

### About the David G. Trager Public Policy Symposium

This symposium is named for the Honorable David G. Trager, Senior Judge, United States District Court for the Eastern District of New York, who served with great distinction as Dean of Brooklyn Law School from 1983 to 1993. Judge Trager continues to be a dedicated member of the Brooklyn Law School family through his active role on the Board of Trustees and as a member of the adjunct faculty.

### About the *Journal of Law and Policy*

The *Journal of Law and Policy* is a scholarly journal of analysis and commentary whose mission is to promote the debate of law-related issues and public policy through the publication of articles written by legal scholars, law students, and distinguished members of the legal and policymaking communities.

### About the Center for the Study of Law, Language and Cognition

Brooklyn Law School's Center for the Study of Law, Language and Cognition is devoted to exploring how developments in the cognitive sciences – including psychology, neuroscience and linguistics – have dramatic implications for the law at both theoretical and practical levels. The Center is the only one of its kind in the nation. Since its inception, prominent scholars and specialists from around the world have come to Brooklyn Law School to share their research and engage in discussion and debate.

### Symposium Co-Chairs

Brooklyn Law School Professors Michael T. Cahill and Miriam H. Baer organized this symposium.

**BROOKLYN**  
LAW SCHOOL

David G. Trager Public Policy Symposium

# Sharing the Blame: The Law and Morality of Punishing Collective Entities

Co-Sponsored by  
*Journal of Law and Policy*  
*Center for the Study of Law,  
Language and Cognition*

250 JORALEMON STREET | BROOKLYN, NEW YORK 11201



**Sharing the Blame:**  
The Law and  
Morality of Punishing  
Collective Entities

Friday, February 5, 2010

**Friday, February 5, 2010**  
9:00 am – 4:15 pm

# Sharing the Blame: The Law and Morality of Punishing Collective Entities

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## Agenda

- 8:30 am**    **Registration and Continental Breakfast**
- 9:00 am**    **Welcoming Remarks**  
**Dean Joan G. Wexler**  
Joseph Crea Dean and Professor of Law  
Brooklyn Law School
- 9:15 am**    **The Psychology of Group Identity**  
*Speakers*  
**Bertram F. Malle**  
Professor of Psychology  
Brown University  
**Steven J. Sherman**  
Chancellor's Professor of Psychological and  
Brain Sciences  
Indiana University – Bloomington  
**Tom R. Tyler**  
Chair of Psychology and University Professor  
of Psychology  
New York University  
*Moderator*  
**Lawrence M. Solan**  
Don Forchelli Professor of Law and Associate Dean  
for Academic Affairs  
Brooklyn Law School
- 11:00 am**    **Break**

## 11:15 am    The Morality of Imposing Collective Responsibility

- Speakers*  
**Meir Dan-Cohen**  
Milo Reese Robbins Professor of Law  
UC Berkeley School of Law  
**John Hasnas**  
Associate Professor of Business Ethics, McDonough  
School of Business, Georgetown University and  
Visiting Associate Professor of Law, Georgetown  
University Law Center  
**Marion Smiley**  
J.P. Morgan Chase Professor of Ethics  
Brandeis University

- Moderator*  
**Michael T. Cahill**  
Professor of Law  
Brooklyn Law School

## 1:00 pm    Luncheon

## 2:00 pm    Roundtable Discussion: Corporate Criminal Liability and the Problem of Multiple Groups

- Speakers*  
**Jayne W. Barnard**  
James Gould Cutler Professor of Law  
William & Mary Law School  
**James A. Fanto**  
Professor of Law  
Brooklyn Law School  
**Peter J. Henning**  
Professor of Law  
Wayne State University Law School

- Leonard Orland**  
Oliver Ellsworth Professor of Law  
University of Connecticut School of Law  
*Moderator*  
**Miriam H. Baer**  
Assistant Professor of Law  
Brooklyn Law School

- 4:00 pm**    **Concluding Remarks**  
**Honorable David G. Trager**  
Senior Judge, United States District Court for the  
Eastern District of New York

## About the Program

This Symposium will discuss the nature, ethics, and law of imposing punishment on collective entities. Does it make sense to impose blame on a group as a group, as opposed to its individual members? Even if blame is appropriate, how do we decide the proper form and amount of punishment? How do we even conceive of a group as having its own independent existence or identity? The answers to these questions have significant implications for the scope and enforcement of criminal law.

Over the course of several panels, the Symposium will seek to derive broad general insights from various academic disciplines and will consider the practical legal applications of those findings. It will address the psychological processes that lead people to treat groups as having independent existence, and the moral and philosophical consequences of doing so. Later discussion will apply these lessons to the specific legal context of corporate crime.

**RSVP**  
RSVP by January 29, 2010  
at [www.brooklaw.edu/rsvp](http://www.brooklaw.edu/rsvp)

**Location**  
Brooklyn Law School  
250 Joralemon Street  
Brooklyn, New York  
[www.brooklaw.edu/map](http://www.brooklaw.edu/map)

**CLE Credit**  
This course provides six (6.0) CLE credits in the State of New York. The credits are transitional and non-transitional and the category is Ethics and Professionalism.

**Cost**  
The program is free for those who do not want CLE credit. All attendees, however, must RSVP.  
■ \$60 (\$10 per CLE credit) for Brooklyn Law School graduates who hold a 2010-2011 BLS Alumni Association Membership Card. If you would like to join, please visit: [www.brooklaw.edu/AlumniFriends.aspx](http://www.brooklaw.edu/AlumniFriends.aspx)  
■ \$300 (\$50 per CLE credit) for all others.

If you are registering for CLE credit, you can pay online or by mail with a check payable to Brooklyn Law School. Send it to: Brooklyn Law School, Office of External Affairs, 250 Joralemon Street, Brooklyn, New York 11201

Our financial aid policy is available upon request. Please e-mail [CLE@brooklaw.edu](mailto:CLE@brooklaw.edu) or call 718-780-7953.