of exactitude in recognizing MID needed. Sometimes, screening for a MID will suffice. When a (probable) MID has been identified, choices about the desirability of registration have to be made. This raises issues regarding trust, privacy, professional freedom, and the measure of control granted to the delinquent. This article discusses some of the questions raised, not with the aim of solving them, but in order to stimulate the discussion necessary to achieve an aligned criminal justice system.

**Police interrogation of suspects and witnesses with MBID in a police
interrogation. The influence of interrogation methods on the content
of statements.**

P.R. Kranendonk

The main goal of an interrogation is to elicit truthful information about the involvement of a suspect or witness in a criminal act. Some interrogation methods and techniques are useful for extracting information from otherwise unwilling suspects, but they can also elicit false confessions or statements from innocent (and vulnerable) suspects and witnesses. Multiple studies show that a large proportion of false confessions are made by suspects with an intellectual disability. Intellectual disabilities are often difficult to recognize, because of an individual's streetwise behavior. This vulnerable group is extremely sensitive to suggestibility, compliance and acquiescence. Some interrogation methods and techniques used by the police can have a severe influence on these features and therefore on the reliability of statements. Given the overrepresentation of people with an intellectual disability in the Dutch criminal justice system, it is of great importance to prevent unwanted risks in the interrogation.

Young MBID suspects in the ZSM-procedure in the Netherlands. On vulnerability and risk of recidivism

M. Teeuwen

In recent years, there are signs that young people with a (mild) intellectual disability are overrepresented in the criminal justice system. It turns out that especially a large majority of the repeated offenders have an intellectual disability. Therefore it would be relevant to know whether and when an intellectual disability is recognized by professionals in the criminal procedure. What is the impact of not recognizing the specific disability on the offender in the criminal justice procedure and on recidivism? The author focuses on a rather new accelerated out-of-court settlement of criminal cases, the so-called ZSM method. She concludes that the high speed of this procedure increases the vulnerability of suspects with a (mild) intellectual disability, especially because the various professionals involved in this procedure seem to lack substantial awareness of the problem. This situation increases the risk of false confessions and witnessing and might also contribute to recidivism.