

LARRY A. MORRIS, PH.D.
Clinical Psychologist

FILED
JAMES W. ROBERTS
CLERK SUPERIOR COURT

CR 28449

90 AUG 24 PM 1:21

TUCSON MEDICAL PARK
5190 EAST FARNESS
SUITE 112
TUCSON, ARIZONA 85712
TELEPHONE (602) 323-3156

PSYCHOLOGICAL EVALUATION
J. ROBERTS, DEPUTY

NAME: Joseph R. Wood, III
DATE OF BIRTH AND AGE: December 6, 1958; 31 years
SEX: Male
EDUCATION: High School Graduate
MARITAL STATUS: Divorced
OCCUPATIONAL LEVEL: Auto Mechanic
DATE OF EVALUATION: August 7, 1990
EVALUATED BY: Larry A. Morris, Ph.D.

REASON FOR REFERRAL

Mr. Wood has been charged with First Degree Murder and Aggravated Assault associated with the shooting deaths of Eugene F. Dietz and Debra Ann Dietz.

A Rule 11 Order for Mental Examination was requested in order to assist in determining if Mr. Wood was knowledgeable of the consequences of his actions at the time of the alleged offense, and whether he is competent to stand trial.

EVALUATION PROCEDURES

Clinical Diagnostic Interview

Minnesota Multiphasic Personality Inventory-2 (MMPI-2)

Review of the following collateral documents:

- Tucson Police Department Reports prepared by Officer A. Sueme (8-7-89, 8-13-89); Sergeant Davis (8-7-89); Detective M. Millstone (8-10-89); Officer Dayhoff (8-10-89); Officer Mo. Perez (8-11-82); Officer Kircher (8-11-89); Officer G. Perrin (8-13-89); Officer K. Wright (8-14-89); Officer E. Murch (8-17-89); Officer Ramsey (8-22-89); Sergeant T. Vogel (no date).

Typed transcript of a conversation between Joseph Wood, III and Officer M. Napier on 8-12-89.

Typed transcripts of statements given on 8-7-89 by Richard E. Brown, Margaret Dietz, George Granillo, and Gerald Tibbetts to Detective S. Skuta; by Debbie Kaback to Sergeant R. Torres; by Donald Dietz to Detective Millstone; by Jose A. Guzman and Martin Espinoza to Detective T. Miller; by Paul Hawks and Anita M. Sueme to Detective K. Wright.

Official Court Reporter's Excerpt of Grand Jury Proceedings held before the Pima County Grand Jury on 8-15-89 (92-GJ-181, CR-28449).

Autopsy Reports on Eugene F. Dietz (ML 89-0833) and Debra Ann Dietz (ML 89-0832) prepared by Thomas E. Henry, M.D., Forensic Pathologist, Pima County, Arizona.

BEHAVIORAL OBSERVATIONS AND MENTAL STATUS

Mr. Wood was escorted to my office by two uniformed Pima County Sheriff's Officers. He was secured by handcuffs and leg-irons but the handcuffs were removed for the examination. The clinical interview was conducted in a private office. The MMPI-2 was administered in a room with observation possible through one way windows. Mr. Wood presented as a stocky, well-groomed 31-year-old wearing jail clothing. He appeared oriented as to time, person, place and purpose. Eye contact was adequate. Thoughts were expressed in a logical and coherent manner. Affect appeared appropriate. Strong indices of a major mood or thought disorder were absent. Mr. Wood remained cooperative throughout the lengthy evaluation process.

BACKGROUND INFORMATION

Mr. Wood was born in Belton, Texas but raised in Tucson since the third grade. He was the middle child of three children (one sister, one brother). His father is a retired Air Force Military Police noncommissioned officer, while his mother is a cashier for a local drug store.

As a child Mr. Wood believed that he had a fairly normal relationship with his father, although his father may have been rather "restrictive." He also described occasional episodes of being "hit with a belt" but Mr. Wood did not see this mode of punishment as abusive. In high school Mr. Wood began to recognize that his father was alcoholic and while drinking his father would become more verbally abusive to all family members.

Mr. Wood reported that he "always got along" with his mother. She would usually turn the discipline over to his father by saying something like, "Wait until your father gets home." While Mr. Wood's mother was also a "drinker," she apparently drank less than his father and was not abusive.

As a child Mr. Wood had a strained relationship with his sister. She was four years older than Mr. Wood and "she always got everything. She was dad's favorite." He developed resentment for his sister, "We never got along. I always argued with her." He reported a "normal" relationship with his brother.

Mr. Wood reported establishing friends as a child and teenager, although he did not describe them as "close friends." He explained, "I was always competing with them. I had to do it better." In high school he and his friends had the reputation of "nobody bothered us." However, he reported few fights as a teenager, at least "nothing drastic, nobody got really hurt."

As a student Mr. Wood preferred vocational rather than academic subjects. He stated that he was "better with my hands" and he did not have the "patience" to work at a desk. He was "about average" as a student and graduated high school in 1977.

Upon graduation from high school, Mr. Wood enlisted in the U.S. Air Force. During the first four to five years Mr. Wood did "OK" and was promoted to E-4. When he was shipped to a remote assignment in Korea without his family in 1982 he began to "drink heavily." He was also divorced from his first wife. In Korea he developed a "bad attitude" and was "busted" to E-1 for "fighting and drinking." He received an Honorable Discharge after a total of six years in the service.

Mr. Wood's work history since his discharge includes employment as an auto mechanic or construction worker. He stated he has worked for less than ten employers since the service. He admitted to quitting some jobs because of an "argument with someone about something."

While Mr. Wood reported drinking alcohol while in high school, he points to the period of military service as the time he began to abuse alcohol. During that time, however, he "never saw it as a problem." In 1982 or 1983 he "realized" he had a problem and eventually participated in a treatment program offered by the VA Hospital in Tucson. He reported that the program was the same one his father had completed earlier.

Mr. Wood managed to quit abusing alcohol for over two years. During that time he was pleased that "nobody was drinking" and

his immediate family was "working back together." Unfortunately a series of events then happened, including being unemployed, having a motorcycle accident and seeing his father going back to drinking which seemed to propel Mr. Wood back to abusing alcohol. He explained, "If dad didn't give a damn, I didn't give a damn." He described a pattern of episodic drinking until he would "fall down" or not remember when he stopped. While Mr. Wood was able to recall most of his activities while drinking, he reported a few blackouts.

He reported that alcohol changes him, "I've been told I become an asshole. Everything bothers me. I would fight at the drop of a hat." He admitted, "I have always been mad about something, but I was able to control it when I wasn't drinking." He also indicated that the counselors in the alcohol program were unable to identify the source of the anger.

Mr. Wood experimented with marijuana in high school but found it unpleasant. About six months prior to Mr. Wood's recent alcohol abuse period, he began to experiment with cocaine. He reported that he and Ms. Dietz "could always afford it" and for a period of about one year, they were using cocaine on a daily basis. He stopped for a couple of months, "then I began to use crank/speed." He explained that crank was "cheaper and lasted longer." A pattern of polysubstance abuse continued for the next year or so.

Childhood sexual history appeared unremarkable. First sexual intercourse occurred while a senior in high school. His partner was an age appropriate female who initiated the activity while the two were drinking at a party. He described the experience as pleasant and without any form of sexual dysfunction.

His next sexual experience was when he married in 1978. He described the sexual relationship as "routine, normal sex" and stated, "sex was never a priority with me." This union produced one son who is now nine years old. According to Mr. Wood, the marriage ended in divorce after about four years "because of my drinking."

In 1982, Mr. Wood married for the second time. He reported that he was preparing to leave for Korea and he married his ex-wife's friend because "it seemed like the thing to do." While in Korea, his second wife's 13-year-old "got into trouble and my wife was having a nervous breakdown. I got an emergency leave and came home." This marriage terminated in a divorce after about three months. One episode of domestic violence in this marriage was reported by Mr. Wood. He explained, "one night we were both drinking and we got into an argument about my having to go to

Korea. She went off on me and I nailed her once and knocked her out. I was arrested for domestic violence but my first ex-wife bailed me out."

Mr. Wood met Debra Dietz in 1984 after he completed the VA alcohol rehabilitation program. He described a relaxed and comfortable relationship for over two years then "we both began to abuse alcohol and drugs." The relationship deteriorated as the couple would often argue. The topic of disagreement would often be related to stress created by Ms. Dietz's immediate family. He explained, "I was never accepted by the family and they would make Debbie choose between the family and me." Mr. Wood describes violent outbursts during arguments which resulted in him destroying "something." He admitted to hitting Ms. Dietz once and "it scared hell out of me."

When asked to describe the events associated with the instant offense, Mr. Wood stated that he and Ms. Dietz had made daily contact since July 1990, in spite of a restraining order. The couple planned to meet on the Saturday prior to the instant offense but Ms. Dietz did not adhere to the arrangements. On Sunday Mr. Wood still had not made contact with Ms. Dietz and he was "getting worried about her." While at a business establishment during early evening, Mr. Wood discovered Ms. Dietz's automobile parked at her family's nearby business. Mr. Wood found this unusual. He reported feeling "worried but lost." Throughout the evening he became agitated and made several trips to and from his apartment and his ex-girlfriend's home. He stated, "She wasn't much help, I don't know why I was going over there." However, she did provide two tablets of an unknown substance for Mr. Wood's "splitting headache." Mr. Wood returned home between 10:00 and 11:00 P.M., watched television then went to bed.

Mr. Wood stated that he does not recall anything from the time he went to sleep on Sunday night until he was "lying on the ground, being in a lot of pain and not knowing why." His next reported memory is "being in the hospital on Wednesday." Even after reading the police reports, Mr. Wood reports being unable to remember "shooting anybody at any time." He acknowledges that the shootings "must have happened, but it doesn't seem real."

Mr. Wood also denies abusing alcohol or drugs during the hours prior to the instant offense. He stated, "I hadn't done any speed since Friday and I only had two drinks on Sunday at Troy's."

While Mr. Wood admitted that he disliked Ms. Dietz's father, he also stated, "I never hated anybody enough to want to kill them."

He also reported that he and Ms. Dietz had made plans to reunite after the situation with the family "calmed down."

TESTING RESULTS

For the purposes of this evaluation, the MMPI-2 has been interpreted using validated clinical research and procedures. On the MMPI-2 Mr. Wood produced a validity scale configuration typical of individuals who respond to the instrument in an open and honest manner. This suggests that the clinical profile is valid and interpretable.

Mr. Wood's clinical profile reveals severe psychopathology characterized by both cognitive and emotional disturbances. Individuals of this profile type often have long-standing problems of unconventional, unusual, or antisocial behavior. Expect substantial environmental and relationship problems as these individuals experience problems of mistrust and are usually unskilled socially. They seldom establish a satisfactory interpersonal relationship. Relationships are likely to be stormy and difficult.

These individuals tend to be argumentative, hostile and aggressive. Angry acting-out is a strong possibility. They also tend to defend and justify their actions as well as projecting blame onto others. Impulsivity and poor judgment are cardinal features of this profile type. These individuals may act impulsively and their behavior may appear bizarre at times. Also expect some form of substance abuse.

SUMMARY AND CONCLUSIONS

Mr. Wood is a 31 year old male charged with the shooting deaths of Ms. Debra Ann Dietz and her father, Mr. Eugene F. Dietz. A Rule 11 examination was requested in order to address issues related to Mr. Wood's competency to stand trial and his state of mind at the time of the offense.

While Mr. Wood is clearly a dysfunctional individual, this evaluation revealed no strong indices that this dysfunction interfered with Mr. Wood's understanding of legal proceedings, the charges against him, and possible penalties, if he should be found guilty. He may experience some difficulty in assisting counsel in planning his defense since he purports not to have any memory of the instant offense. Overall, however, it is my opinion that Mr. Wood is competent to stand trial.

It is difficult to determine whether Mr. Wood was knowledgeable of the consequences of his actions at the time of the instant

offense. He is unable to describe his state of mind during the instant offense because he reports no memory of the shootings. The memory loss could be associated with at least three possibilities: A dissociative state during the shootings, post-event memory loss induced by the trauma of the shootings, and malingering. The present evaluation was unable to differentiate among these possibilities. Perhaps an additional examination using hypnosis or an amobarbital interview may assist in this regard.

Respectfully submitted,

Larry A. Morris

Larry A. Morris, Ph.D.
Clinical Psychologist, Certified