

LINDA J. DEMAINE, JD, PHD

Arizona State University Sandra Day O'Connor College of Law
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PRIMARY RESEARCH AND TEACHING INTERESTS

- ◆ Empirical analysis of law, legal procedure, and legal decision making
- ◆ Application of psychological and legal perspectives to social issues
- ◆ Ethical, legal and social issues deriving from advances in technology
- ◆ Information campaigns and persuasion

EDUCATION

ARIZONA STATE UNIVERSITY, *Ph.D., Social Psychology, 1999*

Emphasis: Persuasion and Social Influence

Mentor: Dr. Robert B. Cialdini

National Science Foundation Graduate Fellow

Arizona Regents Graduate Academic Scholar

UNIVERSITY OF ARIZONA COLLEGE OF LAW, *J.D., 1993*

Articles Editor, *Arizona Law Review*

Dean's List five of six semesters

ARIZONA STATE UNIVERSITY, *B.A. summa cum laude, Psychology, 1990*

Phi Beta Kappa Honor Society

Phi Kappa Phi Honor Society

Psi Chi Psychology Honor Society

Arizona Regents Undergraduate Academic Scholar

PROFESSIONAL EXPERIENCE

ARIZONA STATE UNIVERSITY COLLEGE OF LAW

Roslyn O. Silver Professor of Law, 2019 - present

Willard H. Pedrick Distinguished Research Scholar, 2013 - 2019

Professor of Law, 2008 - present

Associate Professor of Law, 2004 - 2008

Affiliate Professor of Psychology, 2004 - present

Founder and Director, Law and Psychology Graduate Program, 2005 - 2016

ARIZONA STATE UNIVERSITY

Leadership Fellows Program, Spring and Fall 2011

UNIVERSITAT DE BARCELONA FACULTY OF LAW/UNIVERSITAT AUTÒNOMA DE BARCELONA

FACULTY OF LAW

Visiting Scholar, Sept. 2010

UNIVERSITY OF HAWAII SCHOOL OF LAW

Visiting Scholar, June - Aug. 2006 and July 2008

AMERICAN PSYCHOLOGICAL ASSOCIATION SCIENCE POLICY FELLOWSHIP, WASHINGTON, DC
Fellow, Sept. 2003 - Aug. 2004, Central Intelligence Agency, Behavioral Sciences Unit
Researched and advised the Agency on cross-cultural social influence, the formation and change of fundamental beliefs and attitudes, and the psychology of self-sacrifice; reviewed research proposals and commented on current projects.

AMERICAN PSYCHOLOGICAL ASSOCIATION CONGRESSIONAL FELLOWSHIP, WASHINGTON, DC
Fellow, Sept. 2002 - Aug. 2003, Senate Judiciary Committee
Researched and advised the Committee on legislation relating to unsolicited bulk email, toxic torts, and other issues; conducted FBI and DOJ oversight; performed background investigations on judicial nominees.

RAND, SANTA MONICA, CA

Associate Policy Analyst, Jan. 2000 - Sept. 2002, Consultant, Sept. 2002 - Aug. 2004
Led and participated in research projects on a variety of issues, including the following:

- ◆ The issuance of patents on genes and other slightly modified products of nature
- ◆ Science-based substance abuse prevention in elementary and secondary schools
- ◆ Binding arbitration clauses in consumer contracts
- ◆ The law and psychology of deception in defense of national computer systems
- ◆ The use of the military for domestic civil law enforcement (Posse Comitatus Act)
- ◆ International reproductive rights and national population policies and laws

Summer Associate, May - Aug. 1997

Health Program

Designed experiments to test the impact of improved data on consumers' choice of health care plan; examined legal, political, ethical, and technical concerns associated with providing decision support to individuals selecting a health plan.

Summer Associate, May - Aug. 1996

Institute for Civil Justice

Investigated the legal and psychological aspects of internal grievance procedures available to members of California's largest HMOs.

ARIZONA STATE UNIVERSITY, DEPARTMENT OF PSYCHOLOGY

Teaching Assistant, Social Psychology, Jan. - July 1995

Laboratory Instructor, Research Methods, Aug. - Dec. 1994

PUBLICATIONS

Robert B. Cialdini, Jessica Lasky-Fink, Linda J. Demaine, Daniel W. Barrett, Brad J. Sagarin and Todd Rogers, *Poison Parasite Counter: Turning Duplicitous Mass Communications into Self-Negating Memory Retrieval Cues*, 32 PSYCHOL. SCI. 1811 (2021).

Linda J. Demaine & Robert B. Cialdini, *The Expanding, Lop-Sided Universe of Social Influence and Law Research*, OXFORD LIBRARY OF PSYCHOLOGY, HANDBOOK OF SOCIAL INFLUENCE (2017)

Seeing is Deceiving: The Tacit Deregulation of Deceptive Advertising, 54 ARIZ. L. REV. 719 (2012)

Realizing the Potential of Instructions to Disregard in MEMORY AND LAW 185 (Lynn Nadel & Walter P. Sinnott-Armstrong eds., Oxford University Press, 2012)

Navigating Policy by the Stars: The Influence of Celebrity Entertainers on Federal Lawmaking, 25 J. L. & POL. 83 (2009)

In Search of an Anti-Elephant: Confronting the Human Inability to Forget Inadmissible Evidence, 16 GEORGE MASON L. REV. 99 (2008)

“Playing Doctor” with the Patient’s Spouse: Alternative Conceptions of Health Professional Liability, 14 VA. J. SOC. POL’Y & L. 308 (2007)

THE CIVIL-MILITARY GAP IN THE UNITED STATES (RAND 2007) (with Thomas S. Szayna, Kevin F. McCarthy, Jerry M. Sollinger, Jefferson P. Marquis & Brett Steele)

Process Dangers of Military Involvement in Civil Law Enforcement: Rectifying the Posse Comitatus Act, 9 NYU J. LEGIS. & PUB. POL’Y 167 (2006) (with Brian Rosen)

Managing Social Norms for Persuasive Impact, 1 SOC. INFLUENCE 3 (2006) (with Robert Cialdini, Brad Sagarin, Daniel Barrett, Kelton Rhoads & Patricia Winter)

“Volunteering” to Arbitrate Through Pre-Dispute Arbitration Clauses: The Average Consumer’s Experience, 67 DUKE J.L. & CONTEMP. PROBS. 55 (2004) (with Deborah Hensler)

Natural Substances and Patentable Inventions, 300 SCIENCE 1375 (2003) (with Aaron X. Fellmeth)

Reinventing the Double Helix: A Novel and Nonobvious Reconceptualization of the Biotechnology Patent, 55 STANFORD L. REV. 303 (2002) (with Aaron X. Fellmeth)

When Saying Yes Leads to Saying No: Preference for Consistency and the Reverse Foot-in-the-Door Effect, 27 PERSONALITY & SOC. PSYCHOL. BULL. 859 (2001) (with Rosanna E. Guadagno, Terrilee Asher & Robert Cialdini)

WORKS IN PROGRESS

Self-Persuasion and Extremist Ideologies

Deception, Fair Balance, and Visual Imagery in Direct-to-Consumer Prescription Drug Advertisements

THE PSYCHOLOGY OF INTELLECTUAL PROPERTY LAW, NYU Press Psychology of Law Book Series (with Aaron X. Fellmeth)

Correctives to Distortion in the Marketplace of Ideas

Government Regulation of Religious Extremist Groups: A Case Study of the Fundamentalist Latter-Day Saints

Prosecuting Cults as Criminal Enterprises: The Case of NXIVM

EDITORIAL ACTIVITIES

Founding Editor, NYU PRESS PSYCHOLOGY OF LAW BOOK SERIES, 2005 - present
Published and In-Progress Volumes

Torts

Evidence

Criminal Law

Environmental Law

Health Law

Intellectual Property Law

Family Law

Property Law

Ad hoc Reviewer: International Journal of Cultic Studies (2019 - present) and Law & Society Review (2020 - present)

PRESENTATIONS

Self-Persuasion in Extreme Groups, International Cultic Studies Association Annual Conference, Virtual (July 2021)

Self-Persuasion and the Law, American Psychology-Law Society Legal Scholarship Committee Workshop (May 2021)

The Psychology of Successful Mediation, International Academy of Mediators Conference, Plenary Session, Scottsdale, AZ (Nov. 2019)

The Cult of NXIVM: Former Members Engage with Future Policy Makers, Opening Remarks, Arizona State University College of Law, Phoenix, AZ (Nov. 2019)

Prosecuting Cults as Criminal Enterprises: The Case of NXIVM, International Cultic Studies Association Annual Conference, Manchester, England (July 2019)

Government Regulation of Religious Extremist Groups: A Case Study of the Fundamentalist Latter-Day Saints, International Cultic Studies Association Annual Convention, Philadelphia, PA (July 2018)

The Psychological Underpinnings of Intellectual Property Law, Organizer and participant, Law and Society Association Annual Meeting, Mexico City, Mexico (June 2017)

The Psychology of Judicial Decision Making, Federal Administrative Law Judges Annual Conference, Scottsdale, AZ (Sept. 2016)

Psychology and Law: Conceptual Advancements to Bridge the Disciplinary Divide, Organizer and participant, Law and Society Association Annual Meeting, New Orleans, LA (June 2016)

Modernizing the "Reasonable Consumer" in Deceptive Advertising Law, Law and Society Association Annual Meeting, Seattle, WA (May 2015)

A Psychological View of U.S. Advertising Law and Policy, Cognitive Science, Ethics and the Law, Master Seminar, University of Arizona, Tucson, AZ (Oct. 2014)

The Psychology of Forced Speech, Law and Society Association Annual Meeting, Minneapolis, MN (May 2014)

Empirical Research on Social Influence: What it Says (and Doesn't Say) About Legal Claims of Cultic Persuasion, International Cultic Studies Association Annual Convention, Trieste, Italy (July 2013)

Social Influence and the Law, Law and Society Association Annual Meeting, Boston, MA (June 2013)

The Psychology of Settlement Negotiations, State Bar of Arizona, Section on Alternative Dispute Resolution, Phoenix, AZ (Apr. 2013)

Government Regulation of Persuasion in the United States: Implications for Legal Claims Resulting from Cultic Persuasion, International Cultic Studies Association Annual Convention, Montreal, Canada (July 2012)

Seeing is Deceiving: The Tacit Deregulation of Deceptive Advertising Law, Law and Society Association Annual Meeting, Oahu, HI (May 2012)

Communicating With the Modern Electorate, Society for the Psychological Study of Social Issues, American Psychological Association, Webinar on the Science of Policy Communication (Apr. 2012)

Celebrity Entertainers and American Federal Lawmaking, ATINER 8th Annual International Conference on Law, Athens, Greece (July 2011)

Realizing the Potential of Instructions to Disregard, Law and Society Association Annual Meeting, San Francisco, CA (June 2011)

Deceptive Imagery in Advertising, Law and Society Association Annual Meeting, Chicago, IL (May 2010)

Law and Memory Workshop. MacArthur Program in Neuroscience and the Law-University of Arizona Mind, Brain and Society Program, Tucson, AZ (Jan. 2010)

Celebrity Entertainers as Societal Power Equalizers, Law and Society Association Annual Meeting, Denver, CO (May 2009)

Crafting Effective Instructions to Disregard, Pima County Public Defender Office, Tucson, AZ (May 2009)

Science-Based Persuasion for Leaders in Education, American Psychological Association Education Leadership Conference, Washington, DC (Sept. 2008)

Discussant, Feldman, Y. & Tyler, T., *Mandated Justice: The Potential Promise and Possible Pitfalls of Mandating Procedural Justice*. Third Annual Conference on Empirical Legal Studies, Cornell Law School, Ithaca, NY (Sept. 2008)

Law and Psychology Workshop. Washington University School of Law, St. Louis, MO (Apr. 2008)

The Role of Physician Characteristics in the Medical Care Informed Consent Doctrine. American Psychology-Law Society Conference, Jacksonville, FL (Mar. 2008)

Inadmissible Evidence and Instructions to Disregard. Council of 100, Arizona State University College of Law (Feb. 2008)

Adventures in Advocacy: Training the Civic Scientist. American Psychological Association Science Directorate and Board of Scientific Affairs Science Leadership Conference, Washington, DC (Oct. 2007)

Psychology's Role in Educating Other Professions. American Psychological Association Education Leadership Conference, Washington, DC (Sept. 2007)

Law and Policy of Cults and Alternative Religions. Panel Chair, International Cultic Studies Association Annual Convention, Brussels, Belgium (June 2007)

Storytelling as an Instructional Method: In Search of Theoretical and Empirical Foundations. Workshop Participant, Air Force Research Laboratory, Mesa, AZ (Nov. 2006)

Pride or Prejudice: Indian Mascots and Imagery in the United States. Panel Moderator, Arizona State University Sandra Day O'Connor College of Law (Oct. 2006)

Abnormal Brains and Criminal Responsibility: Implications of Neuroscience for Criminal Culpability and Sentencing. Panel Moderator, Arizona State University College of Law (Apr. 2005)

Commentator, Dann, B. M., Hans, V. P., & Kaye, D. H.'s: *Testing the Effects of Selected Jury Trial Innovations on Juror Comprehension of Contested mtDNA Evidence.* Sixth International Conference on Forensic Statistics, Arizona State University College of Law (Mar. 2005)

Psychology at the CIA. American Psychological Association Annual Convention, Honolulu, Hawai'i (Aug. 2004)

Increasing Psychologists' Influence on Congressional Decision Making. American Psychological Association Annual Convention, Toronto, Ontario, Canada (Aug. 2003)

Reinventing the Double Helix: A Novel and Nonobvious Reconceptualization of the Biotechnology Patent. Next Generation of Leaders in Science and Technology Policy Symposium, Washington, DC (Nov. 2002) (with Aaron X. Fellmeth)

Only Another Forum?: Substituting Arbitration for the Courthouse in Consumer Disputes. Coming Crisis in Mandatory Arbitration: New Perspectives and Possibilities Symposium, Duke Law School (Oct. 2002)

The Psychology of Jury Decision-Making: Research on Punitive Damages. Institute for Civil Justice Insurance Advisory Council, RAND, Santa Monica, CA (Aug. 2000)

The U.S. Substance Abuse Prevention Environment: An Analysis of the Mechanisms and Drivers for Drug Prevention Funding and Decision Making. BEST Foundation; Conrad N. Hilton Foundation. Los Angeles, CA (May 2000) (with Robin Meili & Phyllis Ellickson)

Counteradvertising as a Form of Prevention Intervention. Arizona State University Prevention and Intervention Research Center (Sept. 1999) (with Robert Cialdini & Daniel Barrett)

"The Virus Thus Implanted in the Minds of the Jury is not so Easily Extracted": Inadmissible Evidence and the Traditional Instruction to Disregard. RAND, Santa Monica, CA (May 1999)

Consumer Decision Making and Computerized Decision Support in the Context of Health Plan Selection. RAND, Santa Monica, CA (Aug. 1997)

Member Grievance Procedures in California's Largest Health Maintenance Organizations. RAND, Santa Monica, CA (Aug. 1996)

MEDIA

- ◆ Television News Interview, 3TV and CBS 5, aired Feb. 25, 2020 (Doomsday groups)
- ◆ *Seduced: Inside the NXIVM Cult* documentary mini-series, Fall 2020 (Expert consultant)

NATIONAL AND LOCAL COMMITTEES

- ◆ International Cultic Studies Association, Advisory Council, 2018-present
- ◆ American Psychological Association, Working Group on Restrictions Affecting Diversity Training in Graduate Education, 2011 - 2015
- ◆ Department of Justice, Federal Bureau of Investigation, High-Value Detainee Interrogation Group Research Committee, 2010 - 2015

- ◆ Judicial College of Arizona, Member, 2010 – 2012

UNIVERSITY SERVICE

- ◆ University President's Academic Council, Member, 2009 - present
- ◆ College of Law Mental Health Law Society, Faculty Advisor 2021 - present
- ◆ College of Law Women's Law Student Association, Faculty Advisor, 2016 - present
- ◆ College of Law Colloquium Committee, Member, 2015 - 2016; 2018 - 2019; 2021 - 2022
- ◆ College of Law Ad Hoc Committee on Class Participation, 2021
- ◆ College of Law ASLJ / Jurimetrics Note / Comment Faculty Advisor, 2008 - present
- ◆ College of Law Graduation Awards Committee, Member, 2016 - 2017
- ◆ University Academic Integrity Ad Hoc Board, Chair, 2016
- ◆ Faculty Women's Association Tenure and Promotion Panel, Participant, 2015 - 2016
- ◆ College of Law Advisory Personnel Committee, Member, 2014 - 2015
- ◆ University Tenure and Promotion Committee, Member, 2012 - 2013; Chair 2014
- ◆ College of Law Building Committee, Member, 2013
- ◆ University Law and Psychology Graduate Program, Founder and Director, 2005 - 2016
- ◆ College of Law Curriculum Committee, Chair, 2008 - 2009
- ◆ College of Law Student Externship Program, Student Supervisor, 2005 - 2009
- ◆ College of Law Ad Hoc Committee on Academic Excellence, Member, 2006 - 2007
- ◆ College of Law Appointments Committee, Member, 2005 - 2007
- ◆ University Graduate Council, College of Law Delegate, 2004 - 2006
- ◆ College of Law Student Admissions Committee, Member, 2004 - 2005

PROFESSIONAL AFFILIATIONS

- ◆ American Psychological Association
- ◆ American Psychological Society
- ◆ International Cultic Studies Association, Advisory Council
- ◆ American Bar Association
- ◆ Arizona Bar, Admitted Oct. 1993, No. 015027

MISCELLANEOUS

U.S. Government, Top Secret Clearance, Aug. 2004 - 2009

U.S. Food and Drug Administration, Consultant, June - Aug. 2012