

INTV WITH
RESNICK (NAMED JACK IN TRANSCRIPT)
ROLL. 41

- Intv:- Just explain to me first of all how you got involved with this case
- Jack:- 12:29:11 Sure, I was er employed by the prosecutor in the case and er was asked fairly early to advise them so for example, they had to make a decision whether to seek the death penalty so they were interested in whether or not Mr Holmes was likely to be psychotic
- 12.23.34 So I was given a lot of information over a three year period actually about maybe four thousand pages of material and a lot of video so I had discussions back and forth and I went out an actually observed the movie theatre, observed the apartment er and so that was my role it was really a consultant to the prosecution
- Intv:- And so just on the question of whether he was legally sane, or not what was your conclusion?
- Jack:- 12:30:03 My conclusion was that he was legally sane, not insane, that it did not meet the Colorado Insanity Standard.
- Intv:- So he knew right from wrong. He knew what he was doing?

Jack:- 12:30:16

Yes.

Intv:-

Having reviewed all the evidence, what conclusion did you come to more generally?

PHONE RINGING

Intv:-

So why did you think James Holmes did what he did?

Jack:- 12:30:41

Well, he actually gave three reasons. Er, and he put it in terms of percent, 45, 45 and 10. He gave as only 10% his hatred of mankind which he had longstanding feelings about.

12:31:00

Then he said it was a way to avoid committing suicide and he had trouble committing suicide and the other reason was the one which is apparently delusional and that is he believed that for every life he took it would increase his own self-worth

Intv:-

And do you think his explanation is a valid one?

Jack:- 12:31:23

Well, I, myself suspect that his hatred of mankind may have played a larger role but er you can't prove that one way or the other.

Intv:-

What mental illness do you think he was suffering from?

Jack:- 12:31:39

I didn't do a personal examination so I never formed a formal diagnosis but I think that he was psychotic and probably the most likely diagnosis would be in the schizophrenic range

Intv:-

When did his psychosis begin do you think?

Jack:- 12:31:58

Well that's a good question because he had er many symptoms of what are called schizotypal personality where one is er somewhat alienated, awkward er and er has kinda magical thinking and just when that would move into frank psychosis and schizophrenia would be at the point where he would develop delusions

12:32:24

and the evidence we have there is the chat with er Gargee, his girlfriend which was about three months before the shooting so by that point he appeared to have some delusional ideas

12:32:41

but then when he became psychotic would be somewhere in those months before that

Intv:-

So prior to articulating this theory, this human capital theory could you see any evidence that James Holmes actually intended to kill anybody?

Jack:- 12:33:03

No, er, at age 10 he made primitive suicide attempt with cardboard cutting his wrist, parents were unaware of it, and he resolved at that time rather than harm himself again he would kill other people

12:33:18

So that's by age 10 so he's had fantasies of killing people ever since age 10 and er but the actual and he thought about using first of all a nuclear bomb then a, as he got older and that became unrealistic he thought about using a, a biological agent like anthrax

12:33:41

and then as that became unrealistic he thought about y'know this mass massacre in a movie theatre

Intv:-

But prior to expressing this human capital theory do you think he actually meant to kill anyone or these were just general abstract thoughts in his head?

Jack:- 12:34:01

I think they were fantasies and I don't think we had evidence of a plan to do it with an intention to do it before the human capital theory

Intv:-

So the human capital theory is quite a key moment in all of this

Jack:- 12:34:15

Yes. And er along with Gargee's rejection, not doing well in school, getting depressed, feeling he has no, not much to lose, so I think those forces came together with the human capital idea er as to what triggered it when it did

Intv:-

How important do you think that James Holmes' notebook was just in your own understanding of what was going on in his mid?

Jack:- 12:34:45

I think it's quite important because after a crime someone can consciously or unconsciously say anything to explain it but the notebook was written er and actually reflected his thinking in the three weeks before the crime and therefore if there's something in the notebook that contradicted what he said after the fact I would give more weight to the notebook

Intv:-

So his feelings about his longstanding hatred of mankind you, you said you thought it was may more than 10% of an explanation as to why this happened, is a lot of that based on what he wrote in the notebook?

Jack:- 12:35:24

Yes the notebook is, has many many references to his hatred of mankind

Intv:-

And did you find them quite persuasive?

Jack:- 12:35:33

I did, again erm, I I I find that that was an important backdrop but y'know when he says that it's 10% er I can't say it's 20% y'know I don't know but I think he may have minimised that

Intv:-

What about the importance of medication that he wrote about in the notebook? I mean he actually said of the SSRI, no effect when needed, first appearance of mania occurs, not good mania, no more fear of failure, no fear of consequences

Jack:- 12:36.11

Well, er, you're referring to a specific quote, what I would say a little more generally is that er the anti-depressant has both anti-anxiety effects and anti-depressant effect erm and in James Holmes in particular it was prescribed because of his chief complaint of anxiety when presenting to other colleagues in class

12:36:39

and what he described and what's confirmed by the notes of his treating psychiatrist was that it did have er a remarkably good effect in reducing anxiety so then we he talks about the absence of anxiety he doesn't really describe his mood improving with regard to the depression but he does describe an absence of anxiety and then an absence of fear

12:37:10

including the idea that he can kind of, he's like set free to do what he wants so that er I think at least in James Holmes' mind he believed that whilst he was on the medication it had an effect on his and by reducing the anxiety helped to free him to carry out the mass killing

Intv:-

And do you buy that?

Jack:- 12:37:35

Well, I think that there er may be some truth to that with regard to the planning, the part that I don't buy is that since

he was off the medication for three weeks that the decision to finally carry it out was not er significantly influences by medication but the decision to carry out which occurred earlier er may have been influenced by it

Intv:-

In the notebook he goes on to say hatred unchecked starts small buy stun gun and folding knife, buy handgun, committed, I mean this was a guy with no previous history of violence, of dealing with weapons, he was, he was frugal guy as well

Jack:- 12:38:23

Oh there's no question that this man went from no history of violence, no interest or knowledge of guns and one of things I was impressed by was how a smart guy with no background and simply the tools of the internet can learn about guns, learn about different er weapon choices and make all these purchases

12:38:50

some by internet, some by er gun shops and fully equip himself to carry out a er kind of a devilishly effect design to carry out this killing, I guess a commentary on what's available to the determined intelligent person in the United States

Intv:-

I wonder, though, as well how much it could be evidence or the effect of the fear of consequence, the anxiety being reduced for him to actually go out and really start getting committed to this awful, awful crime. So there was no evidence of the human capital theory prior to the Gmail chat with Gargee. Now that chat actually happened four days after he started taking Sertraline

Jack:- 12:39:46

Erm, ok, you're positive of that?

Intv:-

I am, I am, I've double checked that

Jack:- 12:39:52

OK. Er, I thought that chat had preceded it but er OK, now again when you say no fear of consequences that is not reflected in the Gmail chat

12:40:07

In the Gmail chat er Gargee says when he says I feel like killing people then you'll just go to jail and he said well that's why I wouldn't do it until I was er, ready to die and not be concerned about consequences so he is quite aware of consequences and doesn't appear indifferent to them in the Gmail chat

Intv:-

The Gmail chat coming four days after he starts on the medication though is the first time that this idea is being articulated and then everything starts to build from there, the buying of weaponry, the online dating sites, the spending thousands of dollars, it seems like something, something, has happened. Do you think that it's just a coincidence that it all starts happening after he is taking the drug?

Jack:- 12:41:00

Well I think you are going a little too far er for example his first sexual relationship was with Gargee, and it's over and then he gets on online dating sites, that seems to flow, I wouldn't attribute that to Sertraline. I just don't think, I think you're over, being over inclusive there's a good rational explanation for dating sites after the loss of a girlfriend

Intv:-

Well. I think there is some evidence that even by, he was approaching other girls and viewing lot of porn, and all of this sort of thing by other people's accounts was quite unusual for him, that may be his inhibitions were being lowered

Jack:- 12:41:46

Well, first of all it was private er y'know the the dating sites were not public, the porn was not public and er so how would anyone know what he was doing before and after since they were private encounters

Intv:-

Well I think it was all looked into in the course of researching for the trial

Jack:- 12:42:10

I'm, I'm not disagreeing that the porn came after but er but I am er disagreeing that other witnesses would know what he was thinking beforehand

Intv:-

I see what you're saying.

No you watched the whole interview that Dr Reid filmed with James Holmes. Do you think that James Holmes was telling the truth in that interview?

Jack:- 12:42:33

Erm, there were a number of things that he said which were, did not put him in a good light, so if he were, y'know, in kind of a conning mode trying to avoid responsibility he could have done a much better job than he did

12:42:55

so overall I believe that er Mr Holmes was forthcoming and er telling the truth as he recalled and perceived it, that may not have been ground truth with respect to some issues.

Intv:-

He told Dr Reid that he thought that Sertraline reduced the anxiety of the fear and when Dr Reid, might the shootings never have taken place if he hadn't taken the medication, Holmes said it's a possibility. Is it a possibility?

Jack:- 12:43:29

Well, I think it's a possibility. I, I don't think it's a probability.

ROLL.41
JACK

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Intv:-

Why do you say that?

Jack:- 12:43:37

Well, er, because first of all, erm he had a longstanding issue with mankind, history of hating mankind and he had these other things in his life y'know he was depressed, he had lost a girlfriend, he was trying to fix his brain by studying neuroscience and he was realising he wasn't going to be able to fix his brain

12:44:02

and so there were many other forces there besides Sertraline which can explain his conduct

Intv:-

I guess he had lived with a lot of these things throughout his life though, why did he become deluded and psychotic and start to believe that killing other people would make him feel better?

Jack:- 12:44:24

Well first of all, er, there was a family history. Secondly people with schizotypal personality are more likely to develop schizophrenia than other people and third the age of onset in early twenties is the typical age for schizophrenia

Intv:-

Dr Metzner said that Sertraline may have played a part, it could have pushed Holmes into mania but it wouldn't have caused the delusions. What's your view on that?

Jack:- 12:44:55

Well certainly anti-depressants are know if someone has bipolar tendency to er activate a mania but I don't think that mania explains the conduct, the conduct was carefully planned, executed, accumulation of weapon over two months er he waited for the Batman Movie to come out so there would be a large audience for him to shoot

12:45:23

A mania, people are impulsive and act er y'know impulsively, they don't have the capacity to delay and wait

so I, I'm convinced that the killing was not related to any mania.

Intv:-

Do you think though people who are in a state of psychosis can plan things carefully?

Jack:- 12:45:44

Absolutely. I've seen it many many times. There's, a concept called rationality within irrationality that is someone can have a delusional basis such as believing that a er spouse is trying to kill them and then they can take rational steps um pre-emptively killing their spouse but they don't go mad running down the street killing people y'know they take steps, rationally to deal with their perceived threat.

12:46:06

GENERAL CHAT

Intv:-

Is it possible for someone who is in a state of psychosis to plan something as carefully as James Holmes did?

Jack:- 12:46:34

Yes, people with, especially delusional ideas can carry out very careful plans and there is this concept called rationality within irrationality which means that there is an irrational premise such as a belief the CIA is trying to kill them and then they could go and strike CIA headquarters in a pre-emptive strike

12:47:01

but it's based on their delusion but it can be quite carefully planned with acquisition of weapons for example

Intv:-

But you don't think the medication could have explained the careful planning and the deluded state for James Holmes?

Jack:- 12:47:16

I am saying that, that , that careful planning definitely was not related to a mania and er and it was careful planning er for the purpose of carrying out an act er which may have been based on the delusion of increased human capital for himself but er but there's nothing suggesting mania in that

Intv:-

What lessons do you think can be learned from this case?

Jack:- 12:47:53

Well, er, there are two that come to mind, one is the easy access to weapons and that's come out with many mass murderers in the US.

12:48:04

The other is er I get consultation, one of the things I do is consult when a threat has been made in a university for example and er and I interview people who have made threats so in this case we have James Holmes who saw Dr Fenton, talked about fantasies of killing people and er she was obviously concerned and she did a number of things right

12:48:33

get consultation, and so forth but one of the lesson for me is er you cannot accept at face value even though someone is willing to share homicidal fantasies doesn't mean that they aren't at the same time unwilling to share their intentions and ongoing efforts to carry it off

Intv:-

Wouldn't that be something you would hope psychiatrists would already understand?

Jack:- 12:49:00

Yes, but it's not easy. It's not easy right, you can know that in theory but, if someone appears to be forthcoming and sharing their fantasies you can't lock everyone up on the assumption of if they have those fantasies they are likely to do it, you have to make some discernment

Intv:-

And that's one of things I guess in this case that people find hard to take, that he was sitting there week after week in the psychiatrist's chair saying I want to kill people and he did, I suppose he did what he said he was going to do

Jack:- 12:49:38

He did what he said he fantasised about. He didn't say he was going to do it. He said I don't have a target and I don't have a plan to do it, so he lied categorically to the psychiatrist

12:49:51

so I wouldn't say that he did what he said he was going to do

Intv:-

Do you think we can say at least with some certainty then that the Sertraline didn't help James Holmes?

Jack:- 12:50:06

Well, it's interesting what you call help, it did help reduce his anxiety, in that sense it was therapeutic, with his particular combination of homicidal desires the reduction in the anxiety may have facilitated other forces but er so yes, it helped by reducing anxiety

Intv:-

But it obviously had quite a negative consequence as well in his particular case

Jack:- 12:50:39

If we accept at face value that he made the decision to carry it out related to the reduced anxiety, yes that would be true. Again, because he wasn't on Sertraline for three weeks before he did it, er, even though Sertraline may have affected the early decision, he had plenty of time to undo the plan if he chose to

Intv:-

If, as it seems, he stopped the drug very abruptly though, he could have been in a discontinuation syndrome?

ROLL.41
JACK

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Jack:- 12:51:14

Yes but many many patients discontinue the er SSRI type of anti-depressants, millions discontinue it abruptly and most aren't killing a lot of people

GENERAL CHAT

Jack:- 12:52:10

I think we've covered it I think er y'know you've left an implication of Dr Fenton y'know kind of missing the boat here and er I would say y'know that a law suit was brought and it was dismissed as not having validity so I think that er that says something about neutral observers concluding that they could not succeed in their case suggesting that she negligent

Intv:-

Yeah to be honest I think I worded that a little clumsily so that won't be the final view in the programme don't worry. I guess what you said was very thoughtful about, erm ,lesson learned on both cases....

Intv:-

Overall has this affected your view at all of the role of SSRIs or medication, are you convinced that it didn't play any major role in what happened here?

Jack:- 12:53:26

Well, again this issue of SSRI medication causing both suicide and homicide has been around for many years and I have been involved in other cases and looked at that literature and I do think that er some people develop akathisia, this internal restlessness which may cause them to act impulsively

12:53:54

er because they find this intolerable er but the fact that er Mr Holmes was off it for three weeks even though he had the abrupt ending, m means to me that it was a unlikely or I can't say impossible but played a very small role rather

ROLL.41
JACK

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than a major role and it did not cause me to see that the
medication is more dangerous

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