2014 Year in Review
Remarkable advances in neuroscience over the past forty years are transforming as well as challenging the current legal system. As with many scientific advances, discoveries in neuroscience have quickly found their way into the courtroom, as judges and juries are asked to draw conclusions about individual decision-making capacity or personal responsibility using this new data. However, the emergence of these concepts into the courtroom is at times haphazard, as there are few reliable and scientifically accepted conclusions that have provided the legal profession with the ability to measure the reliability and accuracy of these technologies. The Massachusetts General Hospital Center for Law, Brain & Behavior seeks to provide responsible, ethical, and scientifically sound translation of neuroscience concepts into the legal arena. These questions require thoughtful interdisciplinary discourse to avoid arbitrary or premature interpretation of the science. Drawing on the established research and clinical expertise of MGH as well as the broad expertise of distinguished advisors from the medical, legal, government, entertainment, business, and investment communities, the Center is coordinating an interdisciplinary research and training program to identify and implement appropriate applications of neuroscience in the courtroom.
The CLBB Mission

The impact of neuroscience on law, mental health care, finance, and public policy will increase exponentially over the next 20 years, eventually touching each and every one of us. The Center for Law, Brain and Behavior (CLBB) at Massachusetts General Hospital promotes the sound translation of brain-based and behavioral science into law, finance, and public policy.

Neuroscience is transforming our ability to fundamentally understand ourselves and one another. Research in neurology, psychiatry, psychology, cognitive neuroscience and neuroimaging is rapidly increasing our understanding of the cause-and-effect relationships between brain functioning and behavior. As findings accumulate, judges and policymakers, looking for clear answers and practical metrics, have been asked to draw conclusions about personal responsibility and individual decision-making capacity using this new information.

With new information comes great responsibility. The questions that arise as science, law, finance, and public policy intersect will have enormous significance and the potential to profoundly affect millions of lives:

- Can brain imaging distinguish truth from falsehood?
- Will understanding memory and courtroom recall issues improve justice?
- Can we predict who will become violent and determine how to prevent it?
- Can we comprehend impulsivity, addiction, and the adolescent brain?
- Can we improve juvenile justice policy by using neuroscience to tailor high-impact interventions?
- Can we protect individuals from financial exploitation given our evolving knowledge about the science of decision-making?
- Will the ability to visualize pain via brain scans modify the legal concept of pain and suffering?
- Will presenting neuroscientific findings in the courtroom alter notions of free will and personal responsibility?

The Center for Law, Brain & Behavior (clbb.org) addresses these questions, among others, by monitoring relevant brain discoveries, promoting neuroscience that is responsible, ethical and scientifically sound, and discouraging premature or inappropriate use of scientific findings. The center is led by Judith G. Edersheim, JD, MD and Bruce H. Price, MD, clinicians with decades of experience in the fields of neurology, psychiatry, and the law who are committed to enhancing social justice, particularly among those most vulnerable and underserved.

CLBB maximizes impact by engaging the brightest researchers across many disciplines to work collaboratively on these problems. By virtue of its location within the Massachusetts General Hospital Department of Psychiatry, the Center draws upon a unique depth of clinical and research expertise in psychiatry, neurology, and neuroscience. CLBB has established a vibrant community of investigators with rich collaborations across many disciplines, including leading scientists and legal scholars from the Harvard University Department of Psychology, Harvard Law School, and Harvard Medical School. We are guided by a board of advisors uniquely talented in finance, law, academia, politics, media, and biotechnology. Our influence occurs through academic research and publications, educational outreach, media campaigns, informing decision-makers, and training future leaders.

CLBB understands the power of informed professional and public opinion to compel social action in a transformative, ethical, and responsible way.

CLBB Featured Initiatives

Joint Project on Law and Applied Neuroscience with Harvard Law School

This collaboration with the Petrie-Flom Center for Health Law Policy, Biotechnology, and Bioethics at Harvard Law School will begin in fall 2014. CLBB Faculty member Amanda Pustilnik, JD, will be the first year-long resident Senior Fellow in Law and Neuroscience. The Project will also include expert symposia and public events to promote focused discussion on questions at the intersection of pain, addictions, and the law. The Hon. Nancy Gertner, CLBB and HLS faculty, will teach a Law and Neuroscience Seminar, cross-listed at Harvard Medical School, to introduce students to this complex and growing translational field. The course will draw on HLS and CLBB’s interdisciplinary legal and scientific faculty.

New Interdisciplinary Faculty Working Groups, Programs in Pain & Suffering, Juvenile Justice

Beginning fall 2014, through the support of the Harvard Mind Brain Behavior Interfaculty Initiative, CLBB will convene CLBB faculty working groups to incite scholarship into two translational gaps in neuroscience and law: pain and suffering, and juvenile justice. The groups will convene for ongoing expert faculty meetings, academic publications, and a public seminar event. The groups represent CLBB’s initial ventures into pain and juvenile justice as ongoing program areas.
Year in Review
2013 – 2014

FEATURED EVENTS

April 25, 2013
Neuroscience and the Law
CLBB Faculty member Steven Hyman spoke at the first event of the “Neuroscience and Society” series organized by the American Association for the Advancement of the Sciences, in partnership with the Dana Foundation, the International Neuroethics Society, and the MacArthur Foundation Research Network on Law and Neuroscience.
http://clbb.mgh.harvard.edu/steven-hyman-too-soon-for-neuroscience-to-transform-legal-system

October 17 – 21, 2013
Redefining Mental Illness through Genetics
CLBB Faculty member Jordan Smoller co-chaired the 21st annual meeting of the World Conference of Psychiatric Genetics, held in Boston.
http://clbb.mgh.harvard.edu/wcpg-advances-in-research-and-cautions-about-applications-of-findings

October 30, 2013
How Neuroscience is Changing Real World Understandings in the Law, Mental Health, Finance, and Public Policy
CLBB held its first private “Brain Salon” event, chaired by CLBB Co-director Judith Edersheim, at the home of CLBB Board members Therese Rosenblatt and Marshall Sonenshine in New York. Panelists Jordan Smoller, Nancy Gertner, Anne-Marie Slaughter, and Jeffrey Toobin discussed the application of scientific findings to their respective fields and to social issues at large.
http://clbb.mgh.harvard.edu/clbb-hosts-first-brain-salon

November 22, 2013
Before the Shooting Starts: Predicting and Preventing Rampage Killings
CLBB Faculty member Joshua Buckholtz was a featured speaker, alongside Retired US Supreme Court Justice Sandra Day O’Connor, at an Arizona State University School of Law conference exploring what role emerging science can play in predicting and preventing rampage killings.
http://conferences.asucollegeoflaw.com/beforetheshooting

December 12, 2013
Capacity, Finances, and the Elderly: Brain Science Meets the Law
CLBB joined forces with the Boston Society of Neurology and Psychiatry to host a conversation about how the science of aging could impact how we protect older adults from victimization and undue influence. Panelists included CLBB Co-director Bruce Price, CLBB Director of Ethics Rebecca Brendel, Susan Stenger, and The Honorable Susan Ricci.

February 25 – 26, 2014
Brain Science in the Courtroom: Is Justice Served?
CLBB Directors Bruce Price and Judith Edersheim were invited to deliver two educational seminars on the work and aims of CLBB, alongside other members of the Massachusetts General Hospital Department of Psychiatry, in Palm Beach, Florida, sponsored by the MGH Leadership Council for Psychiatry.
http://clbb.mgh.harvard.edu/drs-price-and-odersheim-represent-clbb-at-florida-educational-seminars
March 11, 2014
Judicial Style: A Tailored Approach to the Challenge of Judicial Mentoring
CLBB Co-director Judith Edersheim delivered the keynote at a meeting of the Massachusetts Judicial Institute on the topic of judicial mentoring.

March 7, 2014
Application of Neuroscientific Methods and Research to Psycho-Legal Questions
CLBB Fellow Ekaterina Pivovarova chaired this panel, with Lyn Gaudet-Kiehl, Scott Lilienfeld, and CLBB Faculty members Gina Vincent and Joshua Buckholtz, at the annual conference of the American Psychology-Law Society in New Orleans.

April 17, 2014
Brainwashed?: What Neuroscience Can – and Can’t – Tell Us About Ourselves
In the fifth event of the “Conversations in Law and Neuroscience” series, CLBB hosted a discussion on whether neuroscience has anything useful to add to our understanding of thorny ethical and legal questions. Moderated by NPR’s Meghna Chakrabarti, the panel included Scott Lilienfeld, Joshua Buckholtz, and Joshua Greene.
http://clbb.mgh.harvard.edu/brainwashed

April 24 – 25, 2014
Imaging the Brain, Changing Minds: Chronic Pain Neuroimaging and the Law
CLBB Faculty member Amanda Pustilnik was an organizer for this two day symposium, which sought to create dialogue among neuroimaging researchers, legal decision-makers, and legal scholars on the topic of pain.
https://www.law.umaryland.edu/faculty/conferences/detail.html?conf=166

May 28 – 31, 2014
Dementia: A Comprehensive Update
CLBB Co-director Bruce Price and Director of Ethics Rebecca Brendel are faculty in this annual review course at Harvard Medical School.
http://www.hms-cme.net/342209/342209_landingindex4em.html

FEATURED POPULAR PRESS ARTICLES

WBUR | Cognoscenti
June 4, 2013
The Daunting Task Of Finding An Impartial Jury For An “Infamous” Defendant
CLBB Faculty member Nancy Gertner writes on the “saturation publicity” of high-profile cases, and its effect on jury selection, in light of the Whitey Bulger trial.
http://cognoscenti.wbur.org/2013/06/04/jury-selection-saturation-publicity-whitey-bulger-nancy-gertner

The Boston Globe
September 3, 2013
Keep Female Prisoners Close to Family
Judith Resnik and CLBB Faculty member Nancy Gertner spoke out about the burdens of imprisoned women.
http://clbb.mgh.harvard.edu/speaking-out-for-imprisoned-women

PBS
September 16 – 19, 2013
Brains on Trial with Alan Alda
In this four part blogpost series on the teenage brain by CLBB experts, Co-director Judith Edersheim, Faculty member Gene Beresin, and Steve Schlozman contribute to a discussion hosted by Alan Alda about the implications of neuroscience entering the courtroom.
http://brainsontrial.com/are-teenagers-responsible
CLBB | Commentary
December 14, 2013

Mental Illness, Violence, and the Gun Control Debate: Evidence, Policy, Privacy and Stigma

The American College of Neuropsychopharmacology Ethics Committee, led by CLBB Faculty member Jerrold Rosenbaum, hosted a discussion on the science of aggression and how policies designed to improve public safety can worsen stigma of mental illness without addressing far more common causes of violence.


The Boston Globe
January 6, 2014

Scammers Take Aim at Aging Population

In this follow-up piece for the CLBB “Capacity” event which she moderated, Globe reporter Kay Lazar writes that financial exploitation of seniors is expected to grow, but advocates are trying to lessen the harm.


The New York Times
January 18, 2014

Madison’s Privacy Blind Spot

In an op-ed in the Sunday Review, CLBB Faculty member Jeffrey Rosen writes on the Founding Fathers’ oversight of the privacy issues now raised by technology.

http://www.nytimes.com/2014/01/19/opinion/sunday/madisons-privacy-blind-spot.html

The Boston Globe
January 19, 2014

Locking Up Kids for Life?

CLBB Faculty member Nancy Gertner calls for the Massachusetts Parole Board to make a “real, meaningful” review of life without parole sentences for juveniles given new evidence about the rehabilitation potential of the adolescent brain.

http://clbb.mgh.harvard.edu/locking-up-kids-for-life/

The Huffington Post
February 21, 2014

Protecting Our Parents: Can Science Help?

CLBB Co-directors Bruce Price and Judith Edersheim and CLBB Fellow Ekaterina Pivovarova on how science and law can unite to reduce crimes against the vulnerable elderly.

http://clbb.mgh.harvard.edu/protecting-our-parents-can-science-help/

The New York Times
February 28, 2014

What Faces Can’t Tell Us

CLBB Faculty member Lisa Feldman Barrett in the “Gray Matter” column on her recent research suggesting that there are limits to “emotion recognition.”

http://www.nytimes.com/2014/03/02/opinion/sunday/what-faces-cant-tell-us.html

WBUR | CommonHealth
April 7, 2014

In Defense Of 12 Steps: What Science Really Tells Us About Addiction

Addictions experts John Kelly and CLBB Faculty member Gene Beresin object to Lance Dodes’ claim that 12-step programs are ineffective and unscientific.

http://commonhealth.wbur.org/2014/04/defense-12-step-addiction
The Jury Expert
May 2014

The State of the Polygraph: What Litigators Need to Know
CLBB core staff Bruce Price, Judith Edersheim, Justin Baker, and Ekaterina Pivovarova authored this piece for the legal audience on the current state, validity, and future of the polygraph, an instrument designed to detect deception.
http://www.thejuryexpert.com/2014/05/a-polygraph-primer-what-litigators-need-to-know/

FEATURED SCIENTIFIC PUBLICATIONS

Biological Psychiatry
May 2013
Methodological Challenges of Moving Beyond DSM Categories: Transdiagnostic Studies of Frontolimbic Connectivity Changes in Vulnerable Individuals
Carl Schwartz, Daphne Holt, and CLBB Faculty member Jerrold Rosenbaum introduce the Research Domain Criteria (RDoc) project, slated to examine the genetic variants that confer risk for biologically distinct psychological disorders.

Psychological Science
August 2013
The Medial Prefrontal Cortex and the Emergence of Self-Conscious Emotion in Adolescence
CLBB Faculty member Leah Somerville is lead author on a paper on fMRI data findings that illuminate the development of self-consciousness in juveniles.

Journal of the American Academy of Psychiatry and the Law
September 2013
Commitment Determinations and Definition of Mental Disease
CLBB Fellow Ekaterina Pivovarova and Massachusetts Assistant Commissioner of Forensic Mental Health Services Debra Pinals, MD, write that Antisocial Personality Disorder may constitute a mental disease as basis for civil commitment of offenders in Federal Court.
http://www.jaapl.org/content/41/3/454.full

The Constitution and the Future of Criminal Law
September 2013
Neurotechnologies at the Intersection of Criminal Procedure and Constitutional Law
CLBB Faculty member Amanda Pustilnik contributed this chapter discussion on the constitutional issues posed for criminal law and criminal procedure by the rapid development of neurotechnology.

Progress in Neurobiology
October 2013
Pain and Suicidality: Insights from Reward and Addiction Neuroscience
CLBB Faculty member David Borsook is co-author on a paper suggesting that the pathophysiology of this suicide may be potentially related to the partial congruence of physical and emotional pain systems.

Neuron
October 2013
The Cerebellum and Cognitive Function: 25 Years of Insight from Anatomy and Neuroimaging
CLBB Faculty member Randy Buckner reviews the evolution of neuroimaging studies of the cerebellum’s contributions to cognitive functioning and neuropsychiatric disorders.
**JAMA | Psychiatry**  
**February 2014**  
**Disruption of Cortical Association Networks in Schizophrenia and Psychotic Bipolar Disorder**  
CLBB Associate Director Justin Baker’s first author paper provides new evidence that disruptions within the frontoparietal control network may be a shared feature across both schizophrenia and affective psychosis.  

**Nature | Reviews Neuroscience**  
**April 2014**  
**DSM-5 and RDoC: Progress in Psychiatry Research?**  
CLBB Faculty member Steven Hyman is one of six leading investigators who discuss how the NIMH’s new initiative to redefine psychiatric disorders will influence neuroscientific research.  
http://www.nature.com/nrn/journal/v14/n11/full/nrn3621.html

**The Witness Stand**  
**Forthcoming**  
**The Credibility of Witnesses**  
Forensic psychologists Stan Brodsky and CLBB Fellow Ekaterina Pivovarova are co-authors of a chapter on the use of neuroscience in the courtroom and its impact on judicial decision making.  
http://clbb.mgh.harvard.edu/neuroscience-experts-on-the-stand

**FEATURED CLBB PRESS | FACULTY IN THE NEWS**

**May 2013**

**Jeffrey Rosen appointed President and CEO of National Constitution Center**  
Noted for his journalism, scholarship, and teaching, CLBB Faculty member Jeffrey Rosen leads the National Constitution Center, the only institution in America chartered by Congress to “disseminate information about the United States Constitution on a non-partisan basis.”  
http://constitutioncenter.org/about/president-and-ceo

**June 2013**

**Somerville named Rising Star in psychological science by Association for Psychological Science**  
CLBB Faculty member Leah Somerville was featured in a series highlighting young luminaries in the field of psychological science.  

**June 2013**

**CLBB highlighted by MGH Psychiatry newsletter**  
CLBB Co-directors Judith Edersheim and Bruce Price are featured in a profile of CLBB on the front page of the summer 2013 issue of *MindsCapes*, published by the Massachusetts General Hospital Department of Psychiatry.  
http://clbb.mgh.harvard.edu/clbb-highlighted-by-mgh-department-of-psychiatry

**September 2013**

**Gene Beresin leads new Clay Center for Young Healthy Minds at MGH**  
CLBB Faculty member Eugene Beresin is the Executive Director of the Clay Center, an outgrowth of the MGH Department of Psychiatry, devoted to understanding and supporting the mental health and learning needs of young people.  
http://www.mghclaycenter.org/about-us/our-team/gene-beresin-m-d
September 2013

Bruce Price featured speaker at first Harvard Alzheimer’s Symposium
CLBB Co-director Bruce Price spoke at an event for experts, those affected by Alzheimer’s, and students, hosted by Meredith Vieria.
http://clbb.mgh.harvard.edu/giving-back-by-promoting-alzheimers-awareness

October 2013

Joshua Greene publishes Moral Tribes: Emotion, Reason, and the Gap Between Us and Them
CLBB Faculty member Joshua Greene’s well-received first book draws on research on morality in psychology and neuroscience to respond to both old philosophical questions and current social problems.
http://www.amazon.com/Moral-Tribes-Emotion-Reason-Between/dp/1480538728

January 2014

Nancy Gertner receives the Margaret Brent Lawyers of Achievement Award
CLBB Faculty member Nancy Gertner was selected as a recipient of the 2014 Margaret Brent Women Lawyers of Achievement Award, established by the American Bar Association Commission on the Status of Women in the Profession, for her achievements as a woman lawyer, and inspiration to other female lawyers.
http://today.law.harvard.edu/nancy-gertner-receives-margaret-brent-lawyers-achievement-award

January 2014

Lisa Feldman Barrett receives 2013 APA Distinguished Service Award
CLBB Faculty member Lisa Feldman Barrett was honored with one of two annual awards from the American Psychological Association for her record of extraordinary service and leadership to psychology in editorial, governing, teaching, and research roles.
CLBB Directors, Faculty, and Advisors
2013 – 2014

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Judith G. Edersheim, JD, MD
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Assistant Professor of Psychiatry, Harvard Medical School

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Associate in Neurology, Massachusetts General Hospital
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