

Besting Bias in Juvenile Courts

Sean Darling-Hammond

Presented to:



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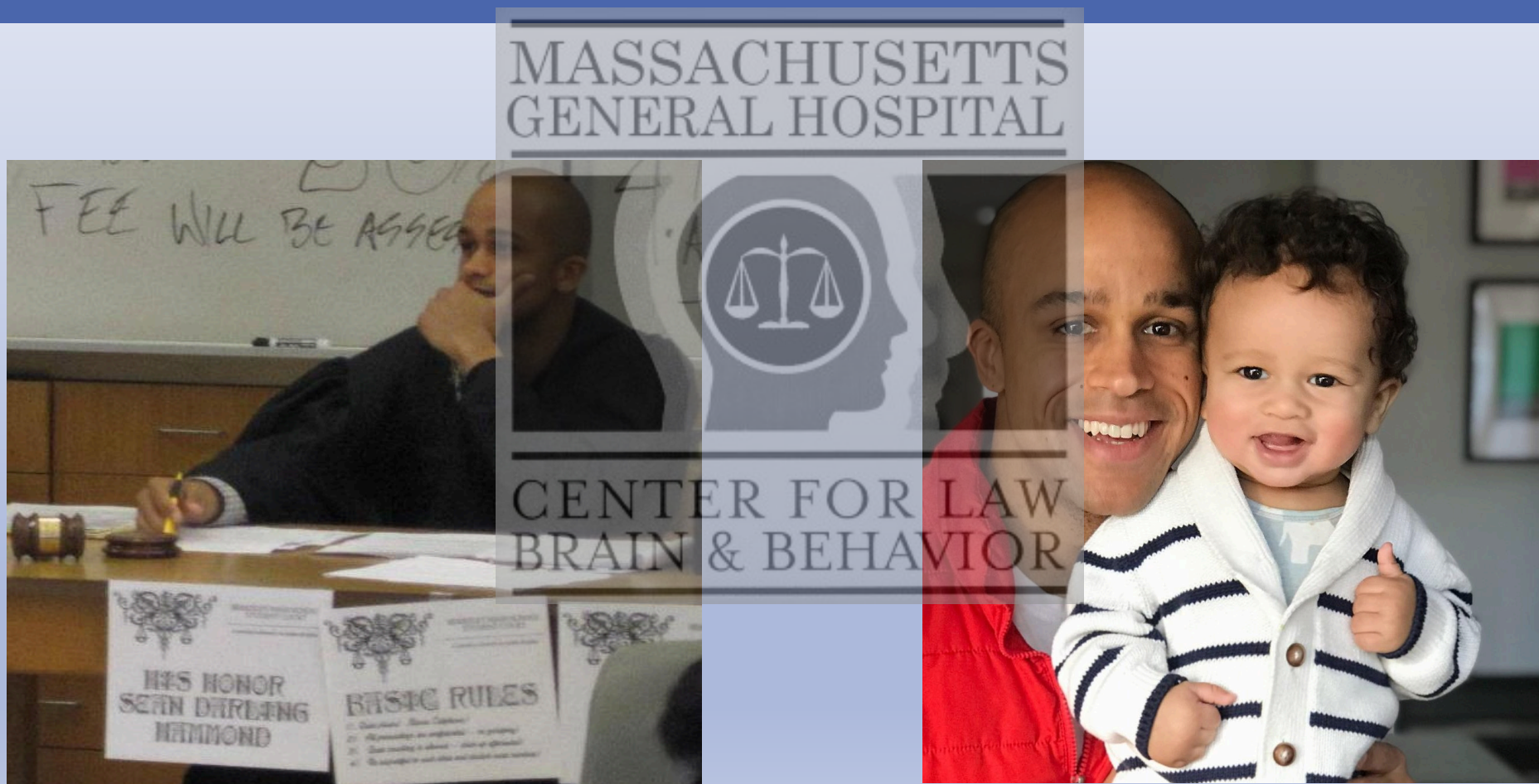


HARVARD MEDICAL SCHOOL
TEACHING HOSPITAL

A Nerd... and a Ninja?!



But mostly, just someone
who really cares about this topic



Today's "Besting Bias" Goals

**Awareness
+ Motivation
= Action**

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Before we dive into the mind...

- Juvenile courts are *systems*. Thus, they:
- are products of systemic inertia
 - involve complex webs of decisions involving many individuals

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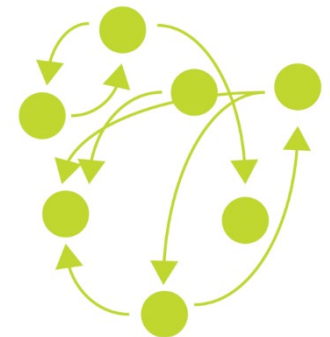
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Traditional thinking

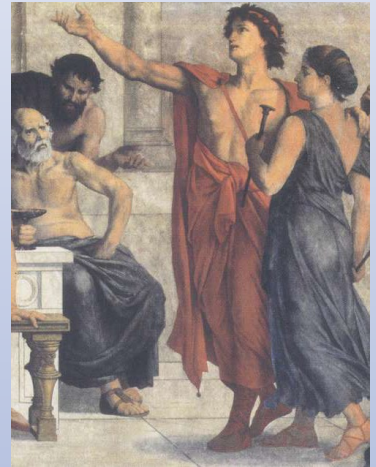


Systems thinking



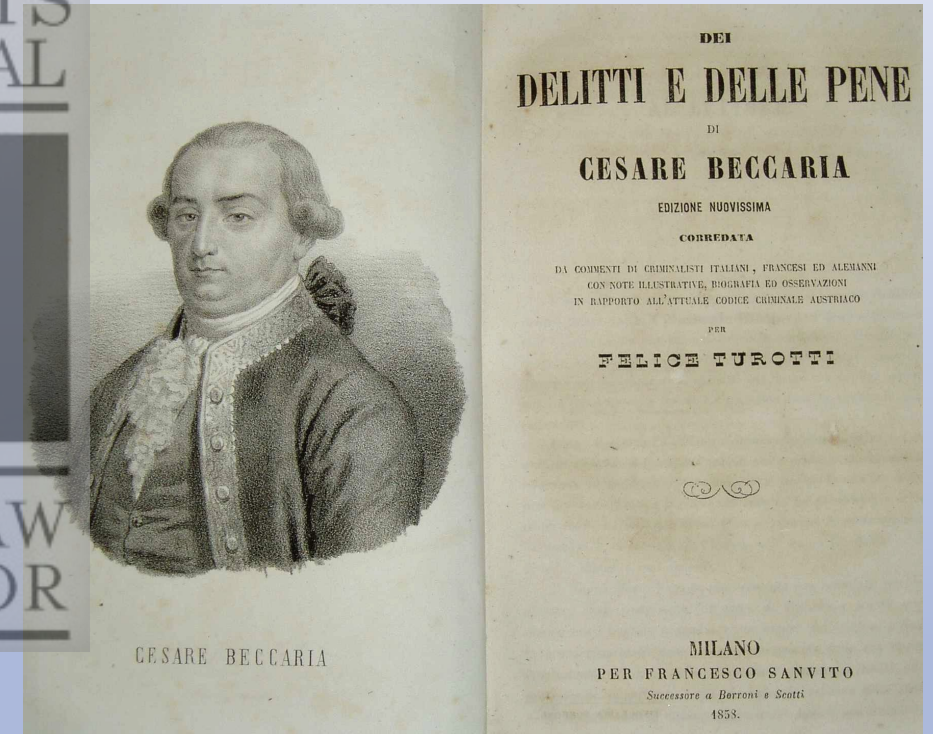
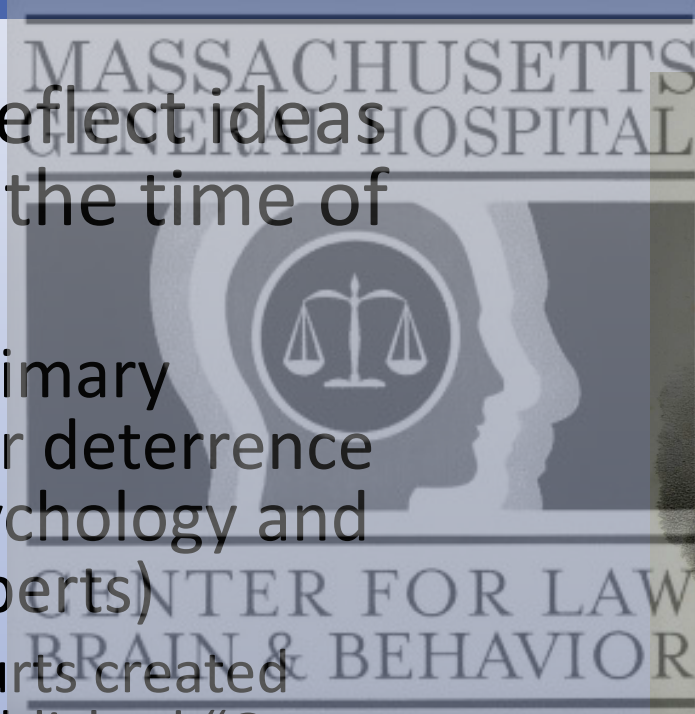
Beyond Individuals: Systemic Inertia

- Systems often reflect the beliefs that prevailed at the time of their formation.
 - Socratic instruction in law schools (cringy for education experts)
 - Adversarial legal systems (concerning to social psychologists as competition encourages information hoarding / system gaming)



Beyond Individuals: Systemic Inertia

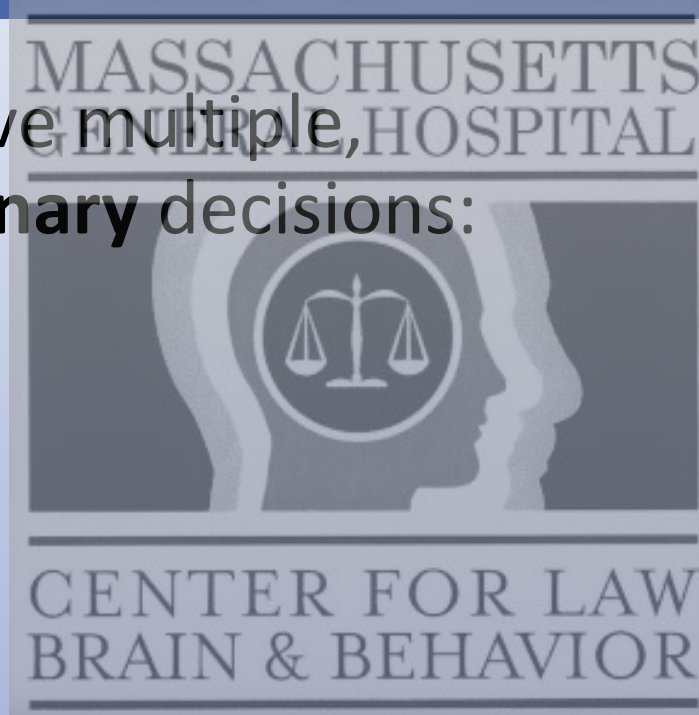
- Juvenile courts also reflect ideas that were popular at the time of their formation
 - Punishment as the primary psychological lever for deterrence (worrying to child psychology and restorative justice experts)
 - To be fair, juvenile courts created long after Beccaria published “On Crime and Punishment,” but his ideas were (and are) still very much en vogue



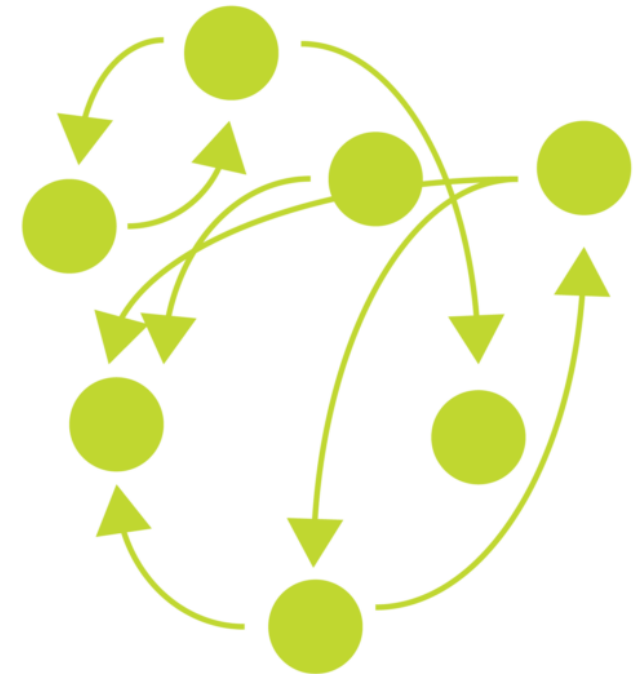
Beyond Individuals: Complex Webs

- Juvenile systems involve multiple, **interrelated, discretionary** decisions:

- Arrest ->
- Prosecution ->
- Public defense ->
- Judge determination ->
- Detention center employees ->
- Social workers and probation managers ->
- Teachers working on reentry

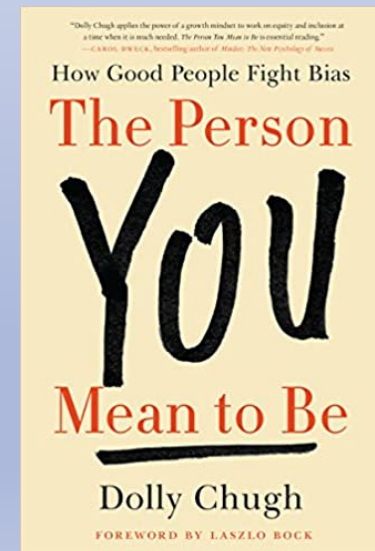
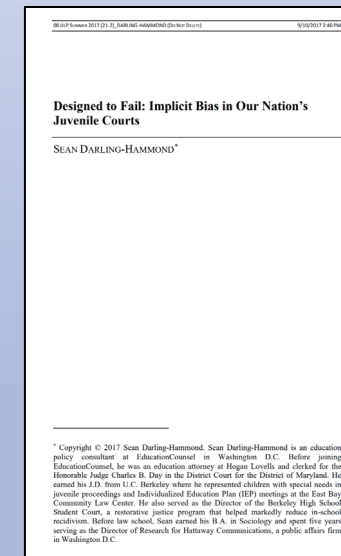
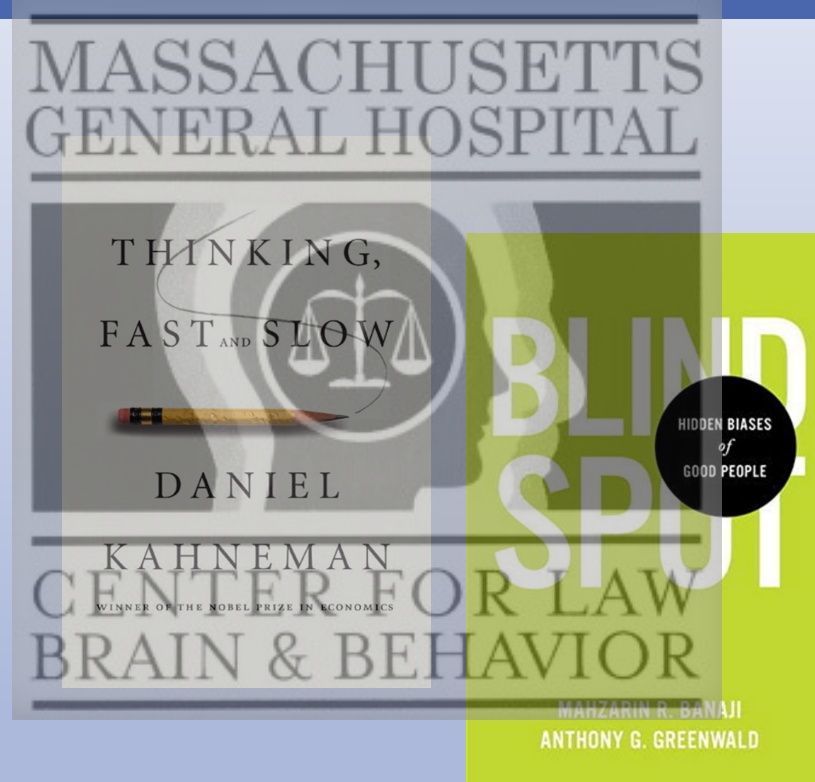


Systems thinking



The Psychology of Bias

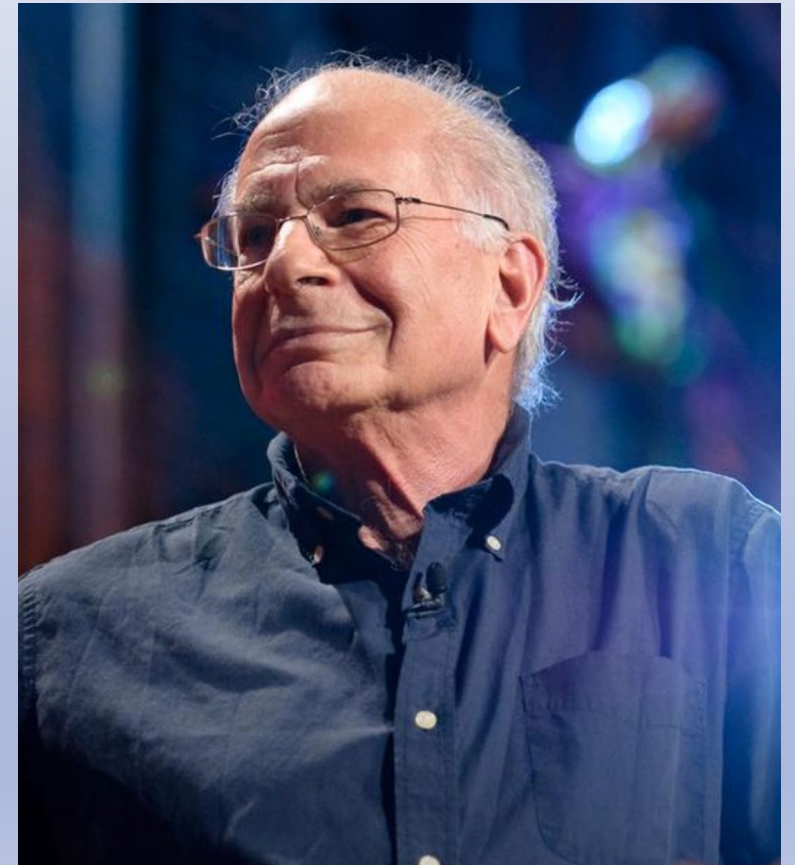
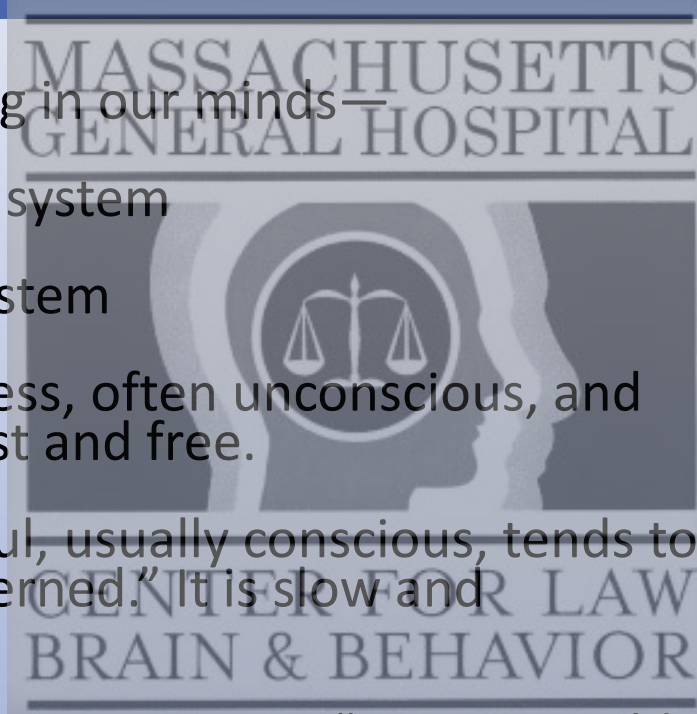
- Subconscious processes dominate our cognition and drive discretionary decision making
- As social animals, one aspect of human subconscious thought is focused on using beliefs about groups to inform decisions about individuals
- Our juvenile systems are not designed to address some subconscious proclivities
- But there are ways we can improve our systems, and ourselves



Thinking Fast and Slow

We have two “systems” operating in our minds—

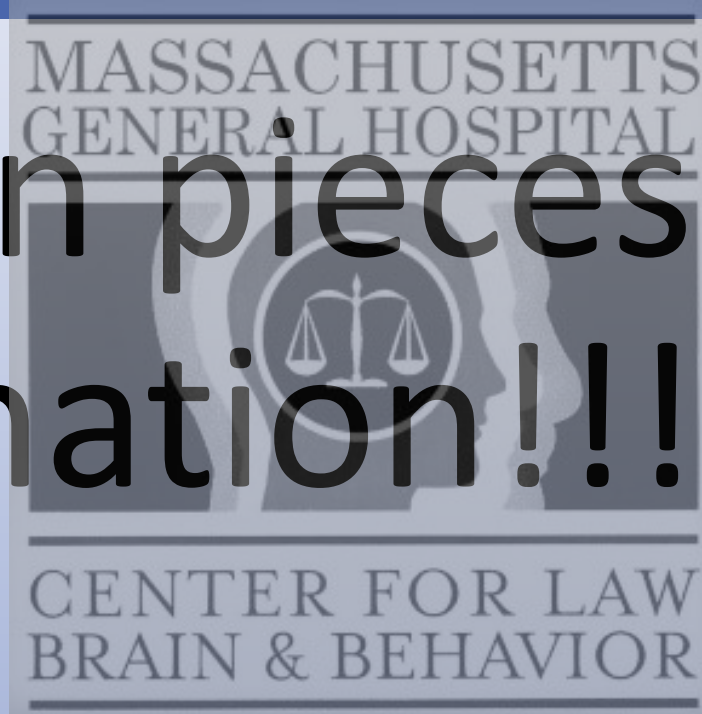
- System 1: Rapid, subconscious system
- System 2: Plodding, rational system
- System 1 is “automatic, effortless, often unconscious, and associatively coherent,” It is fast and free.
- System 2 is “controlled, effortful, usually conscious, tends to be logically coherent, rule-governed.” It is slow and deliberate.
- If the two types of systems were in a movie, “Type 2 would be a secondary character who thinks that he is the hero . . . but in fact, it’s Type 1 that does most of the work, and it’s most of the work that is completely hidden from us.”



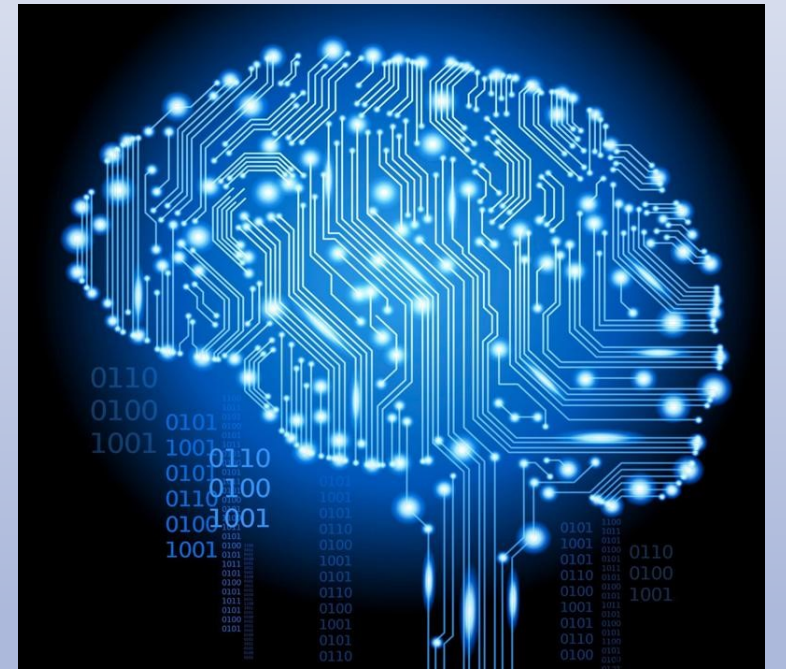
Daniel Kahneman:

Thinking Fast and Slow

11 million pieces
of information!!!



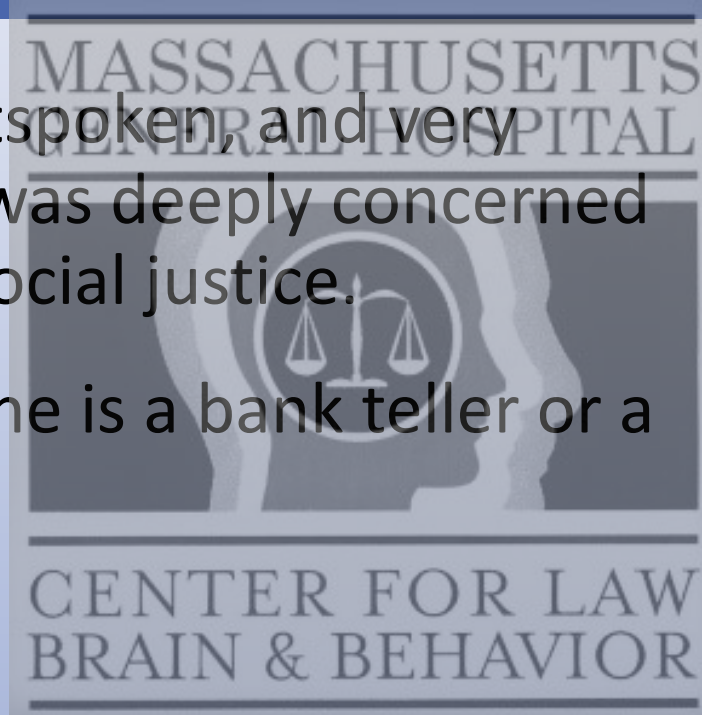
40 pieces of information...



An Example of Thinking Fast and Slow

Linda is young, single, outspoken, and very bright. As a student, she was deeply concerned with discrimination and social justice.

Is it more probable that she is a bank teller or a feminist bank teller?



An Example of Thinking Fast and Slow

Question substitution: Our brains substitute complex (system 2) questions with simple (system 1) questions. The actual question was a probability question (and not even a hard one!).

Probability logic: All feminist bank tellers are bank tellers.

Social logic: A woman who is “young,” “single” and “outspoken” is more likely a feminist

System 1 can only handle the social question, so that’s the one your brain will occasionally answer

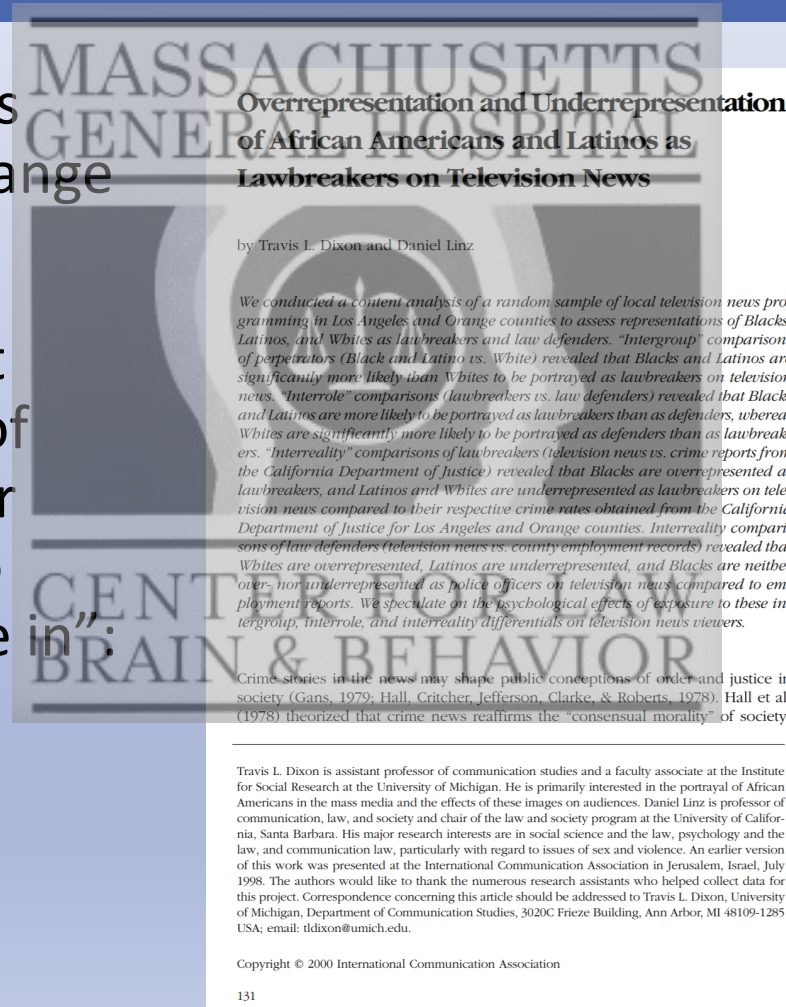


Sources of Social Beliefs

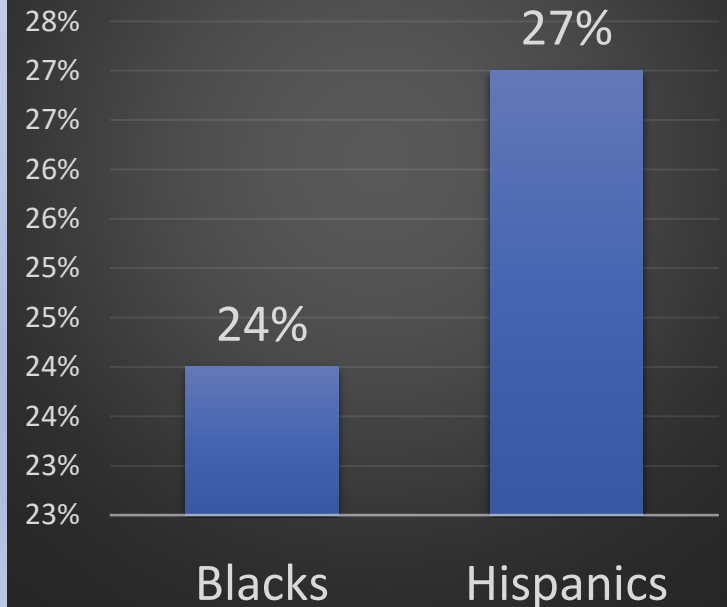
We rely on subconscious beliefs about groups to make a huge range of important decisions.

Our subconscious beliefs about groups are not purely a result of individual experiences or of our *conscious* beliefs. They are also driven by what our brains “take in”:

- Media depictions
- Widespread social beliefs



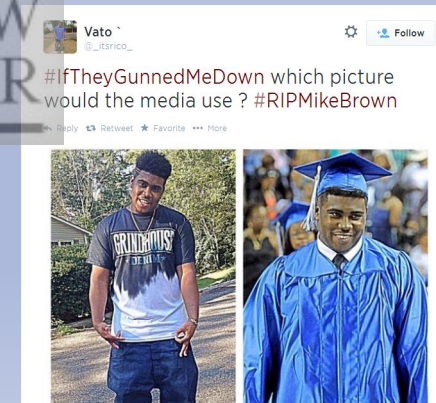
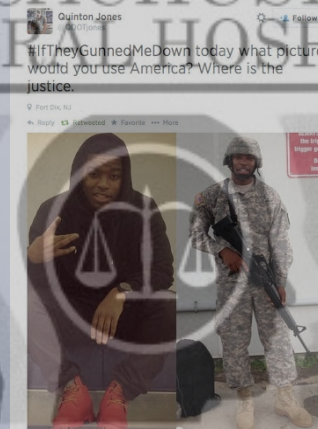
Percent of US residents who believe Whites are smarter than...



Sources of Social Beliefs

For example, two well documented media tendencies are to depict Black men as criminals and to depict Black women as unruly.

Partially as a result, negative posthumous depictions of Michael Brown and Trayvon prompted the #IfTheyGunnedMeDown movement



Current Social Beliefs

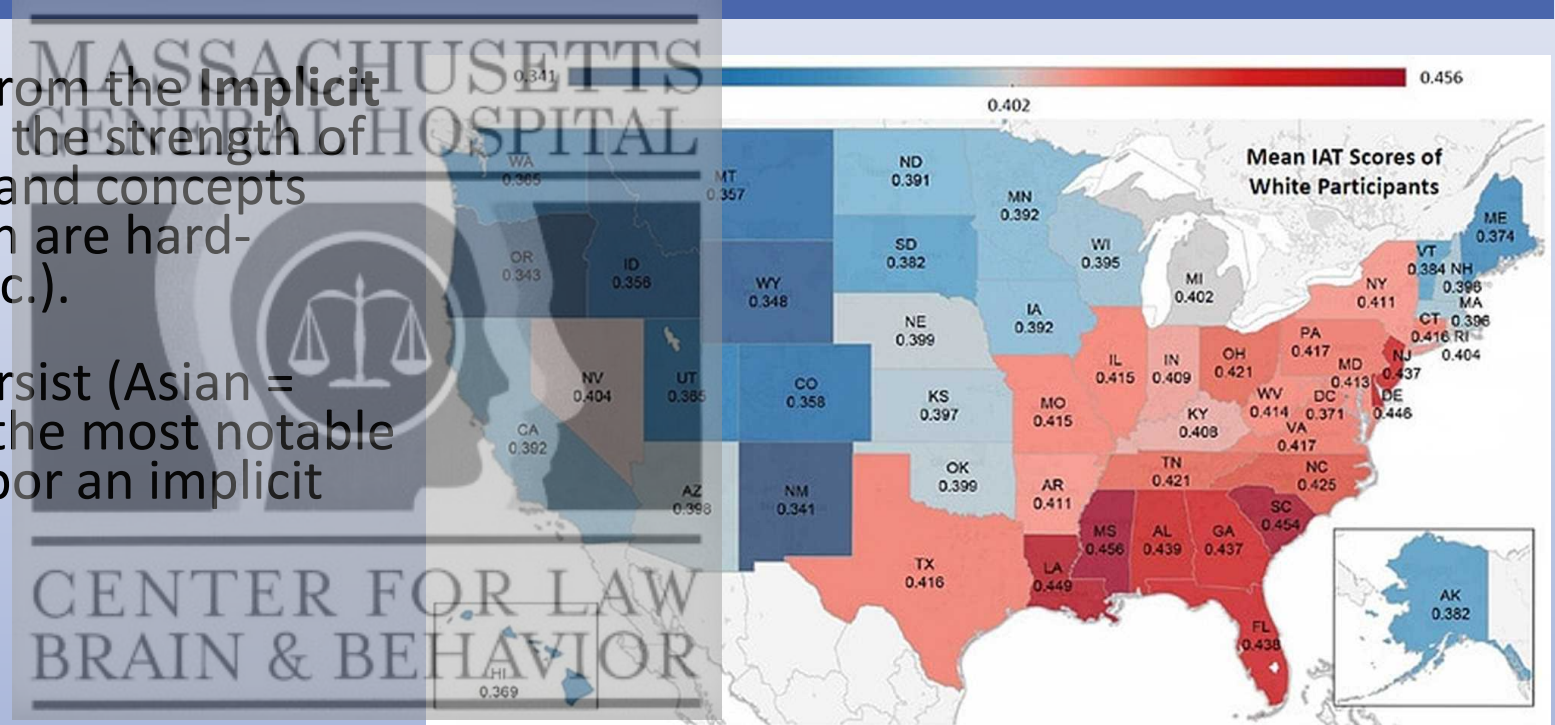
Banaji and Greenwald used data from the **Implicit Association Test**, which measures the strength of our associations between groups and concepts (e.g. “women are domestic,” “men are hard-working,” “Blacks are criminal,” etc.).

They found that various biases persist (Asian = foreign; women = domestic), but the most notable finding was that most people harbor an implicit bias that

Black = bad things

White = good things

Here, a score of 0 is unbiased, and a score of 1 is extremely biased. **The takeaway isn't that the South is biased. It's that the average White person in every state is fairly biased.**

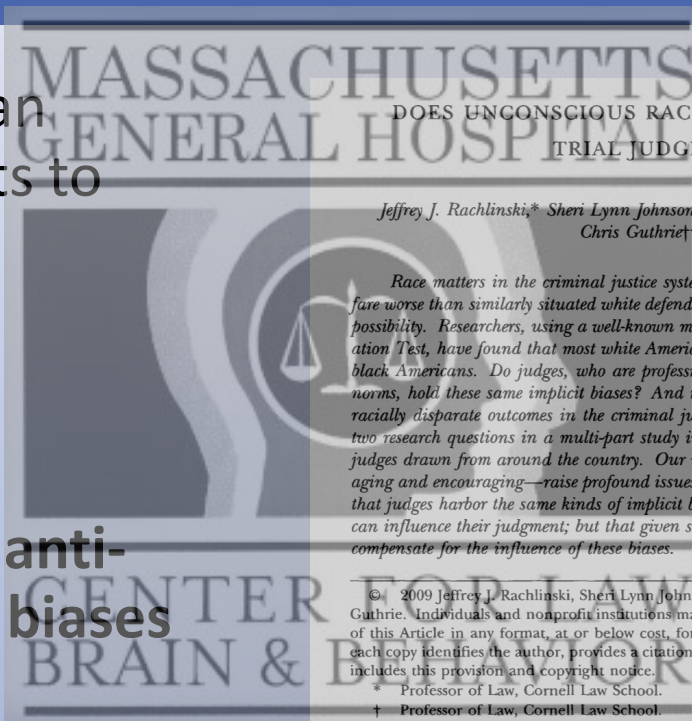


Judges, too

Judges likely have far higher than average conscious commitments to egalitarianism, but...

Judges are people too!

Studies have found that judges harbor anti-Black (pro-White), anti-Jewish, and anti-Asian implicit biases



DOES UNCONSCIOUS RACIAL BIAS AFFECT TRIAL JUDGES?

Jeffrey J. Rachlinski,* Sheri Lynn Johnson,† Andrew J. Wistrich,‡ & Chris Guthrie††

Race matters in the criminal justice system. Black defendants appear to fare worse than similarly situated white defendants. Why? Implicit bias is one possibility. Researchers, using a well-known measure called the Implicit Association Test, have found that most white Americans harbor implicit bias toward black Americans. Do judges, who are professionally committed to egalitarian norms, hold these same implicit biases? And if so, do these biases account for racially disparate outcomes in the criminal justice system? We explored these two research questions in a multi-part study involving a large sample of trial judges drawn from around the country. Our results—which are both discouraging and encouraging—raise profound issues for courts and society. We find that judges harbor the same kinds of implicit biases as others; that these biases can influence their judgment; but that given sufficient motivation, judges can compensate for the influence of these biases.

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†† Professor of Law, Vanderbilt Law School. The authors are grateful for the comments and assistance of Ian Ayres, Sieve Burbank, Jack Glaser, Tracey George, Tony Greenwald, Matthew Patrick Henry, Reid Hastie, Christine Jolls, Dan Kahan, Jerry Kang, Cass Sunstein, and the participants in workshops at the University of Arizona Law School, Bar Ilan University Law School, Brooklyn Law School, the University of Chicago Law School, Chicago-Kent Law School, Cornell Law School, George Washington University Law School, Harvard Law School, Hebrew University Law School, the University of Illinois School of Law, Notre Dame Law School, Ohio State University Law School, St. Louis University Law School, Syracuse University Law School, Tel-Aviv University Law School, Temple Law School, Villanova Law School, the University of Zurich, the Annual Meeting of the American Law and Economics Association, and the Annual Conference on Empirical Legal Studies.

JUDGING IMPLICIT BIAS: A NATIONAL EMPIRICAL STUDY OF JUDICIAL STEREOTYPES

Justin D. Levinson*, Mark W. Bennett** & Koichi Hioki*** ****

Abstract

American judges, and especially lifetime-appointed federal judges, are often revered as the pinnacle of objectivity, possessing a deep commitment to fairness, and driven to seek justice as they interpret federal laws and the U.S. Constitution. As these judges struggle with some of the great challenges of the modern legal world, empirical scholars must seek to fully understand the role of implicit bias in judicial decision-making. Research from the field of implicit social cognition has long documented negative implicit biases towards a wide range of group members, some of whom may well be harmed in various ways across the legal system. Unfortunately, legal scholarship, and particularly empirical legal scholarship, has lagged behind in terms of investigating how implicit biases, beyond Black and White, may lead to unfair outcomes in a range of legal areas, including those relevant to judges' potentially landmark legal decisions.

This Article proposes, and then empirically tests, the proposition that even today negative implicit biases may manifest in federal and state judges against even so-called privileged minorities, such as Asian-Americans and Jews. We present the results of an original empirical study we conducted on 239 sitting federal and state judges (including 100 federal district judges representing all Circuits) and consider the ways in which these judicial implicit biases may manifest. The study found that the judges harbored strong to moderate negative implicit stereotypes against Asian-Americans and Jews, while holding favorable implicit stereotypes towards Whites and Christians. These negative stereotypes associate Asians and Jews with immoral traits, such as "greedy," "dishonest," and "controlling," and associate Whites and Christians with moral traits, such as "trustworthy," "honest," and "giving." The study further found that federal district court judges sentenced Jewish defendants to marginally longer prison terms than identical Christian defendants and that implicit bias was likely the cause of the disparity.

* Professor of Law & Director, Culture and Jury Project, Carlsmith Ball Faculty Scholar, University of Hawai'i at Manoa, William S. Richardson School of Law. The researchers would like to thank Dean Aviam Soifer for providing generous summer support. Patrick Forscher provided thoughtful input as a collaborator during early stages of this project. Finally, thank you to Krysti Uranaka for superb research assistance. U.S. District Judge D. Brock Hornby and Professor Jeff Rachlinski provided thoughtful feedback and advice.

** Mark W. Bennett is in his 23rd year as a U.S. District Judge in the Northern District of Iowa.

*** Assistant Professor, Kobe University, Graduate School of Business Administration.

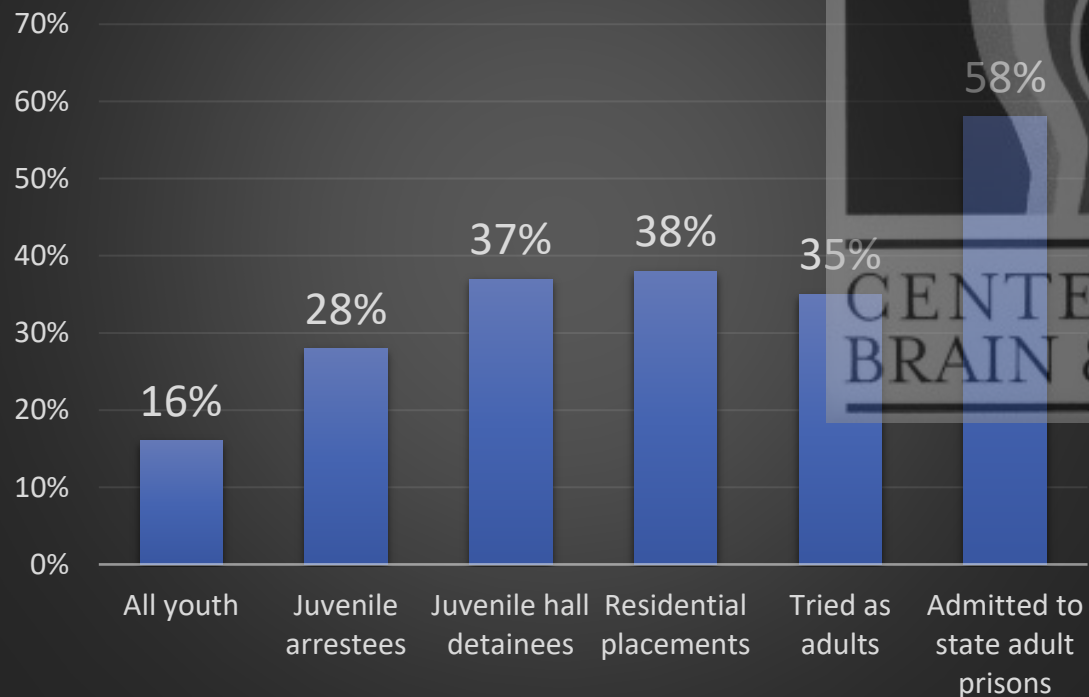
**** Copyright © 2017 by Justin D. Levinson, Mark Bennett, and Koichi Hioki.

Recap So Far

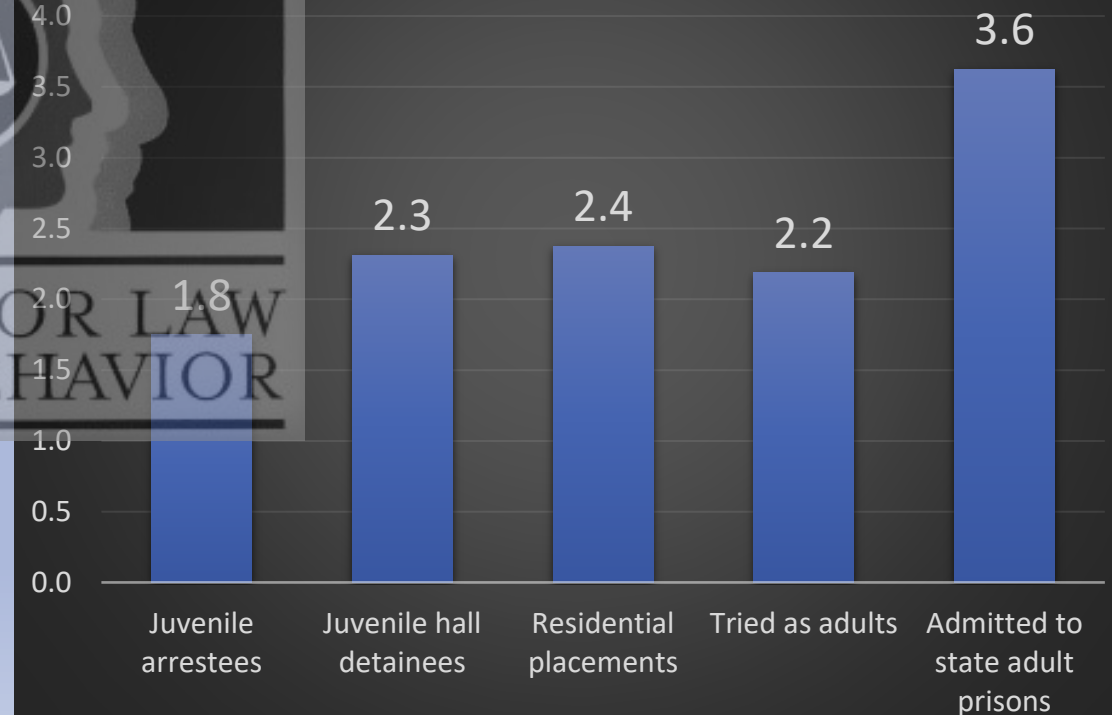
- Our brains prefer to utilize fast and powerful “System 1” cognition over slow and resource intensive “System 2” cognition
- System 1 leans on social beliefs
- Social beliefs are determined not only by individual experiences, but by *media depictions* and *broad social beliefs*
- As a result, we all (even judges!) harbor subconscious biases. Common ones are “White is good,” “Black is bad,” “Black is criminal / unruly”
- Without our conscious awareness, System 1 eagerly recruits these social biases in decision making

Biased Outcomes

Black youth as a percentage of...



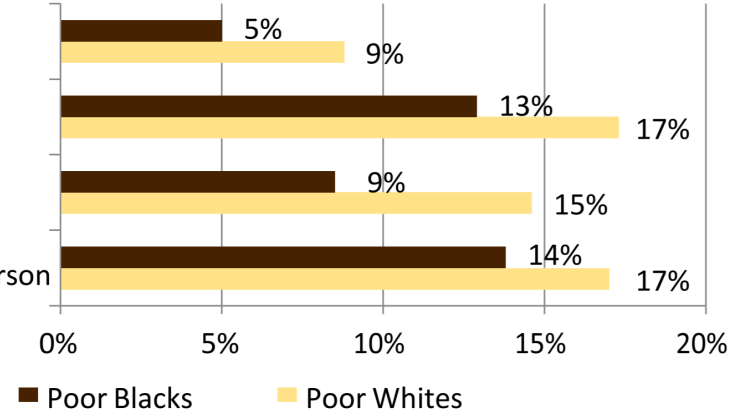
Black youth are __ times overrepresented as...



Distinguish conduct vs. response

- Some argue that youth of color offend at higher rates
- Data from juvenile systems suggests as much, but are a product of discretionary decision making (really measures of the juvenile “response,” not juvenile “conduct”)
 - E.g. if police biases discourage White youth from being arrested for the same conduct that might lead to Black youth being arrested, arrest data will be skewed and inaccurate
- A better approach is surveys on juvenile conduct, which find that Black and White youth offend at similar rates
- So why are Black youth more likely to experience negative juvenile outcomes?

Percent of Male Youth, 15 to 18,



How bias filters into decision making

The fundamental attribution error

When we succeed, we believe the cause is our *personality*; but when *others* succeed, we believe the cause is *situational*.

When we make mistakes, we believe the cause is situational; but **when *others* make mistakes, we believe the cause is their *personality*.**

Due to the vmPFC, we are more likely to commit **this error when considering the conduct of individuals we deem different from ourselves**

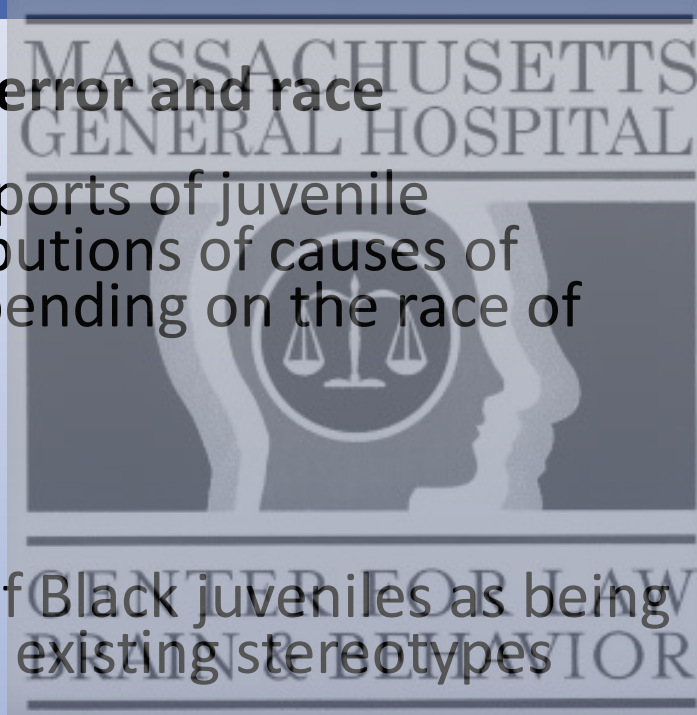


		Who did it?	
		myself	someone else
Outcome	positive	personality	circumstances
	negative	circumstances	personality

How bias filters into decision making

The fundamental attribution error and race

- A review of 233 narrative reports of juvenile offending showed that attributions of causes of juvenile offending differ depending on the race of the juvenile
 - Blacks: Personality traits
 - Whites: Situation
- This leads to the depiction of Black juveniles as being “more criminal,” in line with existing stereotypes
- This also leads to Black youth as being depicted as more likely to reoffend (a key criteria for determining punishment)



RACIAL DISPARITIES IN OFFICIAL ASSESSMENTS OF JUVENILE OFFENDERS: ATTRIBUTIONAL STEREOTYPES AS MEDIATING MECHANISMS*

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University of Washington

Sara Steen
Vanderbilt University

Despite extensive sociological research, little evidence exists on how court officials' perceptions of offenders influence their classification, assessment, and final recommendations for punishment. We examine the links among these factors, focusing specifically on the race of the accused. Our analysis combines information from probation officers' written accounts of juvenile offenders and their crimes and court records about the offenders. We find pronounced differences in officers' attributions about the causes of crime by white versus minority youths. Further, these differences contribute significantly to differential assessments of the risk of reoffending and to sentence recommendations, even after adjusting for legally relevant case and offender characteristics. These results suggest that differential attributions about the causes of crime act as a mediating factor between race and sentencing recommendations.

How do professionals within organizations perceive and classify the clients they encounter? Professionals' perceptions help explain organizational outcomes, linking decisions about clients to professionals' diagnoses of their problems and needs (Abbott 1988). Perceptions shape diagnostic and treatment processes by forming the base of information professionals use to classify clients into meaningful categories (Farrell and Swigert 1978; Scull 1975; Sudnow 1965). Because the classification of clients sorts persons perceived as having similar diagnoses and requiring similar outcomes or dispositions, differential perceptions of individuals and groups of clients will yield different diagnoses and treatments (Heimer and Staffen 1995). Further, *inequalities* in professionals' perceptions and diagnoses of clients may produce inequalities in treatment. Sociological accounts of inequalities in the treatment of persons by organizations are widespread. Studies of racial biases in juvenile courts over the past 30 years have examined whether court officials treat minority youth more severely than white youth (Aday 1986; Arnold 1971; Bishop and Frazier 1988; Bortner and Reed 1985; Carter and Wilkins 1970; Fagan, Slaughter, and Hartstone 1987; Fagan, Forst, and Vivona 1987; Horowitz and Pottieger 1991; Piliavin and Briar 1964). Although such studies repeatedly raise the specter of racial discrimination in the courts, few identify the mechanisms by which the accused's race influences official assessments of youths and their cases.¹ A critical but overlooked concern is how court officials' perceptions of juvenile offenders contribute to racial differences in legal dispositions. Differential perceptions of youth and their crimes may legitimate racial disparities in official assessments of a youth's dangerousness and risk of future criminal behavior. They also may foster the differential treatment of minority and white offenders in the disposition of criminal cases.

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¹ Racial bias is only one possible explanation for racial differences in sentencing. Researchers also have raised the possibility that differential access to resources (e.g., legal aid, psychiatric resources, the ability to arrange and pay for an alternative school) contributes to differential sentencing practices (Emerson 1981; Fagan, Slaughter, and Heartstone 1987; Farrell and Swigert 1978).

How bias filters into decision making

Black juveniles *subconsciously* seen as older / more culpable / more deserving of punishment:

Participants: Police officers and probation officers

Subconscious prime: Words associated with either Blackness (dreadlocks, homeboy, Harlem) or that were ethnically neutral and neutral overall

Results: When *subconsciously* primed to believe a juvenile in a vignette was Black, participants saw them as older and more culpable; and endorsed harsher punishments against them

Law and Human Behavior, Vol. 28, No. 5, October 2004 (© 2004)

Priming Unconscious Racial Stereotypes About Adolescent Offenders

Sandra Graham¹ and Brian S. Lowery²

Two studies examined unconscious racial stereotypes of decision makers in the juvenile justice system. Police officers (Experiment 1) and juvenile probation officers (Experiment 2) were subliminally exposed to words related to the category Black or to words neutral with respect to race. In a presumably unrelated task, officers read 2 vignettes about a hypothetical adolescent who allegedly committed either a property crime (shoplifting from a convenience store) or an interpersonal crime (assaulting a peer). The race of the offender was left unstated and the scenarios were ambiguous about the causes of the crime. Respondents rated the hypothetical offender on a number of traits (e.g., hostility and immaturity) and made judgments about culpability, expected recidivism, and deserved punishment. They also completed a self-report measure of conscious attitudes about race. As hypothesized, officers in the racial prime condition reported more negative trait ratings, greater culpability, and expected recidivism, and they endorsed harsher punishment than did officers in the neutral condition. The effects of the racial primes were not moderated by consciously held attitudes about African Americans. The implications of the findings for racial disparity in the juvenile justice system and for changing unconscious stereotypes were discussed.

KEY WORDS: stereotypes, adolescents, offenders

Rates of violent crime appear to be easing back up following an unexpected decline in the late 1990s. That increase has raised new concern about the treatment of ethnic minority offenders, particularly African American males, who continue to be disproportionately represented in both the adult and juvenile justice systems. In the juvenile system, which is the focus of this paper, racial disproportionality is evident across all decision points, from arrest to disposition. For example, African American youth age 10–17 comprise about 15% of their age group in the population, yet they represent about 25% of all juvenile arrests, 30% of referrals to juvenile court, 40%

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Race and the Fragility of the Legal Distinction between Juveniles and Adults

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Abstract

Legal precedent establishes juvenile offenders as inherently less culpable than adult offenders and thus protects juveniles from the most severe of punishments. But how fragile might these protections be? In the present study, simply bringing to mind a Black (vs. White) juvenile offender led participants to view juveniles in general as significantly more similar to adults in their inherent culpability and to express more support for severe sentencing. Indeed, these differences in participants' perceptions of this foundational legal precedent distinguishing between juveniles and adults accounted for their greater support for severe punishment. These results highlight the fragility of protections for juveniles when race is in play. Furthermore, we suggest that this fragility may have broad implications for how juveniles are seen and treated in the criminal justice system.

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Introduction

The U.S. is a world leader in punitiveness. Research has documented that the U.S. applies harsher penalties and incarcerates more of its adult populace (for longer periods of time) than any other industrialized, democratic nation in the world [1–3]. Despite the trend of increasing punitiveness in the adult criminal justice context, one class of individuals has been consistently protected: juveniles. As a general rule, the law considers juvenile offenders to be less culpable than adults, and for this reason juveniles cannot merit punishments as severe as those available for adults, even for the same crime [4,5].

Although these protections have existed for some time, their application to severe offenses has been more recent [4,5]. When juveniles commit serious violent crimes, this protection may seem at odds with the goal of meting out punishment appropriate to the severity of the offense. In other words, when juveniles commit “adult” enough crimes, there may seem to be a justifiable basis for assigning them adult punishments. Indeed, this argument was evident in the debate before the Supreme Court over whether life in prison without the possibility of parole, the most severe punishment available for juveniles, ought to remain legal for non-homicide cases. Although the Court ultimately determined that juveniles' reduced standard of culpability should protect them from such severe sentencing in non-homicide cases, the Justices issued a split 5–4 decision [3], suggesting that some of the Justices may have been more swayed by the “adult time for adult crime” argument than the established protection associated with juveniles.

Given how recent this protection is in the context of severe offenses, might a heightened desire to punish weaken it? One factor that has been reliably shown across justice contexts to inappropriately heighten people's desire for severe punishments is

race. Black American adults are incarcerated at a higher rate than White Americans [1,3,6] and are disproportionately likely to receive severe sentences such as the death penalty [7]. Research has even shown that the more “Black” an adult offender is perceived to be, the greater their likelihood of being sentenced to death [8]. Moreover, Black juveniles who are transferred to adult court for trial and sentencing receive significantly more punitive sentences than White juveniles, and this practice is on the rise [9].

Extending this past research, we systematically examined whether priming participants with (i.e., subtly increasing the salience of; see File S1, Note 1) the social category Black (versus White) would affect both perceptions of the relative difference in culpability between juveniles and adults and the acceptability of severe punishments for juvenile offenders who have committed serious crimes. We hypothesized that, even when they are presented with the same serious crime, people would see juvenile offenders as less different from adults and worthy of more severe punishments when exposed to an example case that included a Black American as compared with a White American. As noted, this distinction between juveniles and adults is considered foundational in the law. For example, cases that ultimately extended the protections associated with juveniles to severe crimes have hinged on this relative difference in culpability [4,5]. At the same time, however, there are practices that may be seen as placing this distinction in jeopardy, such as assigning juveniles to adult courts for sentencing, which has been on the rise [9]. For these reasons, it is critical to understand factors that might inappropriately affect perceptions of this legal distinction, and particularly the role of race.

Contemporary social psychological research has largely focused on disparate negative outcomes occurring for the individual in the criminal justice context as a function of race: Black targets are

What about adult courts?

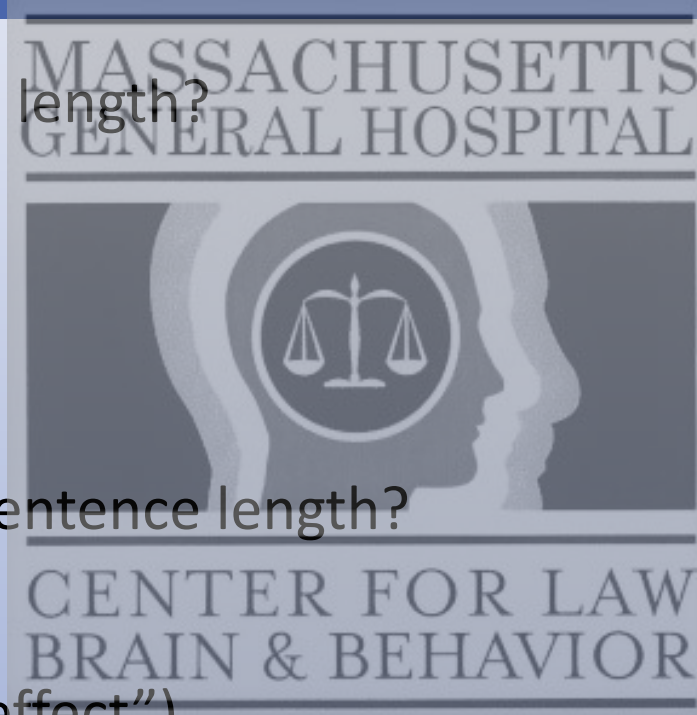
What should predict sentence length?

- Offense severity,
- Number of prior offenses,
- Severity of prior offenses

What probably also predicts sentence length?

- Race
- Facial attractiveness (“halo effect”)

After controlling for *all* of those factors, Florida judges issued longer and harsher sentences to criminal defendants with more **Afrocentric features** ($p < .05$)



DISCRIMINATION IN SENTENCING ON THE BASIS OF AFROCENTRIC FEATURES†

William T. Pizzi*
Irene V. Blair**
Charles M. Judd***

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† The authors are most grateful to Robert Nagel and Richard Delgado for their comments on an earlier draft of this Article.

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Juvenile court susceptibility to bias

Affect heuristic: When we feel bad, we lean more on System 1 biases.

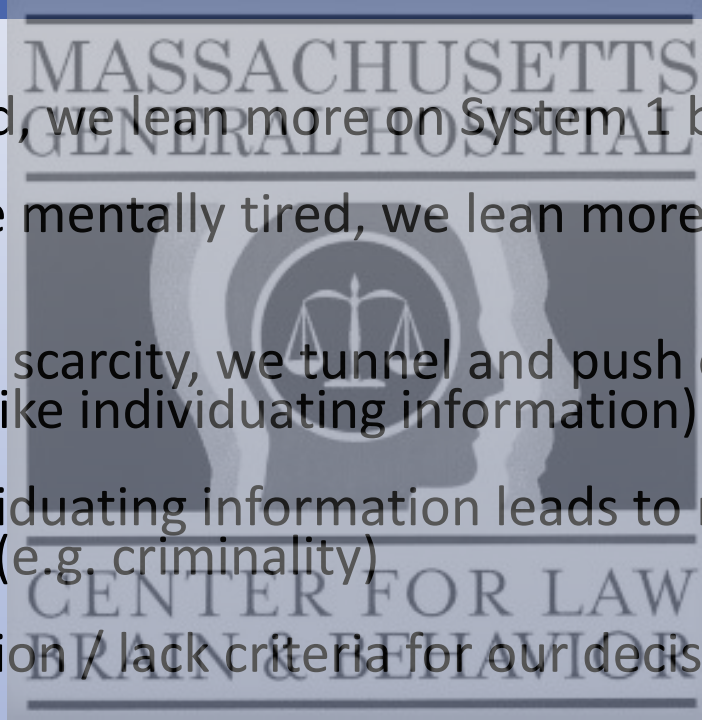
Cognitive depletion: When we are mentally tired, we lean more on System 1 biases. Case loads

Time scarcity: When we face time scarcity, we tunnel and push out information we deem irrelevant (like individuating information)

Racial memory bias: Limited individuating information leads to more negative associations with Blacks (e.g. criminality)

Discretion: When we have discretion / lack criteria for our decisions, we lean more on System 1 biases

Insufficient structural motivation: When we have motivation, we can partially check System 1. Not so when we lack it



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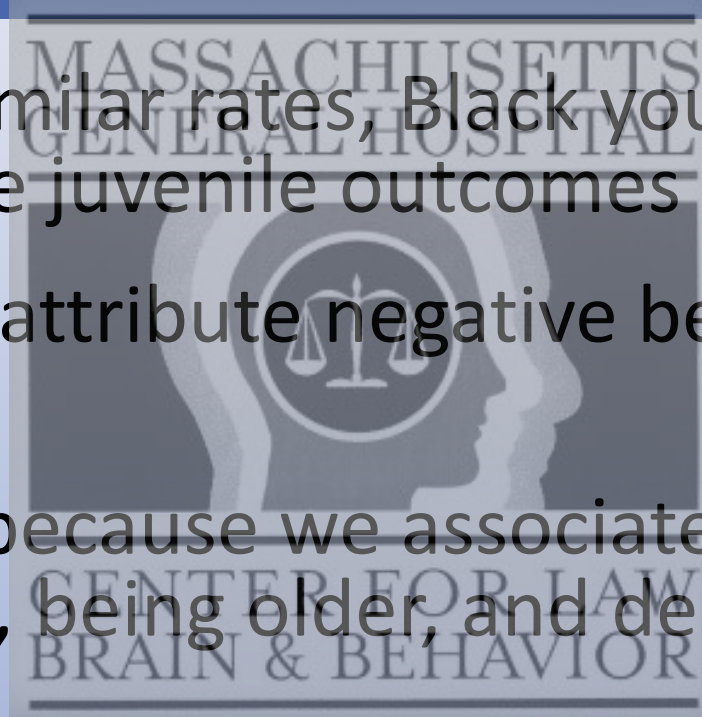
Designed to Fail: Implicit Bias in Our Nation's Juvenile Courts

SEAN DARLING-HAMMOND*

* Copyright © 2017 Sean Darling-Hammond. Sean Darling-Hammond is an education policy consultant at EducationCounsel in Washington D.C. Before joining EducationCounsel, he was an education attorney at Hogan Lovells and clerked for the Honorable Judge Charles B. Day in the District Court for the District of Maryland. He earned his J.D. from U.C. Berkeley where he represented children with special needs in juvenile proceedings and Individualized Education Plan (IEP) meetings at the East Bay Community Law Center. He also served as the Director of the Berkeley High School Student Court, a restorative justice program that helped markedly reduce in-school recidivism. Before law school, Sean earned his B.A. in Sociology and spent five years serving as the Director of Research for Hattaway Communications, a public affairs firm in Washington D.C.

Recap So Far

- Despite offending at similar rates, Black youth are far more likely to experience negative juvenile outcomes
- We are more likely to attribute negative behavior by Black youth to their personalities
- This may be partially because we associate Black youth with criminality, culpability, being older, and deserving more punishment
- Juvenile courts are particularly vulnerable to these biases driving our decision making



Ways to address bias in juvenile courts

Juvenile courts:

Affect heuristic

Discretion

Time scarcity

No accountability

Racial memory bias

Individual approaches

Amicable interactions

Focus on existing criteria

Insist on thorough review

Appeal / allow appeal

Individuate thoroughly

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Legal Systems

How To Individuate:

Provide extensive and emotionally salient information about what makes your client unique

- Conduct great interviews to get the information. Consider cultural competence training to improve your capacity to build rapport and glean deep insights
- Interview family and community members to get a “fuller picture” of your client.

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THE FIVE HABITS: BUILDING CROSS-CULTURAL COMPETENCE IN LAWYERS

SUSAN BRYANT*

“Yet the challenge confronts us: Build a unified society without uniformity.”¹

This article describes a process called “the Habits” that was developed by Professors Bryant and Jean Koh Peters that can be used by lawyers to increase their cross-cultural competence. By outlining

* Associate Professor, City University of New York School of Law (CUNY). As described in the epilogue, this article grows out of a collaborative project with Jean Koh Peters, to whom I am deeply grateful. In our work on developing the Habits and the teaching module to teach the Habits, Jean and I were aided by many wonderful colleagues, students, and staff. I want to thank those colleagues who first worked with me on issues of diversity in AALS presentations, including Victor Goode, Isabelle Gunning, Steve Hardwell, and Jennifer Rockow. Jean and I have wonderful colleagues who have taught cross-cultural lawyering using these materials or watched us use them and given us feedback on the Habits and these materials. They include my colleagues at CUNY: Beryl Blaustone, Rhonda Copelon, Sam Dulberg, Ellen Fried, Gail Gray, Pamela Goldberg, Sharon Hom, Ron Lindeman, Steve Loffredo, Joe Rosenberg, and Susan Taylor; and Jean's colleagues at Yale: Carroll Lucht, Michael Pinard, Jay Pottenger, and Steve Wizner. Jean's colleague and our friend, Kathleen Sullivan, passed away before this article was published. She was an enthusiastic supporter and contributor to our work. She is missed deeply. I am especially grateful to Maria Arias, my co-teacher for ten years at CUNY, for her insights and conversations about teaching in general and about cross-cultural issues, and to my colleagues, Bob Seibel and Alice Morey, and to Harvey Weinig for their careful reading and suggestions.

Ways to address bias in juvenile courts

Juvenile courts:

Affect heuristic

Discretion

Time scarcity

No accountability

Racial memory bias

Structural approaches

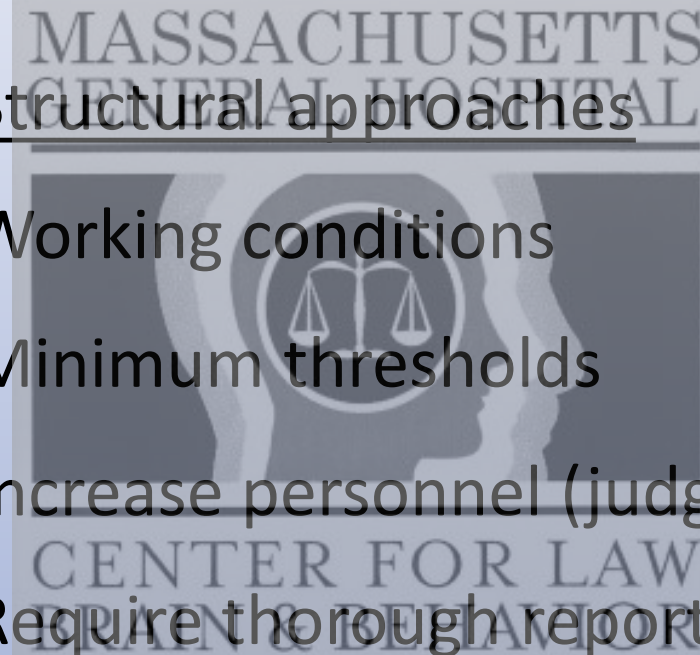
Working conditions

Minimum thresholds

Increase personnel (judges, PDs)

Require thorough reporting

Increase systemic opportunities for individuation (teacher / family reports)



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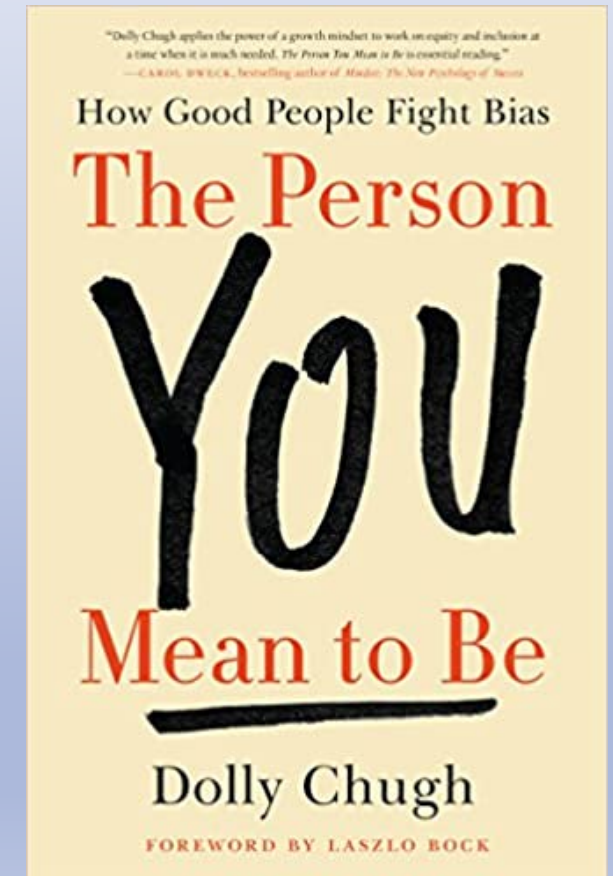
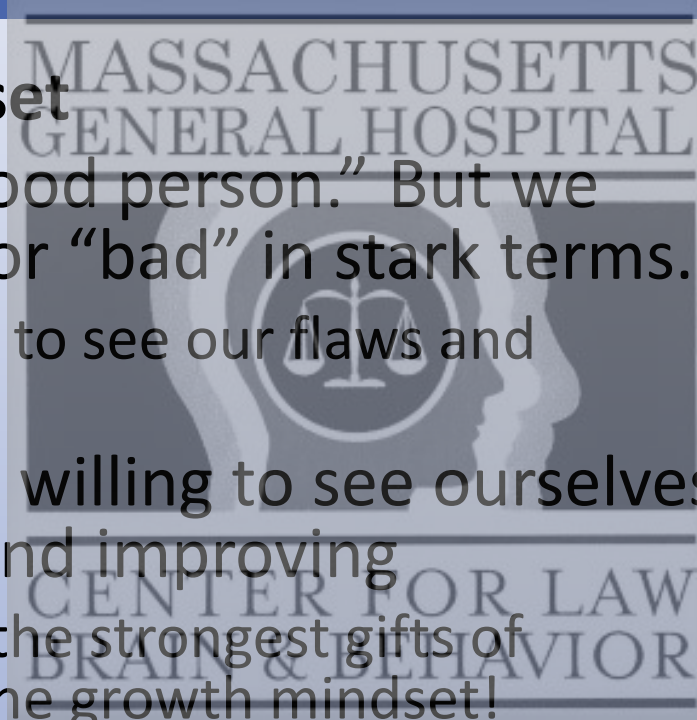
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Addressing Bias in Daily Life

Embrace a Growth Mindset

- We all want to be a “good person.” But we think of being “good” or “bad” in stark terms.
 - This impacts our ability to see our flaws and commit to growth!
- We need to instead be willing to see ourselves as "good-ish" – good and improving
 - This empowers one of the strongest gifts of modern psychology – the growth mindset!
- Growth mindset: Believing folks “can get better” at tasks (including overcoming bias) is a key predictor of improvement

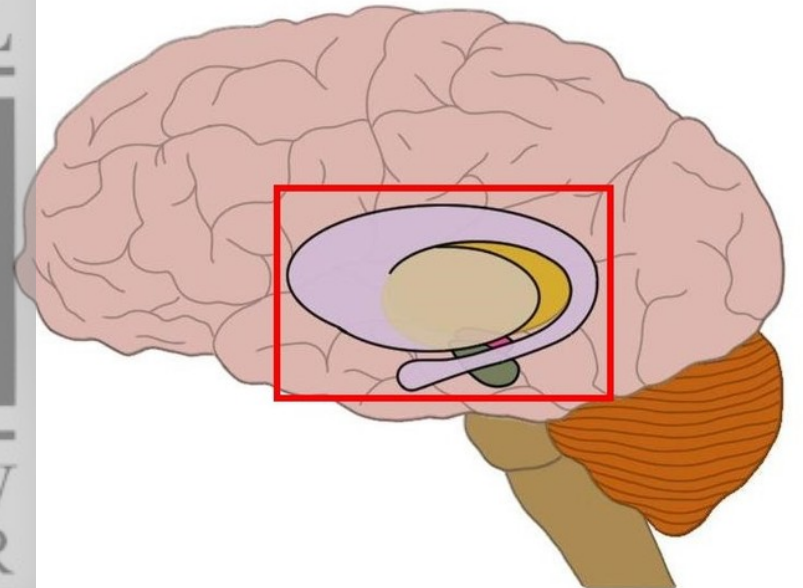
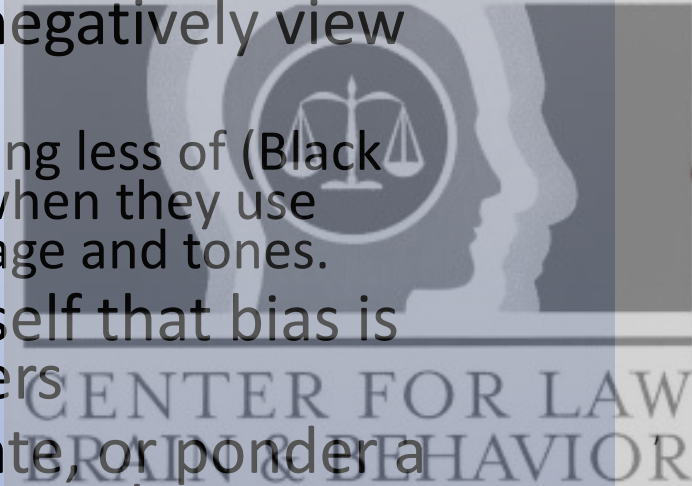


Addressing Bias in Daily Life

Retrain the Basal Ganglia

- 1) **Identify:** Ascertain what encourages *your* System 1 brain to negatively view individuals
 - E.g. “I catch myself thinking less of (Black people / women / etc.) when they use certain vernacular language and tones.
- 2) **Motivate:** Remind yourself that bias is harmful to you and others
- 3) **Correct:** Try to individuate, or ponder a counter stereotypical example
- 4) **Reward:** Recall that each small debiasing effort helps create a better world

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Addressing Bias in Daily Life

Positive intergroup contact!

Relationship Between Various Forms of
Prior Contact with Blacks and Intergroup Bias

Type of Individual	Sub Sample	Percent Exhibiting Bias	P-Value	— times more likely to be biased
Majority White Classmates	22,102	21.0%	<.001	1.19
Not Majority White Classmates	6,267	17.7%		
Majority White Childhood Neighborhood	76,701	22.9%	<.001	1.23
Not Majority White Childhood Neighborhood	24,662	18.6%		
Did Not Have a Strong Childhood Black Friendship	63,393	24.8%	<.001	1.48
Had a Strong Childhood Black Friendship	36,468	16.7%		
Did Not Have a Black Romantic Partner	75,374	24.2%	<.001	1.80
Had a Black Romantic Partner	19,671	13.5%		

Multivariate Regressions Predicting Pro-White Bias

Model	Three	Four
Black Coworker (v. 1)	-0.387*** (0.092)	
Black Coworker (v. 2)		-0.270** (0.101)
Black Neighbor	-0.312**	-0.341**
Conservatism	0.189***	0.218***
Educational Attainment	0.024	0.018
Year of GSS Interview	-0.001	0.008
Age	-0.005	-0.003
Female	0.088	0.102
Family Income	-2.62 x 10 ⁻⁶ *	-3.76 x 10 ⁻⁶ *
Working Class	0.114	0.034
Middle Class	0.169	0.123
Upper Class	-0.021	-0.080
County#	#	#

*Selected standard errors omitted intentionally.
*** p<0.001, ** p<0.01, * p<0.05.
397 county dummy variables also included*

Review of Strategies of Besting Bias

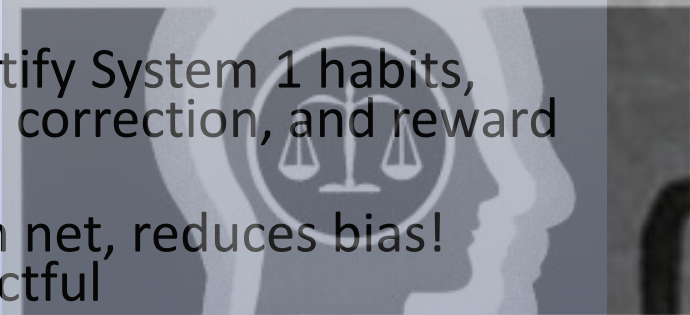
Besting Bias in any context

- **Growth Mindset:** Embrace being “good-ish,” and the belief that you can improve
- **Retrain the Basal Ganglia:** Identify System 1 habits, motivate improvement, make a correction, and reward hard work
- **Positive intergroup contact:** On net, reduces bias! Most positive is mutually respectful

Best Bias in Juvenile Courts

- **Individual approaches:** amicable interactions, attention on criteria, thorough review, appeals, and thoroughly individuate juvenile clients
- **Systemic approaches:** improved working conditions, minimum thresholds for detention, more personnel, thorough reporting, systemic individuation

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