

## **Teneille R. Brown, J.D.**

James I. Farr Professor of Law

Associate Dean of Faculty Research and Development

S.J. Quinney College of Law

Director, Center for Law and the Biomedical Sciences (LABS)

Adjunct in Internal Medicine

Teneille.Brown@law.utah.edu

Bar Membership in Maryland and the District of Columbia (inactive)

---

### **RESEARCH INTERESTS**

- Tort Law & Psychology
  - How jurors assess negligence (theoretical and empirical research informed by social psychology)
  - Assessments of affirmative duties to warn
- Evidence Law and Biosciences
  - The admissibility of neuroscience and genetics evidence in court
  - Psychological bias in jury decision-making (e.g., bias in character inferences)
  - The incorporation of neuroscientific and psychological data into evidence practice
- Health Law and Medical Ethics
  - Informed consent and reproductive rights
  - Genetics and negligence
  - Genetics and privacy
  - End-of-life decision making

### **ACADEMIC POSITIONS**

#### **Faculty Positions:**

#### **University of Utah, S.J. Quinney College of Law; Associate Professor of Law (2009 - 2014)**

##### **Professor of Law (2014 - present)**

- Grant recipient under the National Human Genome Research Institute's P50 Center for Excellence in Genetics Research
- Teaching Evidence, Torts, Bioethics, Health Law & Human Rights, Law and Neuroscience, Law and the Opioid Crisis, Current Issues in Law and the Biosciences, Health Law for Non-Lawyers

#### **University of Utah, Center for Health Ethics Arts and Humanities; Adjunct Professor (2009 - present)**

- Teaching portions of the medical school curriculum regarding medical ethics and law
- Coordinating and facilitating Internal Medicine resident ethics conferences and Evening Ethics discussions

#### **Fellowships:**

##### **Stanford Law School; Fellow (residential 2008-2009, non-residential 2009-present)**

- Fellow in the Center for Law & the Biosciences (CLB)
- Researched the epistemic and normative implications of courtroom uses of neuroscience and genetics
- Organized speaker series and journal clubs, write posts for CLB Blog

##### **Stanford Center for Biomedical Ethics; Post-Doctoral Scholar (2007-2009)**

- Fellow in the Center for Integration of Research on Genetics and Ethics (CIRGE)
- Researched behavioral genetics, privacy rights, and the law
- NIH Center for Excellence in Ethics Research (CEER) trainee
- Member of the Stanford University Hospital ethics committee meetings

**MacArthur Foundation Law & Neuroscience Project; Research Fellow (2007-2009)**

- Fellow in the Network on Decision-Making
- Researched bias in jury decision-making, psychological presumptions underlying evidence laws, and the use of brain imaging to detect lies and sentence defendants
- Coordinated conferences for experts in law, philosophy and neuroscience

**NON-ACADEMIC POSITIONS**

**Latham & Watkins, LLP; Associate Attorney (2005-2007)**

**EDUCATION**

**University of Michigan Law School; J.D. (2004)**

**University of Pennsylvania; B.A. (mcl 2000)** in History and Sociology of Science and Bioethics, honors thesis in medical ethics of elective cosmetic surgery

**AWARDS**

- University of Utah Distinguished Teaching Award for Tenure-Line Faculty, 1 of only 2 tenure-track recipients university-wide (2021)
- Peter Billings Teaching Award, which is voted on by the students at the College of Law (2017)
- Daniels Fund Ethics Initiative Leadership in Ethics Education Awards, for my incorporation of ethical principles into my teaching. (2019)

**PUBLICATIONS**

- Daniel Aaron, Teneille Brown, and Michael Sinha, (opinion/editorial) *Fifth Circuit Second-Guesses FDA's Scientific Judgment, Setting a Dangerous Precedent*, (forthcoming in HEALTH AFFAIRS FOREFRONT)
- Teneille R. Brown, *Shifting the Male Gaze of the Rules of Evidence*, 76 VANDERBILT LAW REVIEW XX (forthcoming, 2024)
- Teneille R. Brown, *When Doctors Become Cops*, 97 SOUTHERN CALIFORNIA LAW REVIEW XX (forthcoming, 2024)
- Teneille R. Brown, *Abortion and the Extremism of Bright Line Rules*, NORTHWESTERN LAW REVIEW ONLINE, (forthcoming, 2023)
- Teneille R. Brown, *Bad Habits* (forthcoming in HOWARD LAW REVIEW, 2023)
- Daniel Aaron, Teneille Brown, and Michael Sinha, (opinion/editorial) *Court Intrusion Into Science and Medicine-The Mifepristone Decisions*, 329 J. OF THE AMER. MED. ASSOC. 1735 (2023)
- Teneille R. Brown & Francesco Margoni, (peer-reviewed empirical paper) *Jurors Use Mental State Information to Assess Breach in Negligence Cases* 236 COGNITION 105442 (2023)
- Teneille R. Brown, *Minding Accidents* 94 COLORADO LAW REVIEW 1 (2023)
- Tim Farrell, et al., *Exploring the intersection of structural racism and ageism in healthcare*, 70 J. AM. GERIATRIC ASSOC. 3366 (2022)

- Patrick Gonzales, et al., *Interpretation and reporting of large regions of homozygosity and suspected consanguinity/uniparental disomy, 2021 revision: A technical standard of the American College of Medical Genetics and Genomics (ACMG)* 24 GENETICS IN MEDICINE 255 (2022)
- Teneille R. Brown, *Treating Addiction in the Clinic, Not the Courtroom: using neuroscience and genetics to abandon our failed war on drugs*, 54 INDIANA LAW REVIEW 29 (2021)
- Teneille R. Brown, *The Content of Our Character*, 126 PENN STATE LAW REV. 1 (2021)
- Teneille R. Brown, *Stereotypes, Sexism, and Superhuman Faculty*, 16 FIU LAW REVIEW 83 (2021)
- Teneille Brown, Jim Tabery and Leslie Francis, *Should We Discriminate Among Discriminations?* 14 SLU J OF HEALTH LAW AND POLICY 359 (2021)
- Michelle McGowan, et al., *Case Report, Genomic Testing, Unexpected Consanguinity, and Adolescent Parents*, 51 HASTINGS CENTER REPORT 8 (2021)
- Teneille Brown, *opinion/editorial: Of course hospitals in crisis mode should consider vaccination status*, WASHINGTON POST, Sept. 23, 2021, (generating over 500 online comments)
- Teneille Brown, Jim Tabery and Leslie Francis, *When Is Age Choosing Ageist Discrimination?* 51 HASTINGS CENTER REPORT 13 (2021)
- Brent Kious, et al., *Ethical and public health implications of genetic testing for suicide risk: family and survivor perspectives*, 23 GENETICS IN MEDICINE 289 (2021)
- Anna Docherty, et al., *Ethical concerns relating to genetic risk scores for suicide*, AMERICAN J OF MEDICAL GENETICS, Part B NEUROPSYCHIATRIC GENETICS 433 (2021)
- Teneille R. Brown, *The Role of Dehumanization in Our Response to People with Substance Use Disorders*, 11 FRONTIERS IN PSYCHIATRY 372 (2020)
- Teneille R. Brown, Leslie Francis and Jim Tabery, *Embedding the Problems Does Not Make Them Go Away*, 20 AMERICAN J. OF BIOETHICS 109 (2020)
- Teneille R. Brown, *When the Wrong People are Immune*, 7 J. LAW AND THE BIOSCIENCES 18 (2020)
- Timothy Farrell, et al., *AGS Position Statement: Resource Allocation Strategies and Age-Related Considerations in the COVID-19 Era and Beyond*, 68 J. OF AM. GERIATRICS SOC. 1136 (2020)
- Timothy Farrell, et al., *Rationing Limited Healthcare Resources in the COVID-19 Era and Beyond: Ethical Considerations Regarding Older Adults*, 68 J. OF AM. GERIATRICS SOC. 1143 (2020).
- Teneille R. Brown, *Why We Fear Genetic Informants*, 21 COLUMBIA JOURNAL OF SCIENCE AND TECHNOLOGY 1 (2020)
- Teneille R. Brown, *Regulating Pseudo-Clinics and Reclaiming Informed Consent*, 30 YALE JOURNAL OF LAW AND FEMINISM 221(2019)
- Teneille R. Brown, *Needles, Haystacks, and Next-Generation Genetic Sequencing* 28 HEALTH MATRIX 217 (2018)
- Teneille R. Brown, *Medical Futility and Religious Free Exercise*, 15 FIRST AMENDMENT LAW REVIEW 43 (2017)
- Teneille R. Brown, *Accommodating Miracles*, book chapter in *LAW, RELIGION, AND HEALTH IN THE UNITED STATES* (edited by Glenn Cohen, Holly Fernandez-Lynch & Liz Sepper) Cambridge University Press (2017)

- Teneille R. Brown, Jim Tabery and Lisa Aspinwall, *Understanding Validity in Empirical Legal Research: the case for methodological pluralism in assessing the impact of science in court*, 67 HASTINGS LAW JOURNAL 1067 (2016)
- Teneille R. Brown, *Denying Death*, 57 ARIZONA LAW REVIEW 977 (2015)
- Teneille R. Brown, *From Bibles to Biomarkers: The Future of Forensic Psychiatric Diagnosis and the DSM 2015* UTAH LAW REVIEW 743 (2015)
- Teneille R. Brown, *In-corp-o-real: A Psychological Critique of Corporate Personhood and Citizens United*, 12 FSU BUSINESS LAW REVIEW 1 (2013)
- Lisa Aspinwall, Teneille R. Brown, and Jim Tabery, (peer-reviewed empirical paper) *The Double-Edged Sword: Does Biomechanism Increase or Decrease Judges' Sentencing of Psychopaths?* 337 SCIENCE 846 (2012)
- Teneille R. Brown, *The Affective Blindness of Evidence Law*, 89 UNIVERSITY OF DENVER LAW REVIEW 47 (2012)
- Teneille R. Brown & Jennifer McCormick, *Emerging Issues in Neuroscience Policy*, OXFORD HANDBOOK ON NEUROETHICS (eds. Judy Illes and Barbara Sahakian) (Oxford University Press, Oxford: May 2011)
- Teneille Brown & Emily Murphy, PhD, *Through a Scanner Darkly: Functional Brain Imaging As Evidence of Past Mental States*, 62 STAN. L. REV. 1119 (2010)
- Teneille R. Brown, Review of Warren Brown and Nancy Murphy's *Did My Brain Make Me Do it? -- Tylenol for the Aristotelian Hangover*, 1 AM. J. OF BIOETHICS – NEUROSCIENCE 71-72 (2010)
- Teneille Brown and Kelly Lowenberg, *Genetic Biobanks, Certificates of Confidentiality and the Subpoena Power*, co-authored with Kelly Lowenberg, 2009 STAN. J. L. SCI. & POL'Y 88 (2010)
- Teneille R. Brown, *The Eminence of Imminence and the Myopia of Markets*, 9 JOHN MARSHALL REVIEW OF INTELLECTUAL PROPERTY 674 (2010)
- Teneille R. Brown, et al., *When Scientific Data Become Legal Evidence*, 324 SCIENCE 335 (2009) (reviewed letter to the editor)
- Teneille Brown, *Double Helix, Double Standards: private matters and public people*, 11 J. OF HEALTH CARE LAW & POLICY 295 (2008)
- Walter Sinnott-Armstrong, Adina Roskies, Teneille Brown & Emily Murphy, *Brain Images as Legal Evidence*, 5 EPISTEME 359 (2008)
- Anat Feingold, et al., *Protease Inhibitor Therapy in HIV-Infected Children*, 14 AIDS Patient Care 589 (2004)
- Julie Boom, et al., *Improving compliance with tuberculin skin test interpretation in children*, 6 AMBUL. CHILD HEALTH 3 (2000)

## SERVICE

- Member of the University of Utah Center for Health Ethics Arts and Humanities (CHeEtAH)
- Member of the University of Utah Hospital Ethics Committee (2010-present)
- Member of the Conviction Integrity Unit for Davis County (2022-present)
- Executive Committee of the AALS Evidence Section (2018-present)
- Utah Supreme Court's Evidence Advisory Committee (2017-present)
- Member of Utah's Judicial Fairness and Accountability Project (working group to eliminate racial bias in jury decision-making) (2023-present)