Managing Implicit Biases: Lessons from Social Science Research

JENNIFER K. ELEK, PH.D.
NATIONAL CENTER FOR STATE COURTS
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What is implicit bias?

**Definition:** The associations or stereotypes we have that affect our understanding of, actions toward, and decisions about others without our awareness or intentional control.

**Impact:** Can affect the way we think about, act toward, and judge others, e.g.:
- body language in social interactions
- selection & hiring decisions
- voting choices in public elections
- decisions about where to make budget cuts
- the perception of threat and the use of force
- judgments about others' blameworthiness and guilt

**Risk factors:** Implicit bias is more likely to affect us when...
- the situation is ambiguous, stressful, and/or complex
- we are distracted, tired, hungry, overwhelmed, or otherwise not functioning at our best
What is implicit bias?

- For more information, see:
  - National Center for State Courts: www.ncsc.org/ibeducation
  - Harvard University’s Project Implicit: www.projectimplicit.org
  - 2013 TED Talk by Jerry Kang (“Immaculate Perception”)
  - The ABA’s Implicit Bias initiative
Managing implicit biases:
Managing implicit biases: Promising strategies?

1. Change implicit biases
   - Education, counterbias training (learn new habits)
Managing implicit biases: Promising strategies?

2. Correct for implicit biases
   - Compensate for undesirable influences of implicit biases on judgment
   - But…
     - Backfire risk: language used is important
     - Aware that it is self-relevant? Understand the magnitude & direction? Motivated to act and capable of acting?
     - Timing of intervention
     - ????
Managing implicit biases: Promising strategies?

3. Work around implicit bias
   - (Re)design the decision-making environment to prevent activation of implicit biases, e.g.:
     - To allow for “blind review” (e.g., audition example)
     - To remove barriers to information processing and minimize challenges in the jury decision-making process
     - To select a diverse group of decision-makers
Managing implicit biases with juries

- Encourage researcher – practitioner partnerships

- Review existing data and establish a research agenda
  - Identify critical points in the process that are ripe for intervention
  - Identify strategies that are currently used or that could be developed
  - Identify opportunities for testing those strategies