

URL: <https://stvp.stanford.edu/clips/automating-legal-consulting>

Neuroscientist David Eagleman talks about how America's high incarceration rate presents problems and opportunities for improvement. He explains how one of his startups scales an innovative practice by one jurisdiction, using software that automates an inefficient step in the legal process for deciding if someone who is arrested should be charged with a crime or released.



Transcript

- [David] We imagine that incarceration is the one-size-fits-all solution, but in fact, the brains that show up in front of the judge's bench can be very different from one another.. This person has schizophrenia, this person's a psychopath, this person's tweaked out on drugs, and so on and so on.. And to suggest different routes forward for all of them, the important part is that bringing neuroscience to understand what's going on in the legal system doesn't let anybody off the hook, it doesn't exculpate anybody, but what it does is it tells us how to build a forward-looking legal system, one that cares about actually solving the problem instead of simply using jail as the only tool which, provably, is criminogenic, meaning it causes more crime.. Because once you put someone in jail, you break their economic opportunities, you break their social circles, you give 'em new economic opportunities, a new social circle, (audience laughing) and so people end up coming back into prison that way.. So we be can much more, and many of you probably know this, but maybe not all.. America, we're number one in the world for our incarceration rate, for the percentage of our population that we put in jail.. There is no country in the whole world that puts a higher percentage of its population in jail.. Which means is this actually the smartest thing that we can do? Obviously not, as I said, it causes more crime.. So anyway, there's so many smarter tactics that we can take, and this is a big part of where the intersection of neuroscience and the legal system come into play.. And by the way, one of my start-up companies is on this-- - [Tina] Okay, so what is it? - Which is, well, it turns out there's one county that does something really smart, which is instead of arresting someone and putting them in jail right away, and then they have to wait usually up to 48 hours to see if the prosecutor's going to prosecute that case or release it as a no-action case, there's one county where the police officer arrests somebody, calls up a 24/7 prosecutor hotline, talks to the prosecutor about the case, tells them the elements of the case, the prosecutor listens and says, "Okay, let the guy go, there's not enough there to press charges." So the guy gets let go right there, instead of being put in jail for 48 hours, which is enough to lose your job, to lose your spouse, things like that, and it saves millions of dollars a year..

So we're trying to spread this around now so we've built this software that, it's the whole secure, cloud-based software interface that allows counties to run their legal system where that's part of it, this new intake system, and the whole thing is one piece of software, instead of what currently happens, which is the same paperwork gets written up four times in most counties...