

**COURT PSYCHIATRIC CLINIC**  
**COUNTY OF CUYAHOGA • COURT OF COMMON PLEAS**

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June 27, 2013

The Honorable Michael J. Russo  
Courts Tower – 17C  
Justice Center  
Cleveland, Ohio 44113

**COPY**

**RE: ARIEL CASTRO**  
**DOCKET NO.: CR-13-574231-A**  
**IDENTIFICATION NO: 134625**  
**REFERRED UNDER: 2945.371(A)**

**COMPETENCY REPORT**

**Identifying Data:** Mr. Castro is a 52-year-old man referred to the Court Psychiatric Clinic for an evaluation pursuant to Ohio Revised Code Section 2945.371(A) - Competency to Stand Trial. At the time of the evaluation, the defendant was incarcerated at the Cuyahoga County Jail while awaiting trial for 329 charges including Kidnapping (F1) and Rape (F1).

**Informed Consent:** The defendant read and signed the Informed Participation and Explanation of Rights document. Mr. Castro was told that the evaluation would not be confidential and that information provided would be given to the court in the form of a written report. He was told that he would not receive treatment or therapy and that there was not a doctor-patient relationship. He agreed to proceed.

**Sources of Information**

1. Interview with the defendant at the Court Psychiatric Clinic, with Dr. Phillip Resnick, on June 27, 2013 for approximately two hours and 20 minutes.

**Background Information:** Mr. Castro told us that he was born in Puerto Rico on July 10, 1960. He moved to Reading, Pennsylvania at the age of six. At the age of ten he moved to Cleveland, Ohio where he has lived since. His parents were common-law married at the time he was born and separated when he was a young child. He was raised by his mother. His grandmother cared for him for "one to two years" while his mother was in the United States. He is the third oldest child and has three full siblings and five half-siblings. His mother was a homemaker.

Mr. Castro told us that he was physically abused by his mother. He described this as "corporal punishment." She would hit him with "belts, sticks and an open hand." Sometimes, she caused bruises. When asked how he felt about the abuse, he said "I would ask God for her to die." He described the abuse as daily. He never had to go to the hospital. He said that his mother would also verbally abuse him by "yelling negative things and cursing at us." He later said that he believed that his mother did a good job raising him. He said that she visits him in jail.

Mr. Castro told us that he was sexually abused by a neighborhood male friend when he was five. The friend was nine. The abuse occurred over the course of a year when he lived in Puerto Rico. He did not report the abuse. When asked why, he said, "It's known that people who are abused keep quiet, so I did." He described the abuse as forced anal sexual intercourse on at least two occasions.

**Educational History:** Mr. Castro told us that he graduated from high school on time from Lincoln West High School. He obtained "satisfactory" grades. He was not placed in learning disabled or special classes. He did not have excessive absences. He was suspended in junior high for "touching a girl's breast." He also received "swats" for fighting in junior high. He said that he was teased but did not recall why. He had no education after high school.

**Relationship History:** Mr. Castro told us that his first dating relationship was in seventh grade for five months. His next relationship was at the age of 20 with the mother of his children. She was 17 at the time and they lived together for 12 years. They had four children. She is now deceased. He told us that the relationship ended because she was unfaithful. He said that the relationship was often violent and that he was charged with Domestic Violence twice. He said, "I hit her because she hit me first." He said that it was always self-defense or "a reaction to her hitting me." He stated that one time he accidentally hit her with a dumbbell requiring her to have stitches.

His next relationship was with a woman for one year in the year 2001. They did not live together and did not have children. He ended this relationship because "my life was very stressful at the time."

Mr. Castro told us that he has five children total ages 32, 27, 25, 23, 6. He said that he has a good relationship with all of his children and he provided court-ordered child support to his four children.

**Occupational History:** Mr. Castro told us that he has not worked since September 2012 when he was fired as a school bus driver. He had held this job for 21 years. He said he intentionally got fired because "it was a stressful job." He knew that if he was fired he could receive unemployment. He was fired for driving the school bus to the grocery store, which resulted in an accusation of "unlawful use of Board property." He was drawing unemployment at the time of his arrest. He told us that he has also made money by being an "active musician." Prior to being a school bus driver he received "welfare" for a few years. He previously worked at Cosmo Plastics where he was fired for "lack of work."

**Medical History:** Mr. Castro told us that he had hypertension diagnosed by his primary care physician four years ago. He was not placed on medications but was told to change his diet and to start exercising. He was recently placed on hypertension medication in jail.

**Military History:** Mr. Castro told us that he has never served in the military.

**Legal History:** Mr. Castro told us that he had no arrests prior to the age of 18. He was first arrested at the age of 25 for Domestic Violence. The charges were dropped and he served a few days "at the workhouse." He was next arrested at the age of 26 for Domestic Violence. Again, the charge was dropped. He has never been on probation or parole. He has never been incarcerated in prison. Mr. Castro told us that he was never cruel to animals and that he did not experiment with fire as a child.

**Substance Abuse History:** Mr. Castro told us that he would drink "six to eight beers" as a teenager. At his heaviest use, he would become intoxicated once every four to five months. He has never been arrested for alcohol-related offenses. He has not had withdrawal symptoms from not drinking alcohol. He did not experience tolerance, requiring more alcohol in order to become intoxicated. He did not believe that alcohol was ever a problem in his life and he has never been in treatment for alcohol abuse.

Mr. Castro told us that he tried marijuana "a few times in high school." He has never been arrested for marijuana. He did not believe that marijuana was a problem in his life. He said that he has never used any other illegal drugs.

**Psychiatric History:** Mr. Castro told us that he believed he had his first mental health symptom around 1980. He described this as headaches and "feeling disoriented, confused." He had these periods of confusion "off and on." He said that during these periods, he would "make bad decisions."

Mr. Castro told us he believed he first became depressed at the age of ten. He stated that his depression has never lasted for more than a week and mostly lasts for one day at a time. He also has had trouble concentrating since the early 1980s. He says he cannot read or comprehend material because "I cannot focus on it." He told us that he is able to watch TV in his jail cell. The week prior to my evaluation, he watched a two-hour movie. He also said that he is impulsive, often making bad decisions.

Mr. Castro told us he has never had suicidal thoughts. He was on suicide watch when he was first arrested because "I knew that this was a way to be separated from the general population." He has never been prescribed psychiatric medications. He first saw a psychiatrist in jail, and was not placed on psychiatric medications. He has never been admitted to a psychiatric hospital.

**Mental Status Exam:** On the day of the evaluation, June 27, 2013, Mr. Castro was wearing orange Cuyahoga County Jail scrubs. He had a full beard and adequate hygiene. His speech had

a normal volume and tone. He connected his thoughts in a logical manner. He expressed a full range of emotional expression. He told us he was not having auditory hallucinations. He did not express delusional beliefs. He told us he was not having suicidal thoughts.

Mr. Castro demonstrated adequate orientation as evidenced by his ability to state his full name, his correct location, and the correct date. He demonstrated adequate memory as evidenced by his ability to recall two out of three words after five minutes. He demonstrated adequate concentration as evidenced by his ability to spell the word "WORLD" forward and backward correctly. Adequate concentration was further demonstrated by being able to name the months of the year in backwards order. Mr. Castro demonstrated adequate ability for abstract thinking as evidenced by his interpretation of simple proverbs and his ability to identify similarities between objects. He demonstrated adequate judgment as evidenced by his answers to hypothetical questions.

### Diagnosis

#### **No psychiatric diagnosis.**

We considered the diagnosis of Major Depressive Disorder. However, Mr. Castro was clear that he had never been depressed for more than a few days at a time.

Competency Assessment: Mr. Castro was able to tell us that he was currently charged with over 300 counts, including Rape and Kidnapping. He knew that more charges would soon be filed and the final count could be over 700. He told us that the prosecutor was considering the death penalty on a forced miscarriage issue. Mr. Castro knew what punishment he was facing if he were found Guilty. He said that he does not want the death penalty.

Mr. Castro was asked for the roles of courtroom personnel. He told us that it was the job of the judge to "be non-prejudicial." He further clarified that the judge "makes sure there is a fair trial for both parties." With education he was able to understand that the judge is responsible for maintaining order in the courtroom and sentencing. Mr. Castro told us that it was the job of the prosecutor to "prosecute." He understood that the prosecutor was not on his side. He knew that the prosecutor in his current case was considering seeking the death penalty. Mr. Castro told us that it was the job of the defense attorney to "defend me." He told us that he had private lawyers that he found through his uncle. He trusts his lawyers. He was willing to work with them and was willing to consider all of their recommendations. Mr. Castro told me that it was the job of the jury to "hear the story and hand down a Guilty or Not Guilty plea." Mr. Castro told us that it was the job of a witness to "to tell what they saw." He was asked what he would do if a witness on the stand were telling a lie. He said, "Tell my lawyer."

Mr. Castro was asked for his available plea options. He said that a guilty plea meant, "Yes you did it...you did the crime." He told us that a Not Guilty plea meant, "Whatever they are saying is false, you didn't do it." He told us that a No Contest plea meant, "leave it up to the judge." With education, he was able to understand that a No Contest plea meant not admitting or denying guilt.

Mr. Castro was asked for his belief on what a Not Guilty by Reason of Insanity plea meant. He stated "You are mentally ill and disoriented so that you could not make the right decisions."

Mr. Castro told us that a plea bargain was a deal made between defense lawyers and the prosecutor. He said that the advantage for the prosecutor was "no trial" and that the advantage for the defendant was "to get a better situation." Mr. Castro was able to rationally consider his plea bargain options considering his current situation.

**Opinion:** It is our opinion, with reasonable medical certainty, that Mr. Castro is presently capable of understanding the proceedings and objectives against him. The following evidence supports this opinion:

1. Mr. Castro understands the charges against him.
2. Mr. Castro understands that he is facing life in prison and possibly the death penalty.
3. Mr. Castro understands the role of courtroom personnel.
4. Mr. Castro understands the plea options available to him.
5. Mr. Castro understands appropriate courtroom behavior and was able to behave appropriately during my evaluation.

It is our opinion, with reasonable medical certainty, that Mr. Castro is presently capable of assisting counsel in his own defense. The following evidence supports this information:

1. Mr. Castro understands the purpose of a plea bargain. He rationally considered hypothetical plea bargains during our evaluation.
2. Mr. Castro is willing to work with his current defense attorneys.
3. Mr. Castro told us that he wants the best possible outcome. He does not have self-defeating motives.
4. Mr. Castro was able to answer all of our questions in a logical organized and thoughtful manner. This demonstrates that he would be able to testify in a logical organized manner should he choose to. Further, it demonstrates that he is able to provide information to his attorneys in a logical manner.
5. Mr. Castro told us that he had trouble concentrating; however, he was able to watch a movie in his jail cell for two hours last week without concentration problems. Further he demonstrated adequate concentration on my mental status exam during our evaluation. This demonstrates that Mr. Castro would have adequate concentration to follow the proceedings of his trial.

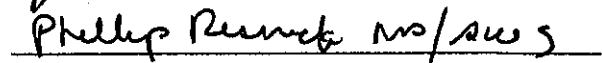
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**June 2013**

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In summary, it is our opinion, with reasonable medical certainty, that Mr. Castro is capable of understanding the nature and objectives of the proceedings against him and able to assist counsel in his own defense.

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Jason Beaman, D.O.  
Psychiatrist

A handwritten signature in black ink, appearing to read 'Phillip Resnick', followed by the initials 'M.D.' to the right.

Phillip Resnick, M.D.  
Psychiatrist

JB/ao  
Typed: 6/27/13