

[Having trouble viewing this email? Click here to view as a webpage.](#)



MASSACHUSETTS  
GENERAL HOSPITAL

HARVARD MEDICAL SCHOOL  
TEACHING HOSPITAL

# CLBB News

A newsletter from the Center for Law, Brain & Behavior

August 26, 2021

## CLBB Highlights



### [ABA House Addresses Treatment of Children and Youths in Pair of Resolutions](#)

ABA Journal | August 10, 2021

On August 4, 2021 the ABA House of Delegates adopted Resolution 505 from the Criminal Section Section urging states to raise the minimum age of juvenile court jurisdiction to 14. While the issue of raising the maximum age of court jurisdiction beyond 18 to address late teens and emerging adults has been discussed the minimum age has been neglected. The report in support of resolution was drafted by and presented to the Criminal Justice Section in April 2021 by **CLBB Faculty Member Judge Jay Blitzman (Ret.)**.

Raising the minimum age of court jurisdiction to 14 would align science with policy and amplify the message that children are not little adults. The report notes that a significant percentage of youth under 14 are not competent and do not commit serious offenses. Raising the age would disrupt the school to prison pipeline by stopping the criminalization of childhood fueled by arrests in school, would affect issues of detention and transfer to adult court. Currently 23 states allow children under the age of 12 to be transferred to adult court. The U.N. Charter on the Rights of The Child recommends 14 as the minimum age. Countries such as Poland and the Ukraine have adopted the suggestion. Why can't we? See [here](#) for the report in support of resolution.



### [Fight to Define Solitary Confinement Continues Ahead of Council Vote](#)

Queens Daily Eagle | August 3, 2021

**CLBB Advisory Board Member Jennifer Jones Austin** was quoted in this article regarding the Board of Correction (BOC) plan to end solitary confinement. The BOC "worked together with the Department of Correction to craft the two-level Risk Management Accountability System, which will include increased transparency and protections for inmates."

*Highlight:* "The Board's new rules end punitive segregation, or solitary confinement, providing safe, humane treatment for all while expanding the amount and quality of engagement and programming for people in restrictive housing," said Jennifer Jones Austin, chair of the NYC BOC."

[Advertising in Dreams is Coming: Now What?](#)



**CLBB Advisory Board Member Adam Haar Horowitz** co-authored an opinion piece on recent developments in dream incubation technologies and their ethical implications. The co-authors strongly suggest that "questions and developments should be considered in the broader context of sleep and memory research."

*Highlight:* "As sleep and dream researchers, we are deeply concerned about marketing plans aimed at generating profits at the cost of interfering with our natural nocturnal memory processing. Brain science helped design several addictive technologies, from cell phones to social media, that now shape much of our waking lives; we do not want to see the same happen to our sleep. We believe that proactive action and new protective policies are urgently needed to keep advertisers from manipulating one of the last refuges of our already beleaguered conscious and unconscious minds: Our dreams."

### [Britney Spears' Conservatorship Case Sparks Legislative Push From Florida Lawmaker](#)

News 4 Jax | July 20, 2021



**CLBB Advisory Board Member and US Representative Katherine Clark of MA** was quoted in this article about a bipartisan legislative effort to reform the conservatorship process and protect the rights of those under these protective arrangements, spurred by the Britney Spears conservatorship fight.

*Highlight:* "Everyone deserves control over their own body. Period," U.S. Rep. Katherine Clark of Massachusetts, the fourth-ranking House Democrat, tweeted last month following Spears' testimony."

## Faculty News



### [Vaccination Impatience: The Anger Towards The Unjabbed](#)

National Public Radio | August 11, 2021

**CLBB Faculty Member Alisha Moreland-Capuia** was featured in this podcast about what to do with the anger towards those who are unvaccinated. Dr. Moreland-Capuia answers questions such as, "How do you confront anger at a system that is failing you?" and "How do you engage in conversations with those who are unvaccinated?"

*Highlight:* "There is a distinction in my mind between facilitation and leading. When you go into a conversation trying to lead, I still feel like folks are working to convince. The question is *am I communicating to understand, or am I listening and communicating to respond?* ... We know that learning is non-linear and change doesn't happen overnight. If there is a commitment and a genuine love for someone, it does require in some ways a little bit of suffering... though we've got to be able to be in places and spaces where we know we've reached our limit..."



### [Capital Gazette Shooter's Insanity Case Rests on Autism Diagnosis. Why It Concerns Advocates](#)

USA Today | July 12, 2021

**CLBB Faculty Member Amanda Pustilnik** was quoted in this article about a defendant who is using his autism spectrum disorder diagnosis as a reason to not be held criminally responsible for a 2018 mass shooting. Advocates posit that though this is an unusual legal argument, it can threaten to harm and stigmatize people living with autism.

*Highlight:* "Raising autism spectrum disorder as part of that defense is more unusual, said Amanda Pustilnik, a professor at the University of Maryland School of Law who studies the brain. 'Autism spectrum

are not even associated with violent behavior,' Pustilnik said. 'They are not even associated with law-breaking behavior.' ... Whether or not Ramos can understand the feelings of other people isn't relevant to whether he could understand his actions were criminal, she said. 'I think there's a real risk in making the case to a jury or to a judge that a person is so emotionally impaired that he's incapable of understanding that murder causes sadness.'"



### [Study Shows How U.S. Immigration Policy Can Have Domestic Health Effects](#)

Harvard School of Public Health | August 2, 2021

**CLBB Faculty Member Altaf Saadi** co-authored a study measuring the impact of the 2017 executive order suspending travel from seven Muslim-majority countries on the health of U.S. residents from those nations.

*Highlight:* "After a controversial federal order suspending travel to the U.S. from seven Muslim-majority countries was signed in 2017, the number of visits to emergency departments by Minneapolis-St. Paul area residents from those nations increased significantly... Those changes in health care utilization likely reflected elevated cumulative stress due to an increasingly hostile climate toward Muslims in the U.S., the authors say."



### [We're Better Off When We Age with Resilience](#)

Harvard School of Public Health | August 2, 2021

**CLBB Faculty Member Olivia Okereke** was featured in this podcast, using her expertise on aging and mental health to explain how older adults might actually be faring better than their children and grandchildren when it comes to mental health.

*Highlight:* "Compared to younger people, on the whole, older adults have been more psychologically resilient. While anxiety and depression are clearly issues that people have been dealing with during this pandemic, compared to younger people, older adults have seen not as dramatic an increase in some of the mental health challenges of anxiety and depression that have been seen in young adults. So that is notable. There's been publications about this in the research literature."



### [Opening Up With Anne Peretz](#)

Provincetown Independent | June 30, 2021

In this article, **CLBB Advisory Board Member Anne Peretz** discusses her new book, *Opening Up: The Parenting Journey*. Peretz's book details the Somerville-based organization she founded, the Parenting Journey, with the mission to provide therapy to low-income and disadvantaged families. Since its founding, the organization has expanded and also operates internationally.

Peretz discusses how the Parenting Journey's methodology is in some sense antithetical to traditional therapy, as facilitators are encouraged to share information about themselves as a way of bonding with participants.



### [Novel Opioid Lawsuit Goes After Ad Agency](#)

Courthouse News | May 6, 2021

**CLBB Faculty Member Amanda Pustilnik** was quoted in this article about the growing number of lawsuits that have been filed against supporting actors in their promotion of opioids and thereby contributing to the opioid epidemic. In one particular lawsuit, Massachusetts claims that the marketing and communications agency "Pulicis devised marketing techniques to combat doctors' hesitancy to prescribe OxyContin, wrote thousands of unfair and deceptive emails to medical professionals, and developed strategies to counter the 2016 opioid prescription guidelines put out by the Centers for Disease Control and Prevention."

*Highlight:* "In an interview Thursday, Amanda Pustilnik, who teaches at the Center for Law, Brain & Behavior at Massachusetts General Hospital, noted that 'the story of the opioid epidemic is often misrepresented as a story of irresponsible patients and over-prescribing doctors [but] this prosecution gets at the heart of the matter,' she added. 'Patients and doctors were not, on average, irresponsible. They acted under the influence of a concerted plan of misinformation and over-promotion orchestrated up and down the supply chain for these medications.'"

In fall 2014, Pustilnik was the inaugural Senior Fellow for Law and Applied Neuroscience, a collaboration between CLBB and the Petrie-Flom Center at Harvard Law School.

---

## In the News

---

### *General*

#### [Science in the Court: How Neuroimaging Can Improve the “Reasonable Person” Standard](#)

Big Think | August 13, 2021

#### [Big Tech Brother Big Tech Could Control Our Minds With Brain Chips Within Ten Years Unless There Are New ‘Neuro Laws’, Scientists Warn](#)

The U.S. Sun | July 15, 2021

### *Juvenile Justice*

#### [Let’s Stop Throwing Away Juvenile Lives](#)

The Daily Record | August 5, 2021

#### [Michigan Supreme Court Limits Shackling of Children in Court](#)

Equal Justice Initiative | August 4, 2021

#### [Cops at the Schoolyard Gate](#)

Vox | July 28, 2021

#### [Can We Reimagine Juvenile Justice for Gen Z?](#)

Zocalo Public Square | July 22, 2021

#### [“Stop Acting Like a Child”: Police Denial of Black Childhood](#)

OUP Blog | July 20, 2021

#### [What Do Police Know About Teenagers? Not Enough.](#)

The NY Times | July 17, 2021

#### [17-Year-Olds in MO Now Will Be Treated as Juveniles, Not Adults](#)

Missouri News Service | July 17, 2021

#### [Audit Finds Most Children In Arizona’s Youth Prison Spend Time In Isolation Cells](#)

KJZZ | July 16, 2021

#### [Press Release: AG Racine Introduces Legislation to Reform the District’s Juvenile Justice System](#)

The DC Line | June 30, 2021

#### [The Supreme Court’s Assault on Science](#)

Scientific American | May 24, 2021

### *Elder Justice*

#### [New Bill Seeks to Reauthorize, Modernize and Fund Elder Justice Act](#)

Think Advisor | August 11, 2021

[The Challenges of Achieving Timely Diagnosis and Culturally Appropriate Care of People With Dementia From Minority Ethnic Groups in Europe](#)

International Journal of Geriatric Psychiatry | August 10, 2021

[Combating Dementia in Native, Pacific Islander Communities](#)

Washington State University News | August 9, 2021

[Britney Spears Is One of a Million Adults in Conservatorships. Here's What Advisors Should Know.](#)

Think Advisor | July 21, 2021

[AAN Issues Updated Ethical Guidelines for Dementia Diagnosis and Care](#)

Medical Dialogues | July 20, 2021

CENTER FOR LAW, BRAIN & BEHAVIOR



| [clbb.mgh.harvard.edu](https://clbb.mgh.harvard.edu)