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FILED THIS 17  
DAY OF August, 2012  
Shannon Berger  
Deputy Clerk of Court

**PSYCHOLOGICAL REPORT**

**NAME:** Brandon Scott Lavergne

**AGE:** 33

**DOCKET NUMBER:** 138234

**DATE OF EVALUATION:** 08/08/12

**DOB:** 01/08/79

**REASON FOR EVALUATION:**

Brandon Lavergne was referred by the Assistant District Attorney, Keith A. Stutes, for psychological evaluation to determine his present mental capacity to proceed.

**MEASUREMENT INSTRUMENTS:**

Diagnostic Interview  
Wechsler Adult Intelligence Scale - 3<sup>rd</sup> Edition (WAIS-III)  
Neurobehavioral Cognitive Status Examination (NCSE)  
Minnesota Multiphasic Personality Inventory-2 (MMPI-2)  
MacArthur Competence Assessment Tool - (MacCat-CA)  
Review of Records: Acadia Parish Sheriff's Office Offense Report (09/21/99);  
Investigative Narrative of Detective Stephen Bajat (August 2012).

**BACKGROUND INFORMATION:**

Brandon Lavergne is a 33-year-old Caucasian male who completed tenth grade and subsequently completed a high school graduate equivalency degree (GED). He has been divorced 12 years after one year of marriage and has one child. He says he received treatment for anger and depression at age 15 and had a 30-day inpatient stay at the adolescent unit of Central State Hospital in 1995. He received outpatient counseling in 2011 for "a few months." He reports occasional use of alcohol but says he was prone to bingeing when he drank. He denies a history of drug use at any time. He denies a history of DUI's but was previously convicted of sexual

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battery (February 2000), for which he served eight years. Prior to that he was arrested and charged with the homicide of Lisa Pate, but was not indicted. He admits to a history of aggressive behavior. Family history is positive for substance abuse and psychiatric treatment. He was adopted at birth and his adoptive father suffered from paranoid schizophrenia.

Mr. Lavergne is charged with two counts of first degree murder and one count of aggravated kidnaping. He is alleged to have murdered Lisa Pate and hidden her body in a field in 1999. He is also alleged to have kidnaped and murdered Michaela Shunick on 05/19/12.

In the present interview, Mr. Lavergne denied having experienced morning tremors, hallucinations, convulsions, or withdrawal symptoms. He reported suicidal ideation as recently as May 2012 but denied ever having attempted suicide. He denied current suicidal ideation, intent, or plan. He reported a history of memory lapses during periods of extreme emotion. He admitted to a history of homicidal ideation on multiple occasions. He reported chronic childhood physical abuse by his adoptive father and multiple instances of molestation by a teenaged female babysitter at age three or four.

#### **MENTAL STATUS AND TEST RESULTS:**

Brandon Lavergne was interviewed alone. He looked stated age and was appropriately groomed and dressed in prison garb. He wore a single handcuff and leg shackles. He was oriented in all spheres and speech was coherent, relevant, and productive. He was cooperative but very serious in the interview. Mood was mildly depressed. Affect was appropriate to content, broad in range, and well modulated, though he became tearful when discussing events leading to his arrest. Psychomotor activity was within normal limits. Memory for recent and remote events was intact. He was able to immediately repeat four unrelated words after a single presentation. He was able to recall all four of the words after five minutes without prompts. Insight and judgement were good. Impulse control was regarded as variable. There was no overt evidence of delusional thinking, preoccupations, obsessions, ideas of reference or formal thought disorder.

Intellectually, Mr. Lavergne performed in the High Average range on the WAIS-III for a Full Scale I.Q. of 116 (VIQ= 108; PIQ= 125). This represents a significant VIQ/PIQ difference. His Verbal Comprehension Index (116) was at the 86<sup>th</sup> percentile, corresponding to the High Average range and his Perceptual Organization Index (145) was at the 99.9<sup>th</sup> percentile, corresponding to the Very Superior range.

Responses on the NCSE revealed level of consciousness, orientation, attention, comprehension, expressive language, spatial-perceptual functioning, recent memory, calculations, abstract reasoning, and judgement for simple, practical matters to be within normal limits.

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Mr. Lavergne's responses to the MMPI-2 yielded a valid profile. The validity configuration suggests realistically truthful responding which is likely to accurately represent his current status.

Mr. Lavergne's clinical profile is suggestive of an extroverted, over active, impulsive and self-indulgent individual. Patients with similar profiles are usually seen as hostile and superficial. Fluctuating morals and poor conscience development are common. Quite impulsive, they show poor judgement, often acting without considering the consequences of their acts, and they fail to learn from experience. They harbor intense feelings of anger and hostility, and these feelings get expressed in occasional emotional outbursts. Similar patients typically show flagrant excesses in their search for pleasure and self-stimulation. Suspiciousness, distrust, brooding, and resentment may be characteristic.

#### COMPETENCY ABILITIES:

Responses to the MacCat-CA yielded a score of 16 for *Understanding*, corresponding to the 93<sup>rd</sup> percentile when compared to competent subjects. This is in the normal range and suggests that his factual understanding of the legal process is intact. This includes comprehension of (a) legal terms, at a general and descriptive level; (b) the roles of primary legal actors in the adjudicatory process; and (c) the basic parameters and features of the different stages of adjudication. He obtained a score of 16 for *Reasoning*, corresponding to the 90<sup>th</sup> percentile when compared to competent subjects. This is in the normal range and suggests that his understanding of the significance of case-relevant information is unimpaired. He is not likely to have difficulty consulting with an attorney in a reasonable way to (a) provide case-relevant information; (b) understand more general legal information provided by the attorney; and (c) communicate preferences regarding how the case will be handled. Finally, he obtained a score of 12 for *Appreciation*, corresponding to the 70<sup>th</sup> percentile when compared to competent subjects. This is in the normal range and suggests that his understanding of his own legal predicament is unimpaired. He seemed to have no problems comparing his own situation with other individuals accused of similar crimes. He had a clear appreciation of the seriousness of his own legal situation and the possible outcomes of the proceedings. He seemed capable of making rational legal decisions in response to well-explained alternatives.

During the evaluation, Mr. Lavergne demonstrated a good understanding of the charges in question. He was able to give the complete formal charges against him without assistance. He described his own behavior and the behavior of others leading up to and following the alleged crimes in considerable detail, entirely consistent with the documentation describing the incidents in question and his arrests.

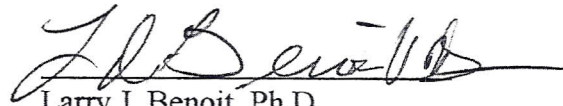
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CONCLUSIONS:

Brandon Scott Lavergne is operating in the High Average range of intellectual functioning. His factual understanding of the legal process is intact. He has a good understanding of his legal rights. He is able to consult with an attorney in a reasonable way to (a) provide case-relevant information; (b) understand more general legal information provided by the attorney; and (c) communicate preferences regarding how his case will be handled. He is able to assist counsel in locating and examining relevant witnesses. He is able to listen to the testimony of witnesses and inform his attorney of any distortions or misstatements by witnesses. He has a reasonable understanding of his own legal predicament. He has a good understanding of the charges he is facing, the behaviors in question, and the range and nature of possible penalties to which he may be subjected. He has no difficulty distinguishing between a guilty and not guilty plea and understands the consequences of each. He understands the defenses available to him and is able to maintain a consistent defense. He is capable of disclosing to his attorney available pertinent facts surrounding the offenses. He is capable of testifying relevantly. There is no indication of a risk of unmanageable or disruptive behavior.



Larry J. Benoit, Ph.D.

Clinical Psychologist