IMPLICIT BIAS AND THE DECISION MAKER

PRESENTED BY

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OBJECTIVES

- To promote awareness of Implicit bias
- Assess personal biases
- Develop an understanding of unconscious associations
- Objectively evaluate demonstrations of our biases
- Learn how Implicit Bias can affect our behavior as a decision maker.

INTRODUCTORY VIDEO

- Challenge assumptions: 2:19

TOPIC HIGHLIGHTS

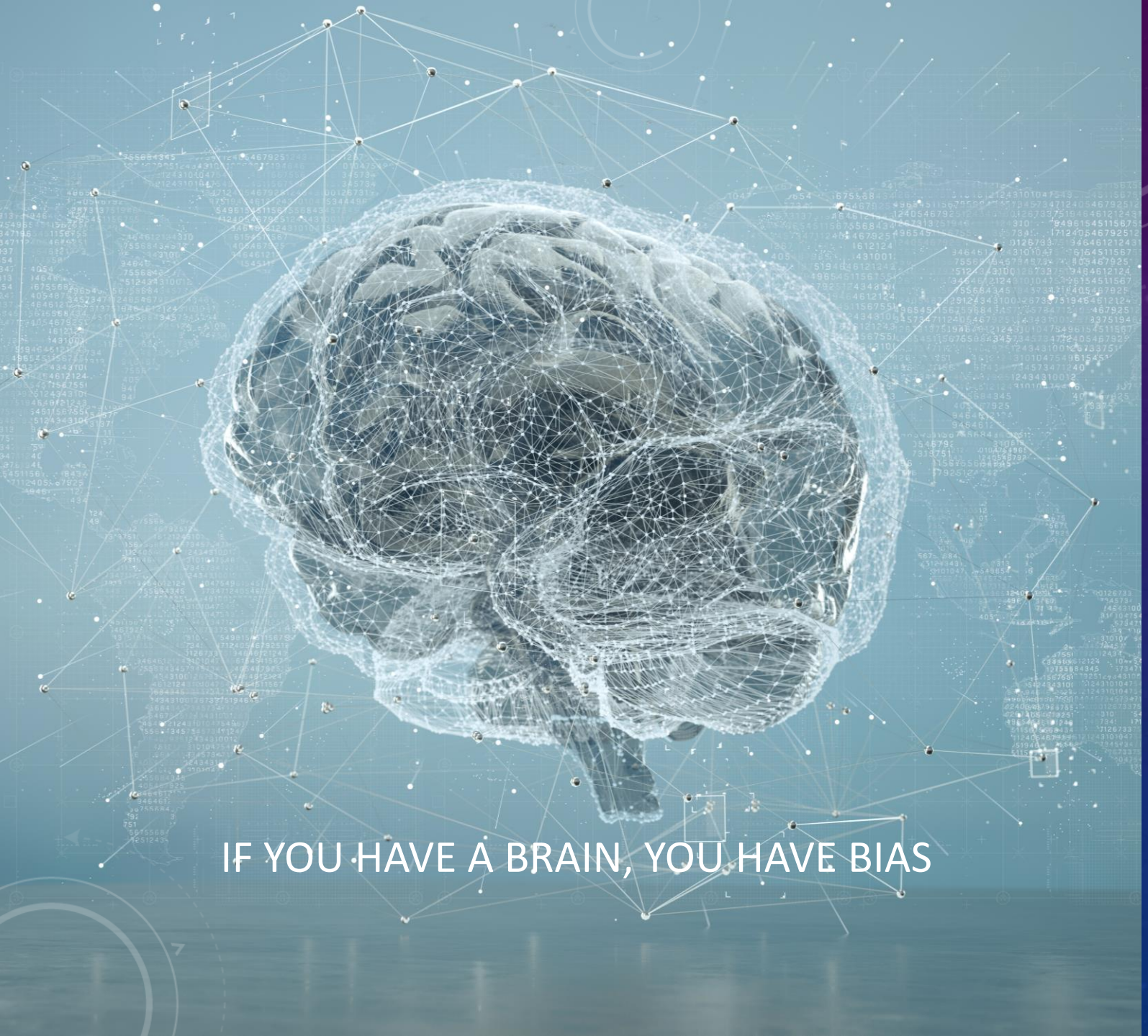
- Ground Rules
- Implicit Bias Defined
- Types of Implicit Bias
- Microaggressions
- How Implicit Bias relates to the hearing process and decision maker
- Ways to overcome Implicit Bias

GROUND RULES

- Safe space
- Feeling uncomfortable is okay
- No right or wrong questions or answers
- Grace for yourself and others

What is Implicit Bias?

IMPLICIT BIAS REFERS TO THE ATTITUDES OR STEREOTYPES THAT AFFECT OUR UNDERSTANDING, ACTIONS, AND DECISIONS IN AN UNCONSCIOUS MANNER. IT FORMS AUTOMATICALLY AND UNINTENTIONALLY.



IF YOU HAVE A BRAIN, YOU HAVE BIAS

BIAS IS HARDWIRED IN OUR BRAINS

HOW IS IMPLICIT BIAS FORMED?

- Attitudes or Stereotypes/Cultural Learning
- Live deep in our subconscious
- Often based on outward characteristics
- Can be favorable or unfavorable/ Media plays a significant role

The media plays into what gets sent & stored in our unconscious as well. Consider…

"Two residents wade through chest-deep water after ***finding*** bread and soda from a local grocery store after Hurricane Katrina came through the area in New Orleans, Louisiana."

(AFP/Getty Images/ Chris Graythen)

"A young man walks through chest deep flood water after ***looting*** a grocery store in New Orleans on Tuesday."

(AP/Dave Martin)

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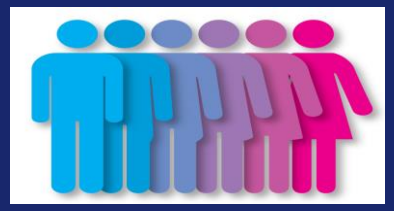
IMPLICIT BIAS IS…

Attitudes, Stereotypes & Beliefs that can affect how we treat others. A few types of implicit bias:

Race

Ability

Gender



Culture

Language

Implicit bias runs contrary to our stated beliefs. For example, we can say that we believe in equity and truly believe it. But then unintentionally behave in ways that are biased and discriminatory.

COMMON TYPES OF UNCONSCIOUS BIAS

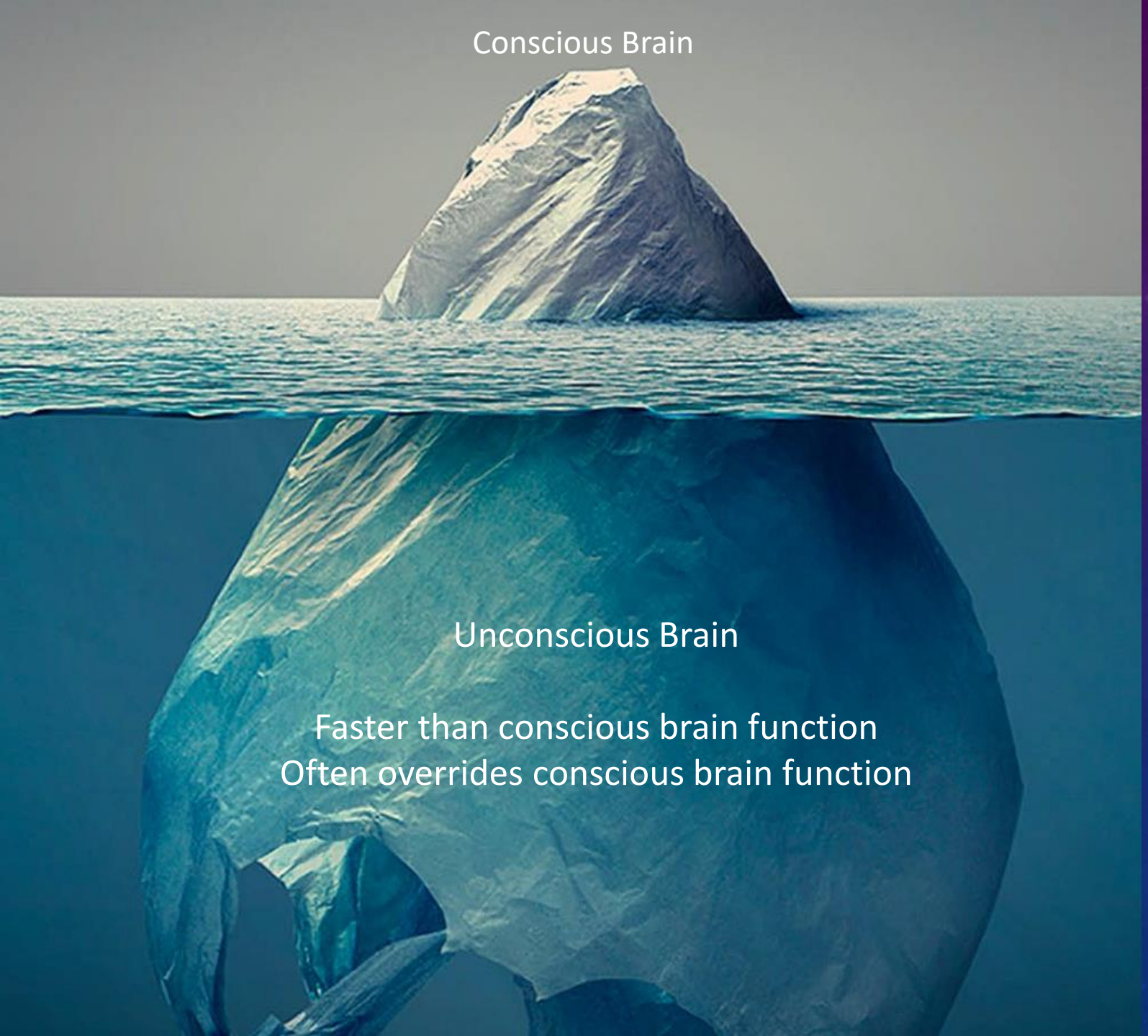
Confirmation Bias

Similarity Bias

Halo & Horns Effect

TYPES OF IMPLICIT BIAS

- Height and weight
- Introversion/Extroversion
- Marital and parental status
- Disability status
- Foreign accents
- Where someone attended college or grew up
- Volunteer activities
- Body piercings/manner of dress



THINK OF AN ICEBERG

- The most important part of the iceberg is the part you cannot see hidden deep under the water.
- Now, even though you cannot see the bottom of the iceberg, it is important to be aware that it exists.
- Think of your unconscious bias as the bottom of the iceberg that is hidden below the surface. We may not always know they are there, but it is important to know that they exist.

HOW IMPLICIT BIAS DEVELOPS

Unconscious bias results from stereotypes.

Stereotypes might seem inconsequential, but they become problematic when we automatically associate individuals with certain stereotypes.

Our brains are quick to make these associations, which can result in unconscious bias.

DID YOU KNOW…

On average humans make 1 decision every 2.5 seconds

Scientist estimate that we are exposed to as many as 11 million pieces of information at any one time, but our brains can only functionally deal with about 40

We use categories as a form of intellectual short-hand

Research shows that our brain jumps to assumptions and conclusions without us even knowing it! Some call it a gut response.

MICROAGRESSIONS:

- What are they and what do they look like?

MICROAGGRESSIONS

- Microaggressions are subtle, stunning, often automatic verbal and non-verbal exchanges which are put downs.
- They have also been described as subtle insults delivered through dismissive looks, gestures and tones (verbal, nonverbal, and/our visual) toward women, people of color, or LGBTQ persons often automatically or unconsciously.

OTHER MICROMESSAGING

Mcroinequities	Microinsults	Microassults	Microinvalidations
• Subtle, disrespectful actions that reflect our biases. They can be difficult to recognize for both the person acting them out and the target.	• Verbal and nonverbal communications that subtly convey rudeness and insensitivity and demean a person's heritage or identity.	• Conscious and intentional actions or slurs.	• Subtly exclude, negate or nullify the thoughts, feelings or experiential reality of a person of a marginalized group.

WE CAN AGREE…

- It is unfair and absurd to give employees lower performance evaluations solely because they are overweight.
- Or to prescribe medical procedures to people more often because of their race
- Or to treat people different ways because of their clothing
- Or to call on boys more often than girls when they raise their hands in school

INTERSECTION OF IMPLICIT BIAS AND THE HEARING PROCESS

All persons must be treated equally under the law

Everyone should receive a full and fair hearing without regard to their race, gender, religion, age, economic circumstances or social standing.

Stereotyping and unconscious attitudes can have significant negative effects on the fairness of legal proceedings.

ABA VIDEO :

- Hidden Injustice: Bias on the Bench 10:43

WAYS TO OVERCOME IMPLICIT BIAS

Learn what unconscious biases are.

Assess which biases are most likely to affect you. Become aware of individual perceptions, and their impact on decision making.

Let data inform your decisions. Use measurable criteria to make decisions.

Engage in courageous conversations to increase knowledge and address negative perceptions, stereotypes and attitudes.

3 QUESTIONS

Are there things about this person that particularly influence your impression?

Does this person remind you of somebody you know?

What assessments have you already made about this person?

MEASURING YOUR BIAS
IMPLICIT ASSOCIATION TEST

- The most effective tool available for testing one's own unconscious bias is the Implicit Association Test (IAT), created and maintained by Project Implicit.

- To take the IAT go to:
- https://Implicit.Harvard.edu/implicit

KEY TAKEAWAYS

- We all have biases.
- Biases are simply a preference for or against something.
- Unconscious Bias is unintentional, for the most part, and generally a grouping and categorizing short-cut that our brain make to process information.
- Unconscious Biases encompass a myriad of characteristics which go much deeper than race, gender, or age.
- As decision makers we must be intentional in recognizing our biases and how they can impact our decision-making process.

FINAL VIDEO

- THE LOOK: 1:43

Thank you!

Power Point Presentation outline prepared with the help of Interim Deputy General Counsel Leslie Ann Taylor , IDHFS