

## **BRAIN TRIALS AND NEUROSCIENCE**

*Six weeks after getting his driver's license, Christopher Tiegreen—a friendly, outgoing 16-year-old who played soccer and sang in his high school chorus—was in a car collision near his home in Gainesville, Ga. Tiegreen's Isuzu Trooper flipped several times, causing severe head injuries. He was taken by helicopter 50 miles to a hospital in Atlanta, where doctors told his mother he might not make it.*

*A month later, Tiegreen emerged from a coma a different person. The impact of the crash caused damage to the frontal lobe of his brain and sheared his brain stem. During his recovery and rehabilitation, the usually gentle Tiegreen became violent toward his mother, as well as with other family members and rehab staff. His family sent him to live in various residential facilities, but he frequently was expelled for inappropriate behavior.*

*On Sept. 11, 2009, Tiegreen, then 23, walked out of a duplex apartment where he was supposed to be under 24-hour supervision. In a yard nearby he attacked a young woman holding her 20-month-old son. He was charged with aggravated assault, criminal attempt to commit a felony, false imprisonment, battery, sexual battery and cruelty to a child in the third degree.*

*Tiegreen's lawyer sought to have him declared mentally incompetent. His mother told a jury about his brain injuries and insisted he was incapable of assisting in his own defense. A neuropsychologist for the defense testified that Tiegreen suffered severe brain impairment. But the state presented a psychologist who said that Tiegreen was focused and cooperative, and that he understood the proceedings against him. The jury found Tiegreen competent and, after losing an appeal, his lawyer has taken the case to the Georgia Supreme Court, which at deadline had not yet responded to the petition. Tiegreen's mother, Laura Howell, was astonished that her son was declared competent. The courts, she says, need to better understand the nature of her son's brain injury and its effects before weighing his legal competency and, ultimately, the extent of his culpability.*

*"I thought the legal system had a better sense," says Howell, a doctoral candidate in clinical psychology. "There's a big crack that people with brain injuries fall into. It's so narrow in the legal sense that it doesn't leave room for people like Christopher."*

*The case illustrates one of the challenges that lawyers, judges and defendants face in cases that bring together neuroscience and the law, where trying to explain the brain and human behavior can clash with how the legal system determines culpability, competency and the manner in which such cases should be handled. Defense lawyers are increasingly introducing high-tech brain images and citing studies that link brain injury and violence to explain, excuse or mitigate criminal behavior.*

*Tiegreen has been in jail for two years awaiting trial. "This is a kid who grew up in a nice, middle-class home," his mother says. "But in a lot of ways, he's not my son. He used to be so loving. His brain is so screwed up. People don't understand. It's not that Christopher is mean or cruel. It's that he can't control himself like me or you."*

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