

AFFIDAVIT OF RANDY CORBETT

1. My name is Randy Corbett. I am a Clinical Psychologist and expert in police investigative techniques. I have been in practice for 15 years, and a Professor of Clinical Psychology in a joint program between CUNY Graduate Center and John Jay College of Criminal Justice for the last ten years. Before that, I was a police officer for ten years with the New York City Police Department (“NYPD”), where I was trained in and developed expertise on police investigative techniques.
2. Toward the end of my tenure with the NYPD, I became concerned about the application of confrontational investigative techniques on impressionable young people. I decided I couldn’t be part of that anymore and elected to pursue a psychology degree to better understand these issues.
3. I received my Ph.D. in psychology from the State University of New York at Albany in 1999. I am Board Certified in Clinical Psychology with Special Qualification in Developmental Psychology.
4. My academic research and teaching cover developmental psychology and psychology in the criminal justice context. In my clinical practice, I treat children and young adults with anxiety and personality disorders. I also treat patients with concerns in the area of socialization.
5. One of my doctoral students was Lee Trimble, who has since earned a Ph. D. From the start of our candidate-advisor relationship, it was clear to me that Trimble had no good-faith interest in studying and advancing the kind of changes we so desperately need. I tried my best to guide Trimble, but Trimble insisted on finding a new advisor.
6. As a service to my former profession, I often lead training academies where the fundamentals of good police work are covered. I have also taught a Behavioral Analysis course at the FBI Academy in Quantico, Virginia. I am paid for these trainings at the rate of \$3500 per course.
7. I have been retained as an expert witness 24 times in my career. At first, these were roughly evenly divided between plaintiff/prosecution and defense, but now the vast majority of my

testimony comes in cases in which the AIA has sought my involvement. I have been Trimble's adversary in court on about five occasions.

8. Although there is no formal diagnosis in the DHA-5 (the official guidebook of mental health diagnoses), it is an acknowledged psychological phenomenon that sometimes, when a parent figure is missing in a young person's life, the young person will gravitate toward another person or persons whom the young person perceives as an authority figure to "fill the void."
9. It is also known that people may attach to an authority figure and freely volunteer information about actual or perceived wrongdoing on the part of themselves or another, even if the information isn't necessarily true.
10. I first became involved in this case at the request of the plaintiff after the judgment of conviction of Robin Berkman was vacated based on actual innocence.
11. Normally, I charge \$5000 for an appearance as an expert witness. However, I handle AIA matters free of charge.
12. It is my professional opinion that Robin Berkman's actions in this case came from Berkman's desire to be accepted by a parental figure. Detective Smith fit into that role. In the absence of a father and the near-absence of a mother, Berkman likely felt that there was no place else to turn, and the sudden interest in Berkman was a welcome change, even under these circumstances.
13. Robin Berkman's constant offers of assistance to Detective Smith, including participation in DNA testing and polygraph examination, are all explained by Berkman's attachment to the Detective. Berkman likely feared the rejection that could result absent cooperation, and felt cooperation was necessary in order to keep this bond, even if it meant false self-incrimination. This also explains Berkman's behavior during and immediately following the polygraph examination administered by the New York State Police. Additionally, it should be noted that, because polygraph examinations are measuring relative indicators of stress (such as pulse rate, breathing rate, galvanic skin responses, and sweat output), Berkman may well have registered as deceptive in view of Berkman's emotional state.

14. As a former police officer and investigative techniques instructor, I can say with confidence that the police investigation was woefully inadequate. First of all, Detective Smith should not have disclosed to Berkman information that was not already public. By doing so, Detective Smith tainted the investigation. Secondly, based on information received from confidential informant “X,” several other suspects were identified as possible perpetrators, yet the record is clear that Smith never pursued any of these leads. Instead, Detective Smith zeroed in on Berkman and made Berkman the sole focus of the investigation.
15. Given the circumstantial nature of the case and the unusual circumstances, Smith, at the very least, had an obligation to follow up on these leads.

Dated: October 11, 2016

I affirm the truth of this statement.

Randy Corbett, Ph. D.

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