

MIND ON TRIAL: INTRODUCTION TO NEUROLAW

An 8-Week Curriculum for High School Students

Week 1: What Is Neurolaw?

Anchor reading: What Is Neurolaw and Why Should You Care? (MoT Post 1)

Case: None needed; this week is conceptual

Key concept: The three lenses of the NLCAF, forensic evidence, neuroscience, legal outcome

Discussion questions:

- If a brain scan shows damage to the part of the brain that controls impulse control, should that change how we assign blame?
- What is the difference between explaining behavior and excusing it?
- Where do you think the line is between a person's choices and their biology?

Week 2: The Adolescent Brain and the Law

Anchor reading: The Teenage Brain on Trial (MoT Post 2)

Case: Roper v. Simmons (2005)

Key concept: Prefrontal cortex development, culpability, constitutional law

Discussion questions:

- The Supreme Court used neuroscience to change sentencing law. Was that the right decision?
- If the brain is not fully developed until the mid-20s, should the age of full criminal responsibility be raised from 18?
- What is the difference between a mitigating factor and an excuse?

Week 3: Memory, Eyewitness Testimony, and the Limits of Certainty

Anchor reading: What Your Brain Remembers Is Not What Happened (MoT Post 5)

Case: Ronald Cotton and Jennifer Thompson (1984)

Key concept: Memory reconsolidation, misinformation effect, wrongful conviction

Discussion questions:

- Jennifer Thompson was absolutely certain she identified the right person. What does her certainty tell us about the reliability of eyewitness testimony?
- Should eyewitness testimony alone ever be enough to convict someone?
- How should courts instruct juries about the limits of memory science?

Week 4: False Confessions and the Interrogated Brain

Anchor reading: I Did Not Do It But I Said I Did (MoT Post 9)

Case: The Central Park Five (1989)

Key concept: Stress response, decision-making under duress, the Reid Technique

Discussion questions:

- Why would an innocent person confess to a crime they did not commit?
- What does neuroscience tell us about how stress affects decision-making?
- Should confession evidence be treated differently in court than physical evidence?

Week 5: Risk Assessment, Algorithms, and Racial Bias

Anchor reading: The Algorithm on the Stand (MoT Post 4)

Case: State v. Loomis (2013)

Key concept: Algorithmic bias, COMPAS, due process, recidivism prediction

Discussion questions:

- Should a computer program ever be able to influence how long someone stays in prison?
- If an algorithm has a documented racial bias, what should courts do with it?
- Is predicting future behavior a legitimate basis for punishment?

Week 6: Mental Illness, the Insanity Defense, and What the Law Does With Both

Anchor reading: Not Guilty by Reason of Insanity (MoT Post 6)

Case: John Hinckley Jr. (1982)

Key concept: M'Naghten test, mens rea, the relationship between psychiatric diagnosis and legal responsibility

Discussion questions:

- The public was outraged when Hinckley was found not guilty. Were they right to be?

- What is the difference between being mentally ill and being not criminally responsible?
- How should neuroscience change the way we think about the insanity defense?

Week 7: The Brain in Isolation: Solitary Confinement

Anchor reading: What Isolation Does to the Brain (MoT Post 7)

Case: Ashker v. Governor of California (2015)

Key concept: Neurological effects of isolation, cruel and unusual punishment, Stuart Grassian's research

Discussion questions:

- If solitary confinement causes measurable brain damage, does that make it unconstitutional?
- Should the fact that a punishment causes neurological harm change how we evaluate it legally?
- Who should be responsible for the mental health of incarcerated people?

Week 8: Neural Data, Neurotechnology, and the Future of Neurolaw

Anchor reading: This Week in Neurolaw - Your Brain Data Is Being Collected (MoT Post, published August 2026)

Case: The COMPAS algorithm and neural data privacy bills in California

Key concept: Neurorights, neural data privacy, emerging technology and the law

Discussion questions:

- If your brain activity can be collected by a company and shared with third parties, what legal protections should exist?
- Chile amended its constitution to protect neurorights. Should the United States do the same?
- What does the future of neurolaw look like to you?

Format for each week:

- 45 to 60 minute session
- 10 minutes: read the anchor article together or assign it in advance
- 20 minutes: brief overview of the case and the neuroscience concept
- 20 minutes: discussion using the three questions
- 5 minutes: apply the NLCAF - what does each lens say about this week's case?

Who this curriculum is for: High school students, school clubs, independent learners, and educators who want to introduce neurolaw into the classroom.