

JOHN B. MEIXNER JR.

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ACADEMIC APPOINTMENTS

UNIVERSITY OF GEORGIA SCHOOL OF LAW

2022– Assistant Professor of Law

EDUCATION

NORTHWESTERN UNIVERSITY

2013 J.D., July 2013; *Magna Cum Laude*, *Order of the Coif*

Northwestern University Law Review, Editor-in-Chief, Volume 106 (2010–2011)
NSF Forensic Science and Cognitive Bias Conference Reporter

Ph.D., Psychology (concentration in Cognitive Neuroscience), July 2013

Dissertation: *Neuroscience Applications in Court*

Walter Dill Scott Endowment Fellowship

PRISM Research mentor for underrepresented undergraduate students

UNIVERSITY OF MICHIGAN

2006 B.S., *Highest honors with distinction*, Biopsychology and Cognitive Science, May 2006

Thesis: *Entrainment to Daily Handling: Role of Basal Forebrain Projections to the SCN*

Pilsbury Prize awarded to most outstanding psychology senior thesis

Sophomore Honors Award given to outstanding honors college student

Undergraduate Research Opportunity Program (UROP) peer advisor

PUBLICATIONS

2022 [*Modern Sentencing Mitigation*](#)

116 NORTHWESTERN UNIVERSITY LAW REVIEW 1395 (2022)

- Winner of 2023 UGA Law Faculty Research Award for public law
- Cited & discussed in *Sease v. Comm'r of Correction*, 219 Conn. App. 504 (2023) (finding trial counsel ineffective for failing to present mental health mitigation)

2018 [*Neuroscience and Mental Competency: Current Uses and Future Potential*](#)

81 ALBANY LAW REVIEW 995 (2018) (invited symposium contribution)

- [*The Difficulty of Discerning the Effect of Neuroscience: a Peer Commentary of Shen et al. 2018*](#)
5 JOURNAL OF LAW AND THE BIOSCIENCES 208 (2018)
- [*Admissibility and Constitutional Issues of the Concealed Information Test in American Courts: An Update*](#)
in DETECTING CONCEALED INFORMATION AND DECEPTION: RECENT UPDATES
405 (J. Peter Rosenfeld ed.) (2018)
- 2017 [*Jury Simulation Goals*](#)
in THE PSYCHOLOGY OF JURIES: CURRENT KNOWLEDGE AND A RESEARCH
AGENDA FOR THE FUTURE (with Jonathan J. Koehler) (2017)
- 2016 [*The Use of Neuroscience Evidence in Criminal Proceedings*](#)
3 JOURNAL OF LAW AND THE BIOSCIENCES 330 (2016)
- [*An Empirical Research Agenda for the Forensic Sciences*](#)
106 JOURNAL OF CRIMINAL LAW AND CRIMINOLOGY 1 (with Jonathan J. Koehler)
(2016)
- [*Decision Making and the Law: Truth Barriers*](#)
in THE WILEY-BLACKWELL HANDBOOK OF JUDGMENT AND DECISION MAKING
(with Jonathan J. Koehler) (2016)
- 2015 [*Applications of Neuroscience in Criminal Law: Legal and Methodological Issues*](#)
15 CURRENT NEUROLOGY AND NEUROSCIENCE REPORTS 513 (2015)
- 2014 [*The Hidden Daubert Factor: How Judges Use Consideration of Error Rates in Assessing Scientific Evidence*](#)
2014 WISCONSIN LAW REVIEW 1063 (with Shari Seidman Diamond) (2014)
- [*Detecting Knowledge of Incidentally Acquired, Real-World Memories Using a P300-Based Concealed Information Test*](#)
25 PSYCHOLOGICAL SCIENCE 1994 (with J. Peter Rosenfeld) (2014)
- 2013 [*Does Criminal Diversion Contribute to the Vanishing Civil Trial?*](#)
62 DEPAUL LAW REVIEW 443 (with Shari Seidman Diamond) (2013) (invited
symposium contribution)
- [*Review of Recent Studies and Issues Regarding the P300-Based Complex Trial Protocol for Detection of Concealed Information*](#)
90 INTERNATIONAL JOURNAL OF PSYCHOPHYSIOLOGY 118 (with J. Peter Rosenfeld,
Xiaoqing Hu, Elena Labkovsky, & Michael R. Winograd) (2013)

P900: a Putative Novel ERP Component in Response to the Signal to a Participant That “No Specific Responses are Needed on this Trial!”

38 APPLIED PSYCHOPHYSIOLOGY AND BIOFEEDBACK 121 (with J. Peter Rosenfeld, Elena Labkovsky, Michael Winograd, Alexander Sokolovsky, Jeff Weisharr, & Tim Ullman) (2013)

2012 *Liar, Liar, Jury’s the Trier? The Future of Neuroscience-Based Credibility Assessment and the Court*
106 NORTHWESTERN UNIVERSITY LAW REVIEW 1451 (note) (2012)

2011 *Damage Anchors on Real Juries*

8 JOURNAL OF EMPIRICAL LEGAL STUDIES 148 (with Shari Seidman Diamond, Mary R. Rose, & Beth Murphy) (2011)

A Novel Countermeasure Against the Reaction Time Index of Countermeasure Use in the P300-Based Complex Trial Protocol for Detection of Concealed Information

81 INTERNATIONAL JOURNAL OF PSYCHOPHYSIOLOGY 60 (with Alexander Sokolovsky, Jessica Rothenberg, Elena Labkovsky, & J. Peter Rosenfeld) (2011)

A Mock Terrorism Application of the P300-Based Concealed Information Test

48 PSYCHOPHYSIOLOGY 149 (with J. Peter Rosenfeld) (2011)

- Discussed in JOSHUA DRESSLER & STEPHEN GARVEY, CRIMINAL LAW CASES AND MATERIALS 135 (9th Ed. 2022).

Lying in the Scanner: Covert Countermeasures Disrupt Deception Detection by Functional Magnetic Resonance Imaging

55 NEUROIMAGE 312 (with Giorgio Ganis, J. Peter Rosenfeld, Rogier A. Kievit, & Haline E. Schendan) (2011)

2010 *Countermeasure Mechanisms in a P300-Based Concealed Information Test*

47 PSYCHOPHYSIOLOGY 57 (with J. Peter Rosenfeld) (2010)

2009 *Assigned Versus Random, Countermeasure-Like Responses in the P300-Based Complex Trial Protocol for Detection of Deception: Task Demand Effects*

34 APPLIED PSYCHOPHYSIOLOGY AND BIOFEEDBACK 209 (with Alexander Haynes, Michael R. Winograd, Jordan Brown, & J. Peter Rosenfeld) (2009)

The Effects of Asymmetric vs. Symmetric Probability of Targets Following Probe and Irrelevant Stimuli in the Complex Trial Protocol for Detection of Concealed Information with P300

98 PSYCHOLOGY AND BEHAVIOR 10 (with J. Peter Rosenfeld, Monica Tang, Michael Winograd, & Elena Labkovsky) (2009)

SELECTED PRESENTATIONS & INVITED TALKS

Shocking Sentences

- Crimfest, Brooklyn Law School (July 18, 2023)
- Southeastern Junior/Senior Annual Workshop, University of Florida Levin School of Law (November 16, 2023)
- AALS Criminal Law Section Works-in-Progress Workshop (January 3, 2024)
- Law & Neuroscience Works-in-Progress Workshop (January 16, 2024)
- Northeastern Junior Scholars Conference, Northeastern University School of Law (March 1, 2024)
- Faculty Workshop, Georgia State College of Law (April 9, 2024)

Biased Mitigation

- Biolawpalooza, Stanford Law School (May 19, 2023)
- American Psychology–Law Society Annual Conference, Philadelphia (March 17, 2023)
- Invited Talk, Federal Southern District Court Advisory Committee meeting (February 24, 2023)
- Faculty Workshop, Wake Forest University School of Law (February 16, 2023)
- Invited Talk, Federal Defender’s Office for the District of South Carolina (December 1, 2022)
- Crimfest, Cardozo School of Law (July 18, 2022)

Media Issues in Federal Prosecutions

- Invited Presentation, University of Georgia School of Law Covering the Courts class (February 9, 2023)

Managing Transnational Issues in Prosecution

- Invited Presentation, University of Georgia School of Law Transnational Criminal Law class (October 31, 2022)

How is Neuroscience Relevant to Law?

- Invited Talk, University of Georgia Neuroscience Program Retreat (October 1, 2022)

Modern Sentencing Mitigation

- Michigan Junior Scholars Conference, University of Michigan Law School (April 23, 2022)
- Southern Society for Philosophy and Psychology (April 1, 2022) (virtual)
- Faculty Workshop, Michigan State University College of Law (November 16, 2021) (virtual)
- Faculty Workshop, Albany Law School (November 9, 2021)
- Faculty Workshop, Texas A&M University School of Law (November 4, 2021) (virtual)

- Faculty Workshop, University of Georgia School of Law (November 3, 2021) (virtual)
- Faculty Workshop, University of Missouri School of Law (October 29, 2021)
- Faculty Workshop, University of Michigan Law School (October 26, 2021)
- Faculty Workshop, UMKC School of Law (October 21, 2021)
- Faculty Workshop, University of Detroit Mercy School of Law (October 15, 2021) (virtual)
- Faculty Workshop, University of Florida Levin College of Law (October 13, 2021) (virtual)
- American Psychology-Law Society (October 8, 2021) (virtual)
- Faculty Workshop, Mercer University School of Law (October 6, 2021) (virtual)
- Faculty Workshop, Temple University School of Law (October 5, 2021) (virtual)
- Markelloquium Criminal Law Theory Colloquium (October 1, 2021)
- Faculty Workshop, University of Richmond School of Law (September 28, 2021) (virtual)
- Faculty Workshop, Northwestern University School of Law (August 26, 2021)

Methodological, Admissibility, and Constitutional Issues of the Concealed Information Test in American Courts

- International Neuroethics Society Annual Meeting, Policing, Neurotechnology, and the Search for Truth Panel (October 23, 2020)
- Vanderbilt University School of Law, Law & Neuroscience Seminar (February 24, 2015)
- Yale Law School, Information Society Project: Law and Neuroscience (February 25, 2012)

The Hidden Daubert Factor: How Judges Use Consideration of Error Rates in Assessing Scientific Evidence,

- Conference on Empirical Legal Studies, University of Pennsylvania Law School (October 25, 2013)

Do Criminal Trial Rates Affect the Vanishing Civil Trial?

- 18th Annual Clifford Symposium, DePaul University College of Law (April 26, 2012)

P900: a Putative Novel ERP Component in Response to the Signal to a Participant That “No Specific Responses are Needed on this Trial!”

- Society for Psychophysiological Research Annual Meeting (September 30, 2010)

A Mock Terrorism Application of the P300-Based Concealed Information Test

- Society for Psychophysiological Research Annual Meeting (October 21, 2009)

Countermeasure Mechanisms in a P300-Based Concealed Information Test

- Society for Psychophysiological Research Annual Meeting (October 2, 2008)

ARTICLES IN PROGRESS

Biased Mitigation

Mitigating Prosecutors

Understanding Health Mitigation

Guideline Mitigation

Are Judges Effective in Evaluating Scientific Evidence Under Daubert?

TEACHING

UNIVERSITY OF GEORGIA SCHOOL OF LAW

Spring 2023–24 Criminal Law
Fall 2022–23 Evidence
Spring 2024– Law and the Mind

NORTHWESTERN UNIVERSITY, DEPARTMENT OF PSYCHOLOGY

Fall 2007 Neuroscience & Behavior (TA)
Winter 2008 Cognitive Psychology (TA)
Spring 2008 Behavior of Deception (TA)
Fall 2009, 2011 Research Methods (TA)

PROFESSIONAL EXPERIENCE

2017–2022 UNITED STATES ATTORNEY’S OFFICE, EASTERN DISTRICT OF MICHIGAN

Assistant United States Attorney, Detroit, MI

Appellate Division (October 2019–June 2022)

Major Crimes Unit (January 2017–September 2019)

- Handled all aspects of criminal prosecution in hundreds of cases, including charging decisions, pretrial motion practice, plea negotiations, trial, sentencing, and appeals.
- Prosecuted a wide variety of offenses and led over 100 grand jury investigations into crimes such as firearms trafficking and unlawful possession, bank robbery, counterfeiting, child exploitation, white collar offenses, assault, carjacking, drug trafficking, and violent crime.
- First-chaired jury trials involving crimes such as bank robbery, firearms possession, and drug trafficking.
- Litigated dozens of appeals before the Sixth Circuit Court of Appeals—including briefing and oral argument—involving areas such as public corruption, health care law, child exploitation, major drug trafficking, and firearms crimes.

- Coordinated with office’s “Restart” program to provide alternatives to incarceration, make criminal justice more equitable, and focus on rehabilitation.

2015–2017 **SCHIFF HARDIN LLP**
Associate, General Litigation Group, Ann Arbor, MI

2014–2015 **U.S. DISTRICT COURT FOR THE EASTERN DISTRICT OF MICHIGAN**
Law Clerk to the Honorable Gerald E. Rosen, Chief Judge

2013–2014 **U.S. COURT OF APPEALS FOR THE FOURTH CIRCUIT**
Law Clerk to the Honorable Paul V. Niemeyer

OTHER ACADEMIC AND RESEARCH ACTIVITIES

- 2022– Collaborator, [SCALES – OKN](#) (Systematic Content Analysis of Litigation Events Open Knowledge Network)
- Worked on multidisciplinary team coding and categorizing federal criminal case events, with the goal of using machine learning to develop a suite of tools to enable access to court records and analytics.

INVITED REVIEWS

American Psychology–Law Society
Applied Cognitive Psychology
Current Directions in Psychological Science
Frontiers in Human Neuroscience
International Journal of Psychophysiology
Journal of Empirical Legal Studies
Journal of Forensic Science and Medicine
Law, Probability, and Risk
Law & Social Inquiry
Political Studies
Politics and the Life Sciences
Psychophysiology

MEDIA

- 2023 [Legal expert weighs in on Trump's Georgia case](#), 11 ALIVE, Aug. 24, 2023 (live TV coverage for Atlanta NBC affiliate station regarding Georgia election interference case).
- ['The context is what matters' | Experts look at chance Georgia Trump case will move to federal court](#), 11 ALIVE, Aug. 22, 2023 (quoted regarding potential removal to federal court of Georgia indictment of Donald Trump for 2020 election interference).

[Owner of Midland Social in Gainesville among those indicted in Trump election meddling case](#), THE GAINESVILLE TIMES, Aug. 15, 2023 (quoted regarding Georgia indictment of Donald Trump for 2020 election interference).

['He's In Real Jeopardy': Ga. Law Profs Weigh New Trump Case](#), LAW360, Aug. 16, 2023 (quoted regarding Georgia RICO indictment of Donald Trump for 2020 election interference).

[In Georgia Case Against Trump, a Trial Within Six Months Could Be a Stretch](#), NEW YORK TIMES, Aug. 16, 2023 (quoted regarding timing of Georgia RICO trial against Donald Trump and others for 2020 election interference).

[Top RICO lawyer: Trump's Georgia trial will move to federal court. Here's why](#), STRAIGHT ARROW NEWS, Aug. 15, 2023 (video interview regarding Georgia RICO indictment of Donald Trump for 2020 election interference).

[RICO charge put Trump in the company of Mafia bosses, Hells Angels and Young Thug](#), THE WASHINGTON TIMES, Aug. 15, 2023 (quoted regarding Georgia RICO indictment of Donald Trump for 2020 election interference).

[At Heart of Jan. 6 case: Trump's State of Mind](#), THE CHRISTIAN SCIENCE MONITOR, Aug. 2, 2023 (quoted regarding federal and Georgia investigations into Trump campaign 2020 election interference).

Will Trump's New York Indictment Affect Georgia's Investigation?, CBS ATLANTA NEWS NOW, March 31, 2023 (video interview regarding effect of Trump's New York indictment on Georgia special grand jury investigation into 2020 election interference).

[Trump Legal Team Assails Georgia Inquiry](#), NEW YORK TIMES, Feb. 23, 2023 (quoted regarding Georgia special grand jury investigation into 2020 election interference).

2014 [Brain Wave May Help Investigators Spot Liars](#), BUSINESS-STANDARD, Sep. 24, 2014, (Coverage of *Detecting Knowledge of Incidentally Acquired, Real-World Memories Using a P300-Based Concealed Information Test*).

Bill Briggs, [Guilty Conscience? Brain Wave Breakthrough May Reveal Crooks](#), NBC NEWS, Sep. 24, 2014, (Coverage of *Detecting Knowledge of Incidentally Acquired, Real-World Memories Using a P300-Based Concealed Information Test*).

2010 Eben Harell, [Fighting Crime by Reading Minds](#), TIME, Aug. 7, 2010 (Coverage of *A Mock Terrorism Application of the P300-Based Concealed Information Test*).

Josh Levs, *Reading a Terrorist's Mind* (CNN broadcast, Aug. 9, 2010) (Coverage of *A Mock Terrorism Application of the P300-Based Concealed Information Test*).

Fighting Crime by Reading Minds (1210 WPHT radio interview on the Michael Smerconish Show, Aug. 10, 2010) (on file with author) (Coverage of *A Mock Terrorism Application of the P300-Based Concealed Information Test*).

2009 Mark Hansen, [True Lies](#), AMERICAN BAR ASSOCIATION JOURNAL, Oct. 1, 2009, (Coverage of *A Mock Terrorism Application of the P300-Based Concealed Information Test*).

SERVICE

- 2023–24 Speakers Committee, UGA Law
Faculty Advisor to *Georgia Criminal Law Review*
Faculty advisor; 4 student law review notes
Judge, University of Georgia Intramural Mock Trial Competition
Judge, J. Ralph Beard 1st Year Closing Argument Competition
Prison Education Faculty Learning Community
- 2022–23 Clerkships Committee, UGA Law
Faculty advisor; 5 student law review notes
Judge, University of Georgia Undergraduate Moot Court Team
Judge, University of Georgia Spring 2L Moot Court Team
Judge, J. Ralph Beard 1st Year Closing Argument Competition
- 2020 Voting rights election monitor, Department of Justice Civil Rights Division
Campaign volunteer for Eli Savit (progressive candidate for Washtenaw County Prosecutor)
Student mentor, University of Michigan Campbell Moot Court Competition
Judge, University of Michigan Campbell Moot Court Competition (2014–2015, 2018–2020)
- 2015 Judge, Wayne State University School of Law Student Trial Advocacy Program
- 2013 Judge, Northwestern University School of Law Miner Moot Court Competition

BAR ADMISSIONS

Michigan (inactive)
United States District Court for the Eastern District of Michigan
United States Court of Appeals for the Sixth Circuit

REFERENCES

Shari Seidman Diamond

Howard J. Trienens Professor of Law
Northwestern University School of Law
s-diamond@law.northwestern.edu
312.503.2040

Jonathan J. Koehler

Beatrice Kuhn Professor of Law
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Barbara McQuade

Professor from Practice
University of Michigan Law School
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The Honorable Paul V. Niemeyer

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The Honorable Gerald E. Rosen (retired)

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