

TRANSLATIONAL RESEARCH IN LAW AND PSYCHIATRY

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SPARC

*Improving Mental and Behavioral Health Services for
Better Lives and Stronger Communities*

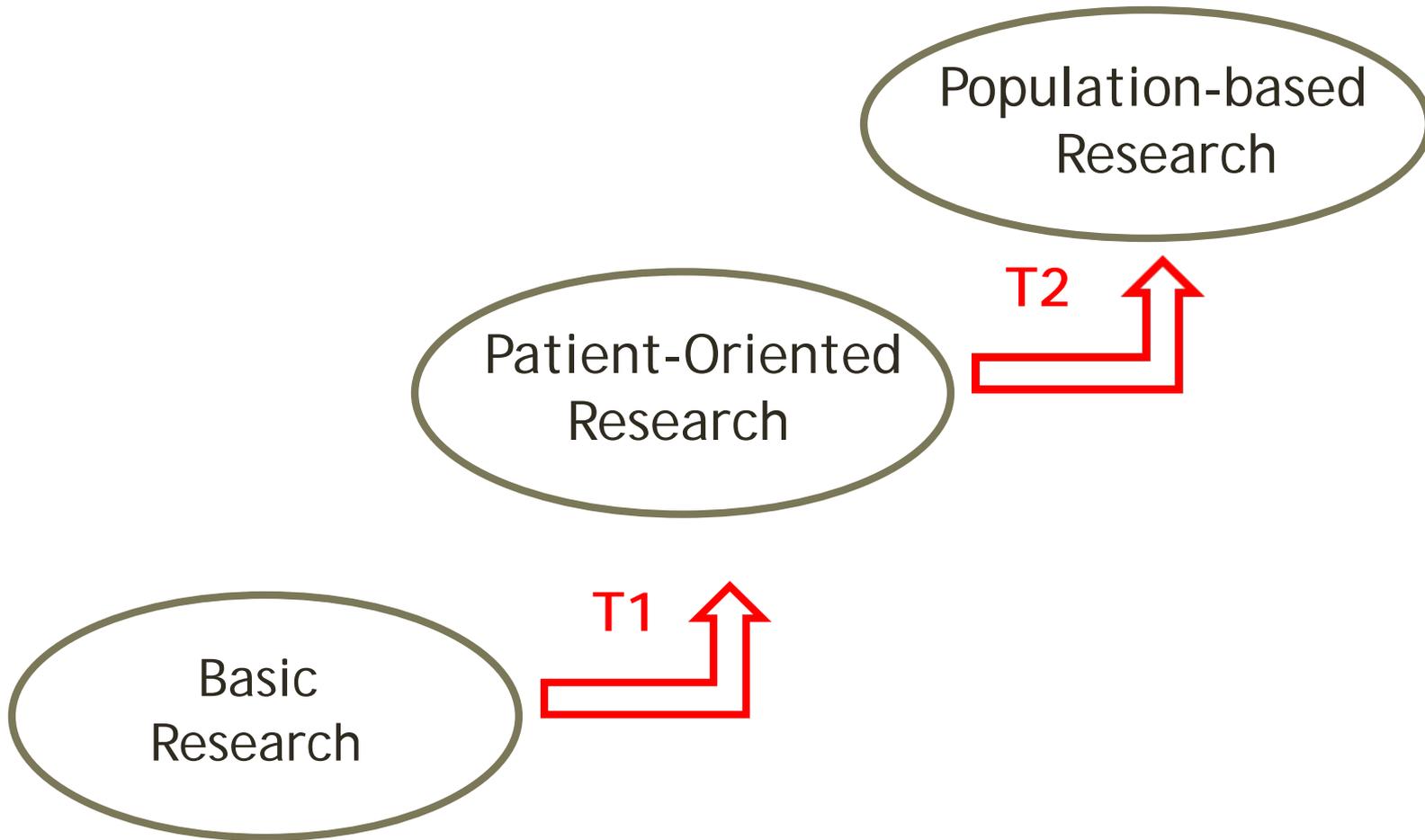
DISCLOSURE

The speaker has no actual or potential conflict of interest in relation to this program/presentation.

LAW AND BEHAVIOR RESEARCH

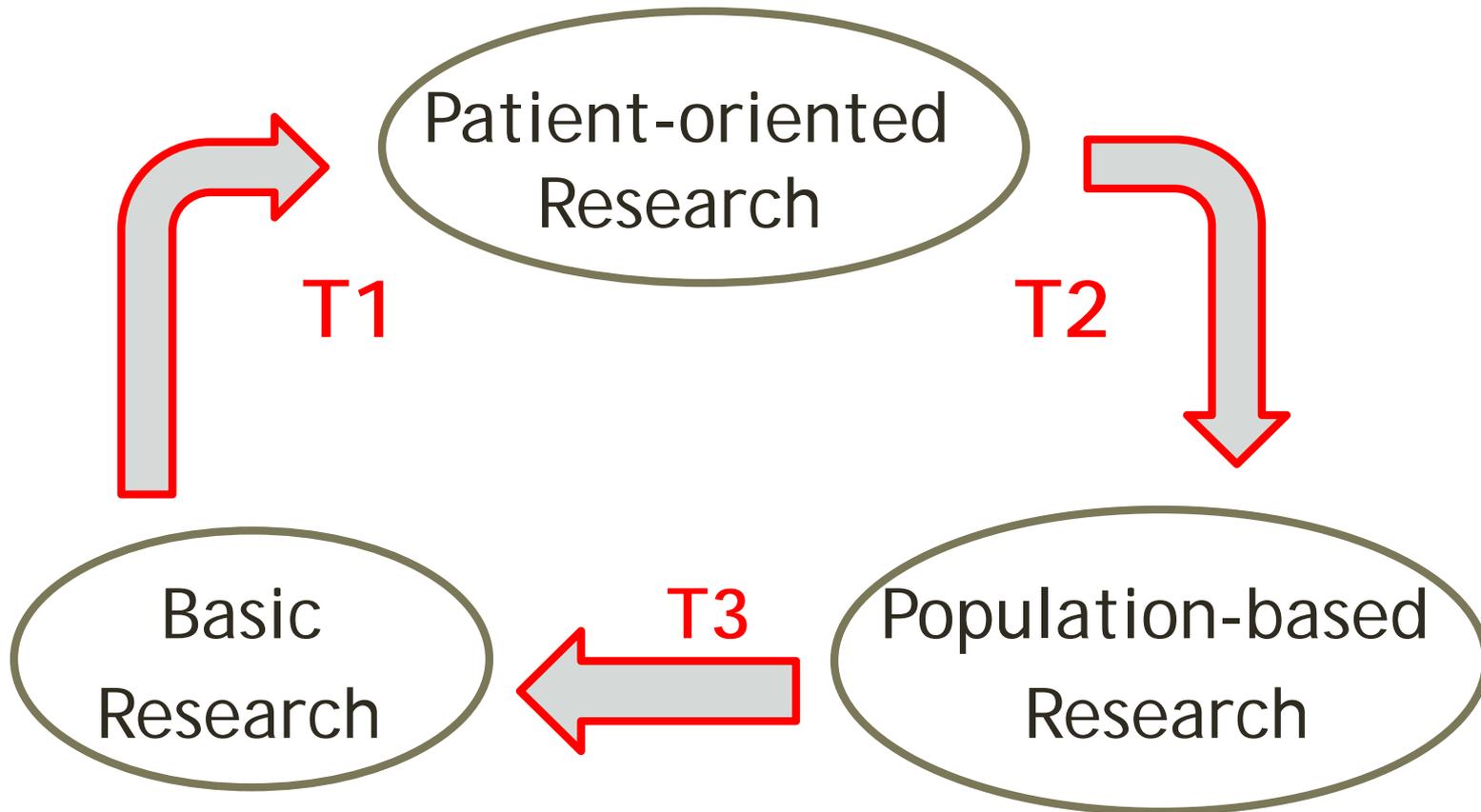
- ◉ All laws are based on presumptions about human behavior
- ◉ Behavioral and medical sciences can test and improve presumptions on which law is based
- ◉ Thus using science to improve the quality of justice

TWO-STAGE TRANSLATIONAL RESEARCH PROCESS



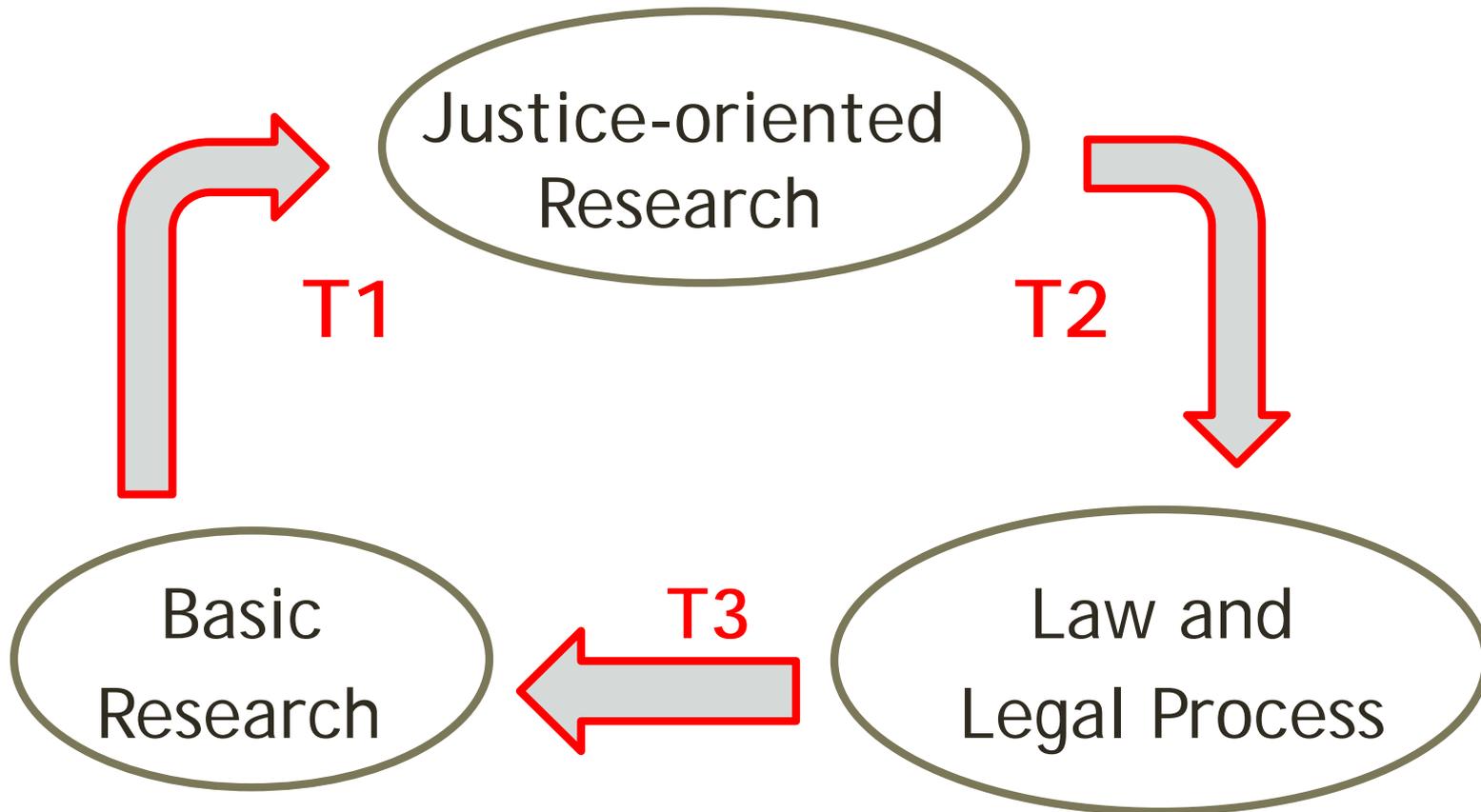
THREE-STAGE TRANSLATIONAL RESEARCH PROCESS

(NIMH ASSOCIATION FOR CLINICAL RESEARCH TRAINING)



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JUVENILE JUSTICE

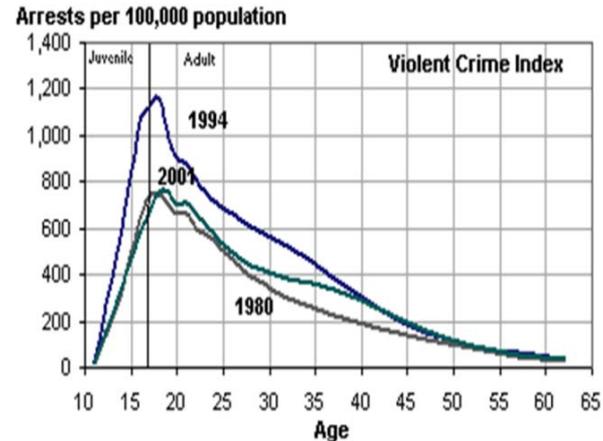
- A 100-year old system:
Intended to meet youths' needs by rehabilitating rather than punishing
- By 1990s, juvenile justice was little different than criminal justice, increasingly treating juveniles like adults



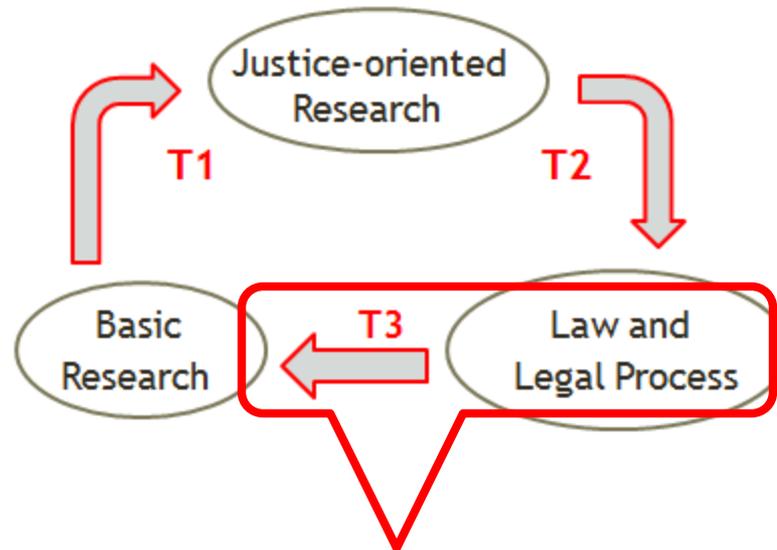
REVISITING THE NATURE OF ADOLESCENCE

○ Questions:

- *Why is adolescence a high risk period for crime?*
- *Among teenagers who offend, even seriously, why do most of them not continue to re-offend in adulthood?*
- *Could understanding of adolescent offending from a developmental perspective provide for a better response than simply “locking them up?”*



MACARTHUR FOUNDATION ADOLESCENT DEVELOPMENT AND JUVENILE JUSTICE RESEARCH NETWORK

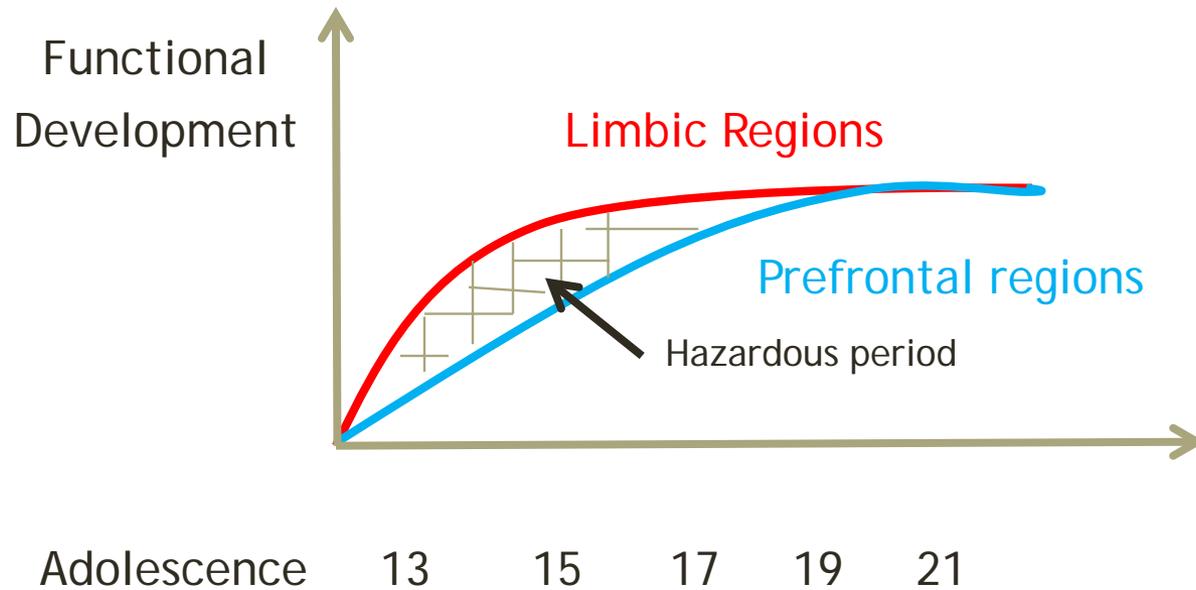


Analysis of law's assumptions
about adolescent offending

MACARTHUR FOUNDATION ADOLESCENT DEVELOPMENT AND JUVENILE JUSTICE RESEARCH NETWORK

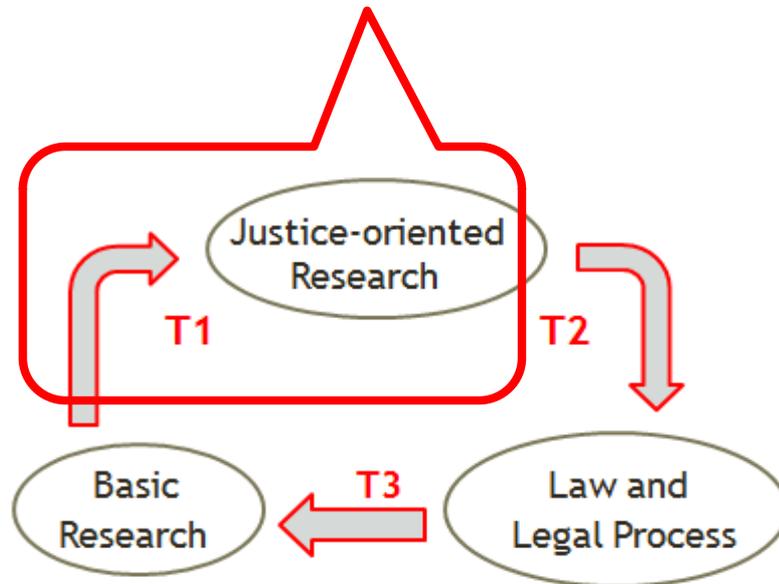
- ◉ Objective: Study decision-making processes and capacities of adolescents from a developmental perspective
- ◉ Appearance of first fMRI studies of child/adolescent brain development
- ◉ Gradual maturation of prefrontal cortex until late teens
- ◉ Surge of activity in limbic area associated with hormonal puberty around 12 to 16

CONSEQUENCES: A DEVELOPMENTAL PERIOD OF HAZARDOUS DECISION-MAKING



T1 STUDIES OF DECISIONAL ABILITIES

- Seeking behavioral evidence for immature decisional abilities suggested by neuroscience data on brain development



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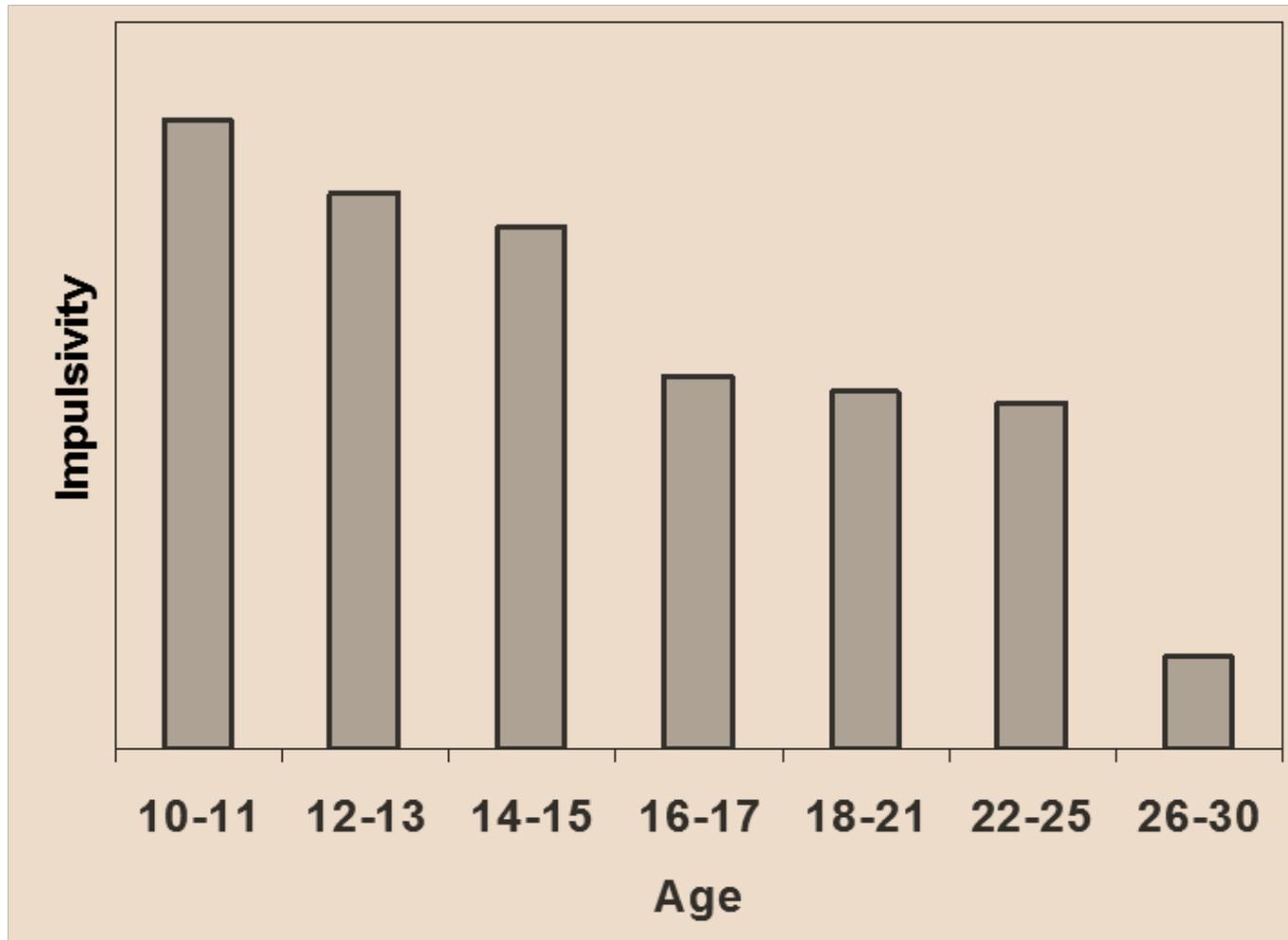
Performance on laboratory behavioral tasks...

(using neuropsychology, cognitive psychology, and attitudinal preference measures)

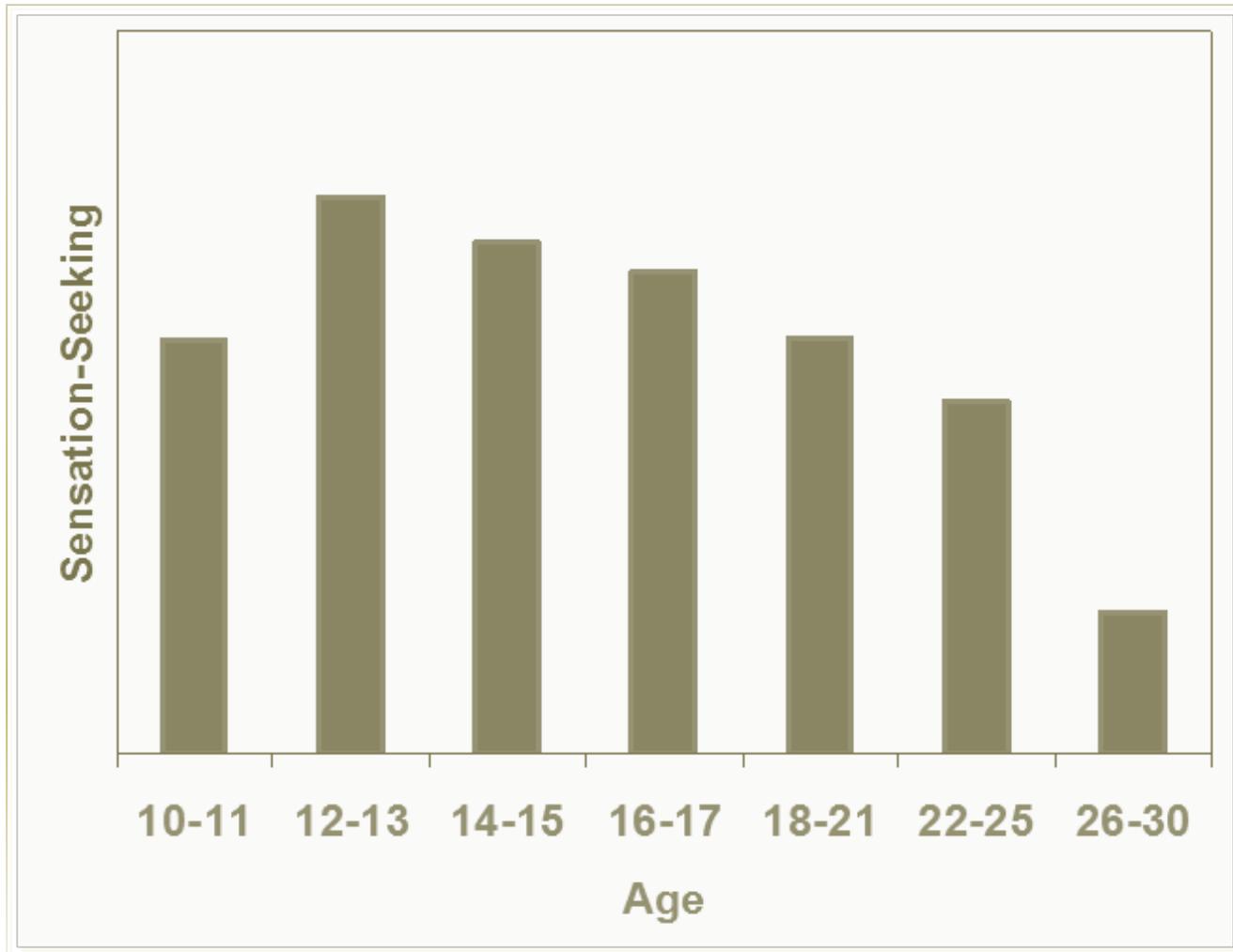
...measuring age differences in abilities related to adaptive decision-making

(such as delay of impulse, consideration of future potential outcomes, recognizing risks, etc.)

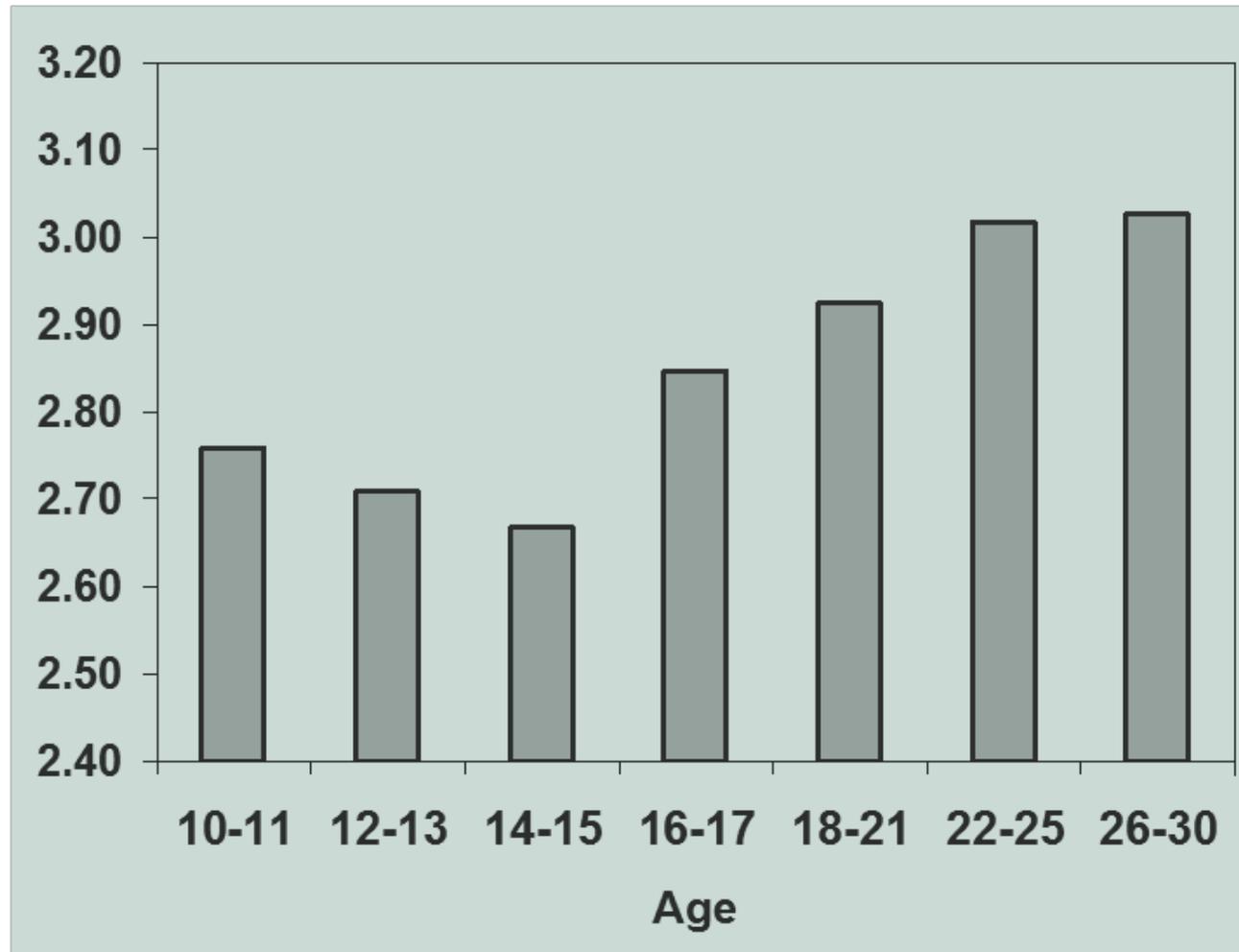
IMPULSIVENESS (FAILURE TO DELAY ADAPTIVELY)



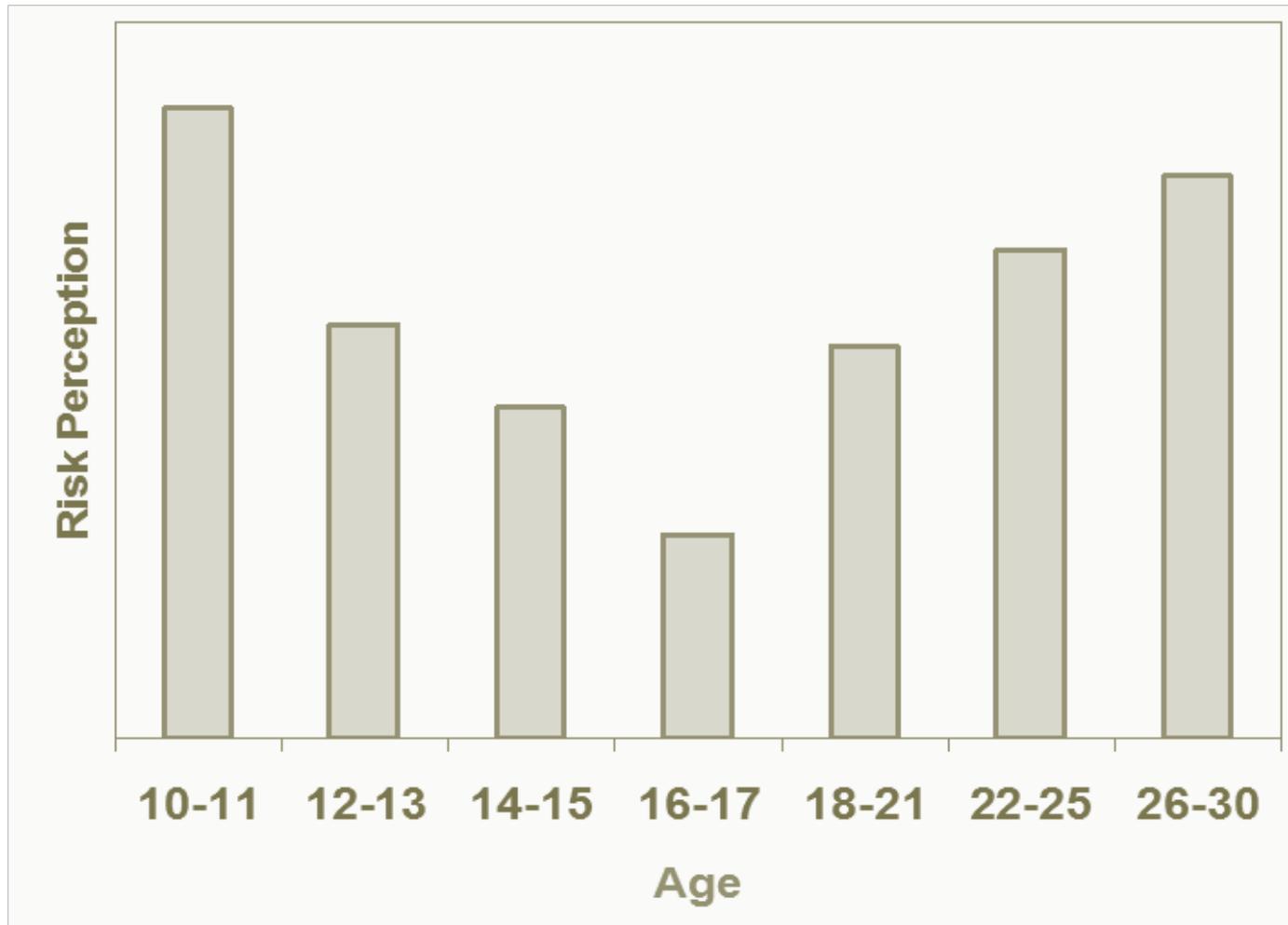
SENSATION SEEKING



CONSIDERING LONG-RANGE CONSEQUENCES



PERCEIVING DANGEROUS OPTIONS AS RISKY

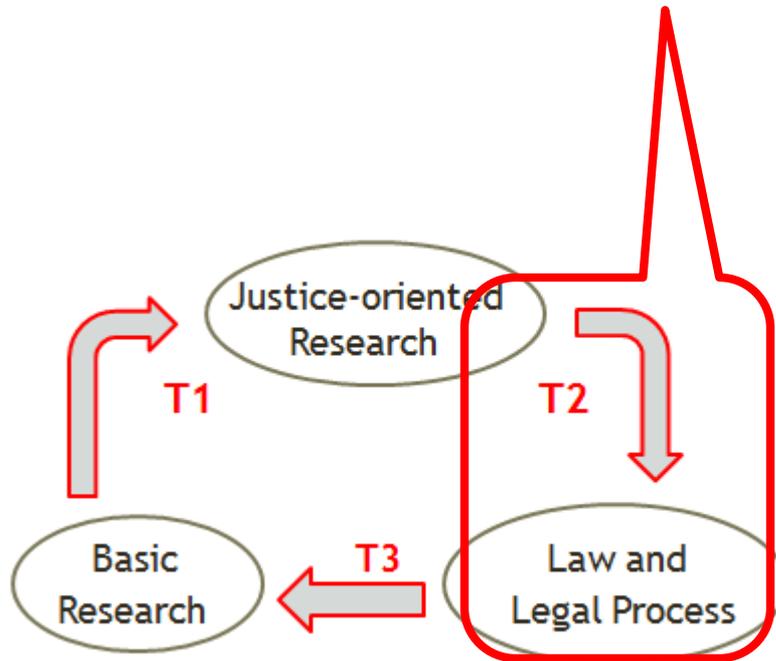


T1 STUDIES OF DECISION MAKING IN A LEGAL CONTEXT

- ◉ Do the age differences in abilities in laboratory tasks also hold for youths' decisions in legal contexts?
- ◉ Age-related performance paralleled the findings in the first set of studies

T2 STUDIES: PRACTICE AND LEGISLATION

- Research to educate juvenile court practice and state legislatures to better recognize adolescents' lesser capacities as defendants



T2 STUDIES: IMPLEMENTING OUR RESULTS THROUGH PRACTICE AND LEGISLATION

- ◎ Research to educate juvenile court practice and state legislatures to better recognize adolescents' lesser capacities as defendants
 - *Development of valid forensic assessment methods*
 - *Translation to inform legislators*

- ◎ Outcomes—
 - *Our assessment methods are now used in a majority of juvenile courts nationwide*
 - *One-third of the states have created special legislation for better protection of youth in trial proceedings*

T2 STUDIES: SHAPING OUR RESULTS FOR THE U.S. SUPREME COURT

- ◎ Legal scholarly analysis to translate the neurodevelopmental/behavioral research for use by appellate courts
 - *Amicus briefs*
 - *Policy documents*
- ◎ Cited and explained by U.S. Supreme Court in three cases reducing culpability for crimes committed as an adolescent
 - *Roper v. Simmons (2005) (no death penalty)*
 - *Graham v. Florida (2010)(no LWOP less than murder)*
 - *Miller v. Alabama (2012) (No mandatory LWOP for murder)*

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