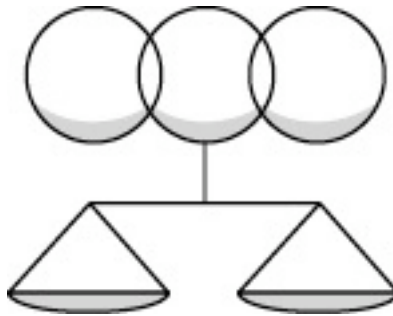


GRUTER INSTITUTE FOR  
LAW AND BEHAVIORAL RESEARCH



Law, Behavior & the Brain  
Squaw Valley Conference

May 22-25, 2006

**Co-Directors**

Monika Gruter Cheney  
Executive Director  
Gruter Institute

Oliver Goodenough  
Professor of Law  
Vermont Law School

Morris Hoffman  
District Judge  
2<sup>nd</sup> Judicial District  
State of Colorado

PlumpJack Squaw Valley Inn, Olympic Valley, California

## Organizing Principles for 2006 Squaw Valley Meeting:

In response to comments from prior years, we have preserved a block of time each afternoon for hiking and informal exchange of ideas. We also want to make it possible for our participants to make presentations based on their various works in progress and have designed the breakfast presentations to accommodate this work. The after-breakfast conference sessions are organized around more cohesive substantive themes. Finally, where no break is indicated in a given session, a short break may be taken as determined by the session chair.

### SUNDAY, May 21<sup>st</sup> (Arrival Day)

Afternoon: Hikes  
6:30 Reception and Dinner

### MONDAY, May 22<sup>nd</sup>

Morning: Monika Gruter Cheney, Chair  
9:00 - 9:30 Introduction, Welcome, Group Introductions  
Monika Gruter Cheney, Oliver Goodenough, Morris Hoffman  
9:30 - 10:15 Law and Biology: The State of Play  
Oliver Goodenough  
10:15 - 10:30 Break  
10:30 - 12:30 **Behavioral Biology Today**  
10:30 - 11:15 Marc Hauser - *A Universal Moral Grammar*  
11:15 - 12:00 Sarah Brosnan - *How Nonhuman Primates View Their Social Partners*  
12:00 - 12:30 Questions/Guided Discussion  
12:30 - 1:30 Lunch  
Afternoon: Claire Hill, Chair  
1:30 - 1:50 **Neuroscience - Brain Differences**  
Michael Stryker  
1:50 - 4:00 **Law and Aggression**  
1:50 - 2:30 Abigail Baird - *Testosterone and Aggression*  
2:30 - 4:00 Panel Speakers: Al Alschuler, Sara Beale, Ted Blumoff, Morris Hoffman, Marc Hauser, Sarah Brosnan  
4:00 - 6:30 Hiking/Free-time  
Evening:  
6:30 Dinner

Gruter Institute Squaw Valley Conference 2006: *Law, Behavior & the Brain*

**TUESDAY, May 23<sup>rd</sup>**

- Morning: Larry Frolik, Chair
- 8:30 - 9:40 Breakfast Presentations: *Reports on Programs and Work in Progress*  
SEAL: Jeff Stake  
UCL Conference on Law and Mind: James Grant  
Berkman/Digital Institutions: Oliver Goodenough  
Rationality/Behavioral Economics: Claire Hill  
Templeton Program on Free Enterprise: Values in Action: Carl Bergstrom, Paul Zak, Sarah Brosnan
- 9:00 - 12:30 **Law & Emotion**
- 9:40 - 10:20 Larry Parsons: *The Brain Basis of Emotion*
- 10:20 - 10:35 Break
- 10:35 - 12:30 *Law & Emotion: the Legal View*  
Speakers: Larry Frolik, Susan Bandes, Terry Maroney, Peter Huang, Urs Gasser
- 12:30 - 1:30 Lunch
- Afternoon: Oliver Goodenough, Chair
- 1:30 - 2:15 **Neuroscience** – *Memory, Amnesia and Brain Plasticity*  
Michael Stryker
- 2:15 - 3:15 **Property, Intellectual Property and the Brain**  
Speakers: Monika Gruter Cheney, Dorothy Glancy, Urs Gasser, John Clippinger, Jeff Stake
- 3:15 - 3:30 Break
- 3:15 - 4:30 **Evolution vs. Intelligent Design**  
Speakers: Jim Chen, Paul Rubin
- 4:30 - 6:30 Hiking/Free-time
- Evening:  
6:30 Dinner
- 7:30 **Keynote:** Carl Bergstrom *“From Peacock to Porsche to Page Rank: Honesty and Deception in Animal Communication and Human Society”*

Gruter Institute Squaw Valley Conference 2006: *Law, Behavior & the Brain*

WEDNESDAY, May 24<sup>th</sup>

Morning: Sarah Sun Beale, Chair

8:00 - 9:00

Breakfast Presentations

Florian Wagner-von Papp - *Should we be free not to be free to ruin ourselves?*

June Carbone - *Red Families v. Blue Families: Behavioral Biology and the Polarization of Family Law*

Jonathan Marks - *The Power and Pitfalls of Emotion in Counterterrorism and Catastrophe Law and Policy*

James Grant - *The Effect of Emotion on a Serial Killer's Moral Reasoning and Criminal Responsibility.*

9:00 - 12:30

**Biology and the Elements of Reconciliation: Vengeance and Forgiveness**

Speakers: Doug Yarn, Greg Jones, Sarah Brosnan, Pete Richerson, Ted Blumoff

12:30 - 1:30

Lunch

Afternoon:

Morris Hoffman, Chair

1:30 - 4:00

**Current Issues Facing the Judiciary**

Speakers:

William Graves, Kentucky S. Ct.

John Kane, Federal District Court, Colorado

Gilbert Merritt, 6<sup>th</sup> Circuit Court of Appeals

Jed Rakoff, Federal District Court, S.D.N.Y.

Morris Hoffman, Colorado State Court

*Part 1: The Role of Reconciliation in Tort and Criminal Law* (William Graves, Jed Rakoff)

*Part 2: Retribution v. Rehabilitation* (Morris Hoffman, Jed Rakoff)

*Part 3: How Jurors Learn, and How Judges Can Structure Trials to Make Them Better Learners* (John Kane, Gilbert Merritt)

4:00 - 6:30

Hiking/Free-time

Evening:

6:30

Cocktail Reception

7:00

Festive Dinner

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Thursday, May 25<sup>th</sup>

Morning: Dorothy Glancy, Chair

8:00 - 9:30

Breakfast Presentations

J.B. Ruhl - *Intertemporal Choice in the Regulatory State*

Pablo Salvador - *Scope of Liability: The Vanishing Distinction between Negligence and Strict Liability*

Natalia Walter - *Immigrant Children on Their Own: Migration, Detention and Trauma*

Cheryl Boudreau - *The Battle for Truth: Theory and Experiments Regarding Competition and the Adversarial System*

9:30 - 12:30 **Cutting Edge of Law and Science**

Tim Goldsmith - *The Invisible Hand and the Wisdom of the Hive: Emergent Properties in Complex, Adaptive Behavior*

Rob Kurzban - *Audience Effects on Moralistic Punishment*

Lionel Tiger/Michael McGuire - *The Brain/State Barrier*

Hon. Gilbert Merritt - *Iraqi Constitutional Report*

Kristin Prehn - *Neural Correlates of Moral Judgment Competence*

12:30 - 1:30

Lunch

Afternoon:

Jeff Stake, Chair

1:30 - 4:00

**Insights from the Intersection of Law and Economics**

Speakers: Paul Zak, Erin O'Hara, Claire Hill, Paul Rubin

4:00 - 6:30

Hiking / Free-time

Evening:

6:30

Dinner

## 2006 Squaw Valley Meeting Participants

Eyal Aharoni, UC Santa Barbara, Department of Psychology  
Professor Susan Bandes, DePaul University College of Law  
Professor Abigail Baird, Dartmouth College, Department of Psychological and Brain Sciences  
Professor Sara Beale, Duke University School of Law  
Professor Carl Bergstrom, University of Washington, Department of Biology  
Professor Ted Blumoff, Mercer University School of Law  
Cheryl Boudreau, UC San Diego, Department of Political Science  
Dr. Sarah Brosnan, Department of Anthropology, Emory University  
Professor June Carbone, Santa Clara University School of Law  
Dean Jim Chen, University of Minnesota Law School  
Ms. Monika Cheney, Executive Director, Gruter Institute for Law & Behavioral Research  
Professor John Clippinger, Harvard University, Berkman Center for Internet & Society  
Ms. Marilia Duffles, Economist  
Professor Lawrence Frolik, University of Pittsburgh School of Law  
Professor Urs Gasser, University St. Gallen, Research Center for Information Law  
Ms. Jeanne Giaccia, Program Coordinator, Gruter Institute for Law & Behavioral Research  
Professor Dorothy Glancy, Santa Clara University School of Law  
Professor Tim Goldsmith, Yale University, Molecular, Cellular and Developmental Biology  
Professor Oliver Goodenough, Vermont Law School  
James Grant, Advocate of the High Court of South Africa, University of the Witwatersrand School of Law  
The Honorable William Graves, Kentucky State Court  
Professor Peter Huang, Temple University Beasley School of Law  
Professor Marc Hauser, Harvard University, Department of Psychology, Program and Neurosciences  
Professor Claire Hill, University of Minnesota Law School  
The Honorable Morris Hoffman, District Court Judge, 2<sup>nd</sup> Judicial District (Denver)  
Dr. Gregory Jones, Georgia State University, School of Law  
The Honorable John Kane, United States District Court, District of Colorado  
Professor Robert Kurzban, University of Pennsylvania, Department of Psychology  
Attorney Jack Londen, Morrison & Foerster, LLP  
Jonathan Marks, Greenwall Fellow, Georgetown University Law Center  
Professor Terry Maroney, Vanderbilt University Law School  
Professor Kevin McCabe, George Mason University, Center for the Study of Neuroeconomics  
Professor Michael McGuire, University of California, Los Angeles, Dept. of Psychiatry / Biobehavioral Sciences  
The Honorable Gilbert Merritt, 6th Circuit Court of Appeals  
Attorney Michele Morhenn, Website Editor and Communications Consultant, Gruter Institute  
Professor Erin O'Hara, Vanderbilt University School of Law  
Professor Larry Parsons, University of Sheffield, Department of Psychology  
Kristin Prehn, Charité, Humboldt-University, Berlin NeuroImaging Center  
Dr. Helmut and Mrs. Traudel Poppa, Gruter Institute Board of Directors  
The Honorable Jed Rakoff, United States District Court, Southern District of NY  
Professor Pete Richerson, U.C., Davis, Dept. of Environmental Psychology and Policy  
Professor Paul Rubin, Emory University, Economics and Law  
Professor J.B. Ruhl, Florida State University College of Law  
Professor Pablo Salvador, Universitat Pompeu Fabra Law School  
Professor Jeffrey Stake, Indiana University School of Law  
Professor Michael Stryker, UCSF Department of Physiology  
Professor Lionel Tiger, Rutgers University, Department of Anthropology  
Dr. Florian Wagner-Von Papp, University College London, College of Law  
Attorney Natalia Walter, Project REACH  
Professor Doug Yarn, Georgia State University College of Law  
Professor Paul Zak, Claremont Graduate University, School of Politics and Economic