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CLBB News

A newsletter from the Center for Law, Brain & Behavior

February 23, 2023

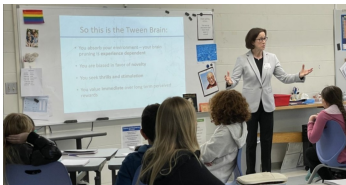
CLBB Highlights



[The Art and Science of Expert Witness Testimony Course](#)

Harvard Medical School | February 14 - March 14, 2023

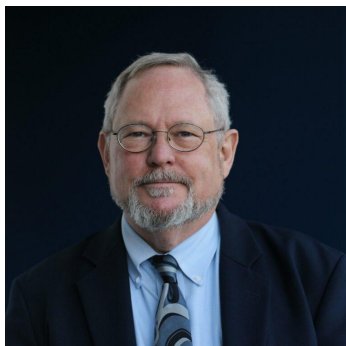
There is almost no formal training in expert witness testimony offered in medical school or residency. Harvard Medical School has a new 5-part online series. The goal is for participants to identify and develop new skills to address the areas where the needs and expectations of the courtroom collide with the communication habits clinicians have developed over years of academic and professional training. Participants will gain critical insights into answering "Does the answer I am about to give help these specific jurors with their difficult intellectual task of deciding the case?" **CLBB Director Dr. Judith Edersheim** is one of the faculty members.



[The Tween Brain](#)

The Park School | January 2023

CLBB Director Judith Edersheim, JD, MD spoke about "The Tween Brain" at The Park School in Brookline. During her presentation, she touched on some staggering statistics about risk-taking behavior and crimes committed by teens and how the development of their frontal lobe and increase of white matter eventually give them the tools needed for more logical and reasoned thinking. In addition to sharing lots of information about the physical differences between teen and adult brains and the role of dopamine on behavior, Dr. Edersheim stressed the importance of not "breaking your teen brain" by avoiding drug use (especially cannabis), limiting screen time, and getting enough sleep.



[The Juvenile Brain and Criminal Culpability](#)

Buzzsprout | January 26, 2023

CLBB Executive Director Robert Kinscherff, PhD, JD, and **CLBB Faculty Member Judge Jay Blitzman (ret.)** appear on *Summarily* to discuss the juvenile brain, juvenile culpability, and the recent tragedy involving the 6-year-old boy who shot his teacher, Abigail Zwerner. According to the U.S. Supreme Court, juveniles are different from adults when it comes to criminal culpability. This has ramifications at sentencing. For example, sentencing a person to death for a capital offense violates the Eighth Amendment's prohibition against cruel and unusual punishment if the person was younger than 18 years old at the time of the offense. But how are 18-21 year olds different?



[Note to the New Sentencing Commission: Start From Scratch](#)

University of California Press | October 1, 2022

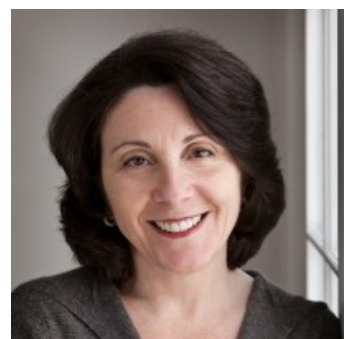
CLBB Managing Director and Former Federal Judge Nancy Gertner wrote an article that the new Sentencing Commission should start from scratch. She notes that reevaluation is critical because research demonstrates that drug treatment, cognitive behavioral therapy, etc. can be efficacious in reducing recidivism while mere imprisonment is not. Additionally, the Commission's decision-making does not reflect the latest advances in criminology, neuroscience, and psychology—expertise Congress does not have—but often the prevailing political winds. Lastly, short-term improvements include training judges about these fields and studying sentencing as criminologists would rather than just monitoring Guideline compliance.



[Re-Entry Begins at Arrest Panel at 9th Circuit Court Conference in Montana](#)

9th Circuit Court Conference | July 2022

CLBB Executive Director Robert Kinscherff, PhD, JD participated in the *Re-Entry Begins at Arrest* panel at the 9th Circuit Court Conference in Montana. Pictured are CPO John Marshall, Dr. Robert Kinscherff, Judge Esther Salas, Cassandra Snyder, Judge Laurel Beeler, and CPO (ret.) Christine Dozier.



[This Year's Most Thought-Provoking Brain Discoveries](#)

Scientific American | December 16, 2022

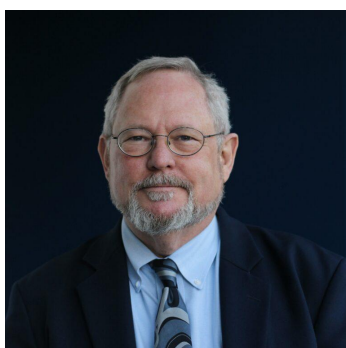
CLBB Chief Scientific Officer Dr. Lisa Feldman-Barrett was featured in *Scientific American's* article on this year's most thought-provoking brain discoveries with the finding that facial expressions do not convey what we've been taught about someone's emotional demeanor. Dr. Feldman-Barrett had warned in an essay that recognition of Darwin's fallacy has implications for AI facial recognition systems intended to detect emotions.



[Eastern Iowa Advanced Judicial Seminars: The Intersection of Law, Brain, Behavior and the Interactions between Trauma and Violence Exposures](#)

The Eastern Iowa MH/DS Region | October 3-4, 2022

The Eastern Iowa MH/DS Region is working to improve our children's system of care. On October 3rd and 4th, 2022, the Region held a 2-day workshop: Advanced Judicial Seminars: The Intersection of Law, Brain, Behavior and the Interactions between Trauma and Violence Exposures. **CLBB Executive Director Robert Kinscherff** and Dr. Robert Macy led the workshop designed to enhance participants' neuroscientific understanding of the developing adolescent brain. A brief video of the training can be found [here](#). Video production by Metivier Media and funded by the Region.



[The Psychological Science of Adolescent Behavior and Decision-Making is Reshaping the Juvenile Justice System](#)

American Psychological Association | November 1, 2022

Psychologists are partnering with jurisdictions nationwide to revise juvenile probation policies and practices to align more closely with developmental science. **CLBB Executive Director Robert Kinscherff, PhD, JD** provides insight into the change in approach that has occurred due to breakthroughs in psychology and related fields. For example, teens respond differently than do adults to risk and "hot" emotional contexts. Additionally, we understand that social networks are crucial in determining health and behavior. There is a growing appreciation for the systemic factors that disproportionately funnel people of color and those living in poverty through a "cradle to prison" pipeline.

Highlight: "We're slowly turning the ship around from a punitive mass incarceration model into a system that diverts many youths into [more supportive] community-based systems."



[There's Another Side to the Story on Judge Stats](#)
Massachusetts Lawyers Weekly | December 29, 2022

CLBB Managing Director and Former Federal Judge Nancy Gertner wrote an opinion piece for Massachusetts Lawyers Weekly on the “six-month list” which is a list that each judge must submit documenting cases older than three years and motions pending more than six months.

Highlight: “We can measure the number of cases resolved, but not the quality of the judging. We can measure how quickly cases are closed, but not where there was a fair resolution. With the sole exception of DNA exonerations, judges have no meaningful feedback loop, no way of knowing if case outcomes are just. Too often, closing a case is its own reward. The six-month list is surely helpful but hardly the only measure of a fine judge.”

Advisory Board Member News



[Jennifer Jones Austin Appointed Visiting Scholar at New York University Silver School of Social Work](#)
Diverse Education | November 11, 2022

Jennifer Jones Austin, CEO and Executive Director of Federation of Protestant Welfare Agencies, has been appointed as a visiting scholar at New York University’s Silver School of Social Work. She will work to develop curricula, advance social work policy and poverty initiatives, and deepen the school’s community engagement.

Highlight: “I’m trained in the law, but have worked throughout my career with social workers...That’s why I like to call myself a lawyer with a social worker’s heart. It’s also why I am excited for the opportunity to work with Dean Lindsey and his colleagues at NYU Silver during an inflection point for both the profession and society. Their vision for social work training recognizes that individuals, families and communities in need are best served when we are also prepared to move institutions and societal structures toward more equitable policies and practices.”



[Rep. Katherine Clark Becomes the Most Senior Woman in the House of Representatives](#)
NPR | December 1, 2022

Rep. Katherine Clark spoke with NPR on her election as House Minority Whip. She is the most senior woman in the U.S. House of Representatives.

Highlight: “The good news is I am now whip-elect in the House... And I hope that it will be an example of, live your own truth. Be who you are, and you will find that the world will adjust to you.”



[Partners in Health Co-founder, Ms. Ophelia Dahl, Joins the CHAI Board of Directors](#)
Clinton Health Access Initiative | November 3, 2022

The Clinton Health Access Initiative welcomes **Ms. Ophelia Dahl**, Co-founder of Partners In Health, to the Board of Directors. Her experience leading one of the world’s most highly regarded global health nonprofits and her passionate belief in everyone’s right to health will be invaluable to CHAI’s mission to save lives.

Highlight: “Since the founding of the Clinton Health Access Initiative twenty years ago, I have witnessed their work in partnership with governments to save lives and strengthen health systems around the world. I’m honored to join the Board of Directors in support of CHAI’s teams and programs across the globe.”



[Anne-Marie Slaughter '80, Dean Dolan Talk Women and Leadership](#)

The Daily Princetonian | November 29, 2022

Dr. Anne-Marie Slaughter, CEO of New America, spoke about her latest book “Renewal: From Crisis to Transformation in Our Lives, Work, and Politics” and reflected on feminist leadership and the struggle for gender equality.

Highlight: “There are two ways of exercising power: you can be at the top of the ladder in a vertical structure, or you can be the center of the web in a horizontal structure. In both places there is power, but I sure care about being in the center...Leadership is not born, but it can be ingrained.”



[Behind the Veil of Hypnagogic Sleep](#)

Sleep | Autumn 2022

Research on “creativity’s sweet spot” could inform treatments for people with nightmare disorders. **Adam Haar Horowitz, PhD**, developed a tool called Dormio which is designed to augment and influence hypnagogic hallucination and helps bring dreams into focus. The process is called targeted dream incubation. Horowitz hopes it might one day help veterans and others suffering from post-traumatic stress disorder and associated nightmare disorders. Horowitz and his advisors are part of a new league of researchers who consider hypnagogia a means for finding clues to several basic science questions they’re tackling, such as how memories form and what parts of the brain generate visual imagery. Uncovering answers to such questions could lead to treatments that would provide a better quality of life for people who have sleep-related difficulties or disorders and are, as Horowitz puts it, “in need at night.”

Highlight: “You’re a different person as you enter sleep onset — you have shifts in the way the brain associates information, but you retain elements of your waking self. You can watch these brain changes happen, watch these hypnagogic microdreams as if from a distance, and with practice, you can change elements of their content.”

Faculty News



[Advocates Push for Higher Standards On State’s School Police Regulations](#)

WGBH | December 6, 2022

Research has shown that school police are overwhelmingly assigned to schools predominantly attended by students of color, contributing to rates of arrest and the “school-to-prison pipeline.”

CLBB Faculty and Judge Jay Blitzman (ret.) said the proposed rules risk setting Massachusetts back.

Highlight: “I would urge you as a group to look at this issue ... through a lens of racial and ethnic equity. The unintended consequences without ... the training and certification, I think will result in very foreseeable and negative consequences in the criminalization of adolescents and children.”

[Cumulative Experiences of Immigration Enforcement Policy and the Physical and Mental Health Outcomes of Asian and Latinx Immigrants in the United States](#)

International Migration Review | November 4, 2022

CLBB Faculty Dr. Altaf Saadi and others assessed the relationship between Asian and Latinx immigrants’ physical and mental health and their cumulative experiences of immigration enforcement. They found that a greater proportion of Latinx than



Asian participants reported enforcement experiences. Each additional enforcement experience was associated with poorer self-rated health and greater psychological distress for both groups. This suggests that contact with the overall immigration enforcement system is associated with worse health outcomes for immigrants.



[The State of Juvenile Justice](#)

Civic Research Institute | Winter 2023

CLBB Faculty and Judge Jay Blitzman (ret.) wrote the “State of Juvenile Justice” Report focused on the importance of applying developmental research and science to practice. This is due to growing evidence that promotes community-based programming to best support positive youth development, reduces racial and ethnic disparities, and reduces recidivism at a significantly lower cost.



[Right Prefrontal Cortical Thickness Is Associated With Response to Cognitive-Behavioral Therapy in Children With Obsessive-Compulsive Disorder](#)

Science Direct | December 13, 2022

CLBB Faculty Dr. Justin T. Baker and others aimed to identify structural magnetic resonance imaging (MRI) predictors of cognitive-behavioral therapy (CBT) response in 2 large series of adults and children with obsessive-compulsive disorder (OCD). Significant results were observed in the pediatric sample, specifically, right prefrontal cortex thickness was positively associated with the percentage of CBT response. This suggests that right prefrontal cortex plays a relevant role in the mechanisms of action of CBT in children.



[Projection of Care Partners' Preferences in the Proxy Assessments of Everyday Preferences for Persons with Cognitive Impairment](#)

Science Direct | December 11, 2022

CLBB Faculty Dr. Olivia Okereke and others assessed the projection of care partners' preferences onto surrogate assessments of everyday preferences for persons with cognitive impairment (CI) to address clinical and demographic factors as predictors of projection. They found that significant projection was noted within the domains of autonomous choice, personal growth, and keeping a routine. These results suggest that the projection of care partners' own preferences may be a significant source of bias in proxy decision-making regarding everyday preferences for persons with CI.



[Unravelling Psychiatric Heterogeneity and Predicting Suicide Attempts in Women With Trauma-Related Dissociation Using Artificial Intelligence](#)

European Journal of Psychotraumatology | November 18, 2022

CLBB Faculty Dr. Kerry Ressler and others designed an artificial intelligence approach to identify dissociative patients and predict prior suicide attempts in an unbiased, data-driven manner. Unsupervised learning models identified patients along a spectrum of dissociation. Moreover, supervised learning models accurately predicted prior suicide attempts. These findings expand our understanding of the dissociative phenotype and underscore the urgent need to assess for dissociation to identify individuals at high risk of suicidal self-injury.



[From Maltreatment to Psychiatric Disorders in Childhood and Adolescence: The Relevance of Emotional Maltreatment](#)

Child Maltreatment | November 25, 2022

CLBB Faculty Dr. Margaret Sheridan and others aimed to establish known patterns of clinical outcomes following maltreatment and analyze the relative effects of emotional maltreatment, abuse, and neglect using structural equation modeling. They found that emotional maltreatment exerted particularly strong effects on internalizing disorders in older youth and externalizing disorders in younger children. This highlights the toxicity of pathogenic relationship experiences from early childhood onwards, urging researchers to prioritize future work on emotional maltreatment.

Events

[Blaming the Brain: Criminal Responsibility, Addiction, and Neuroscience](#)

UNITAR | February 28, 2023

Advances in neuroscience have challenged core concepts of personal volition, agency, and accountability. This webinar examines criminal responsibility in light of neuroscience models of addiction, psychiatric illness, decision-making, and volition. Webinar leaders from the **University of Maastricht, University of Groningen, and the Center for Law, Brain & Behavior at Massachusetts General Hospital** (Harvard Medical School) discuss comparative law approaches (European and American) to criminal responsibility and the extent to which these approaches do – or should – reflect current and emerging neuroscience findings. This webinar is presented in anticipation of coursework offered by UNITAR during Fall 2023 leading to an *Executive Diploma on Law and Neuroscience - A Comparative Approach*.



The webinar will be held on **February 28th at 5 pm CET/11 am EST**. The webinar is public and free but requires advance **registration [here](#)**.

Register for the course leading to the Executive Diploma [here](#)!

In the News

General

[Our Favorite Neuroscience Stories of 2022](#)

The Scientist | December 28, 2022

[What Hollywood Gets Wrong \(and Right\) About Neuroscience](#)

Princeton University Press | December 23, 2022

[Personalized Neuroscience: Are Human-Derived Brain Organoids the Answer?](#)

Forbes | December 20, 2022

[A New Era for the Neuroscience of Social Behavior](#)

Simons Foundation | December 15, 2022

[How the Brain Stores Remote Fear Memory](#)

Neuroscience News | December 23, 2022

[Can't Stop Feeling Anxious? Neuroscience Says Your American Brain Is to Blame](#)

Inc. | December 28, 2022

[5 Things Neuroscience Reveals About How We Work](#)

JLL | December 5, 2022

[Is the Law a Creature of Corporations?](#)

[Are Community Violence Intervention Programs Effective?](#)

ProPublica | January 30, 2023

Juvenile Justice

[The Argument: Should Massachusetts Raise the Maximum Age of Juvenile Court Jurisdiction to 20?](#)

Boston Globe | December 2, 2022

[Monday Numbers: A Look at Juvenile Justice In North Carolina, Three Years Into Raise the Age](#)

NC Policy Watch | December 19, 2022

['Scared Straight Does Not Work': New Facility Closes Gap for Girls in Juvenile System](#)

Las Vegas Review-Journal | December 26, 2022

[Nearly 300 Sue Over Alleged Sexual Abuse at L.A. County Juvenile Halls and Camps](#)

Los Angeles Times | December 27, 2022

[Why Youth Incarceration Fails: An Updated Review of the Evidence](#)

Sentencing Project | December 8, 2022

[How Juveniles Are Treated by Wisconsin's Criminal Justice System](#)

WUWM 89.7 FM | December 15, 2022

[Disparities Linked to Differences in Brain Structures in U.S. Children](#)

Harvard Medical School | February 1, 2023

Elder Justice

[Philly Network of Nonprofits Aims to Prevent and Prosecute Elder Abuse](#)

WHYY | August 29, 2022

[The Cost of Forgetting: Dementia's Tax on Financial Health](#)

90.5 WESA | December 19, 2022

[Alaska Man Sentenced to 78 Months for Years-Long Fraud and Identity Theft](#)

U.S. Department of Justice | December 8, 2022

[Financial Elder Abuse: How Advisors Can Help Protect Clients](#)

U.S. News | December 20, 2022

[AG Ferguson, Rep. Leavitt Propose Legislation Holding Telecommunications Providers Accountable for Allowing Illegal Robocalls](#)

Washington's Attorney General | December 28, 2022

[Ageism as a Factor of Elder Abuse](#)

Australian Human Rights Commission | November 25, 2022

[States with the Best and Worst Elder-Abuse Protections](#)

Campus Safety | December 20, 2022

[An Older Person's Money Management Errors May Be a Sign of Some Sort of Dementia](#)

NPR | January 30, 2023

[Retirees Are Losing Their Life Savings to Romance Scams. Here's What to Know.](#)

The New York Times | February 3, 2023

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