

# ***Let's Talk: Implicit Social Cognition (The Pros and Cons of Autopilot)***

**North Carolina Commission on the Administration of Law and Justice: Public Trust and Confidence Committee**

**November 17, 2015**



**Louis Trosch, Jr., District Court Judge, 26th Judicial District**

# Criminal Justice



# NAACP Defense Fund Lists 76 Unarmed Men & Women of Color Shot by Police Since 1999



# The Disproportionate Risks of Driving While Black

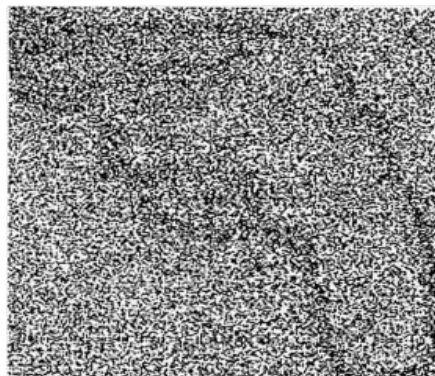
An examination of traffic stops and arrests in Greensboro, N.C., uncovered wide racial differences in measure after measure of police conduct.

By SHARON LaFRANIERE and ANDREW W. LEHREN OCT. 24, 2015



Devin, left, and Rufus Scales, who are brothers, were pulled over in Greensboro, N.C., in 2013. During the encounter, an officer stunned Rufus with a Taser.  
Travis Dove for The New York Times

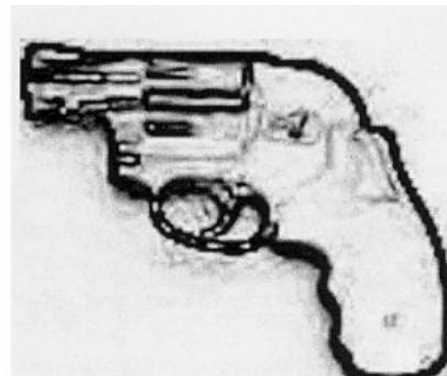
# Jennifer Eberhardt's Research



Frame 1



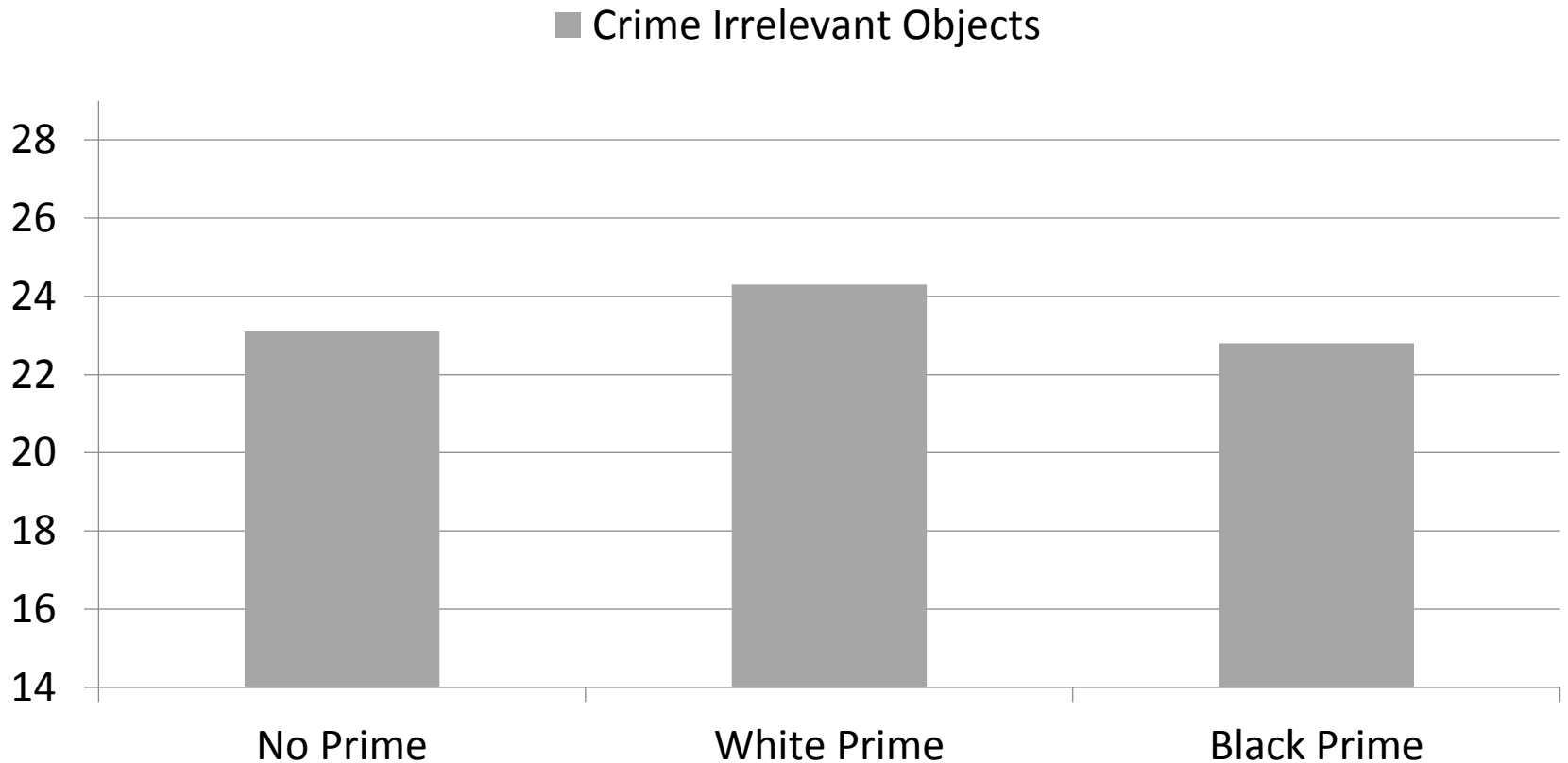
Frame 20



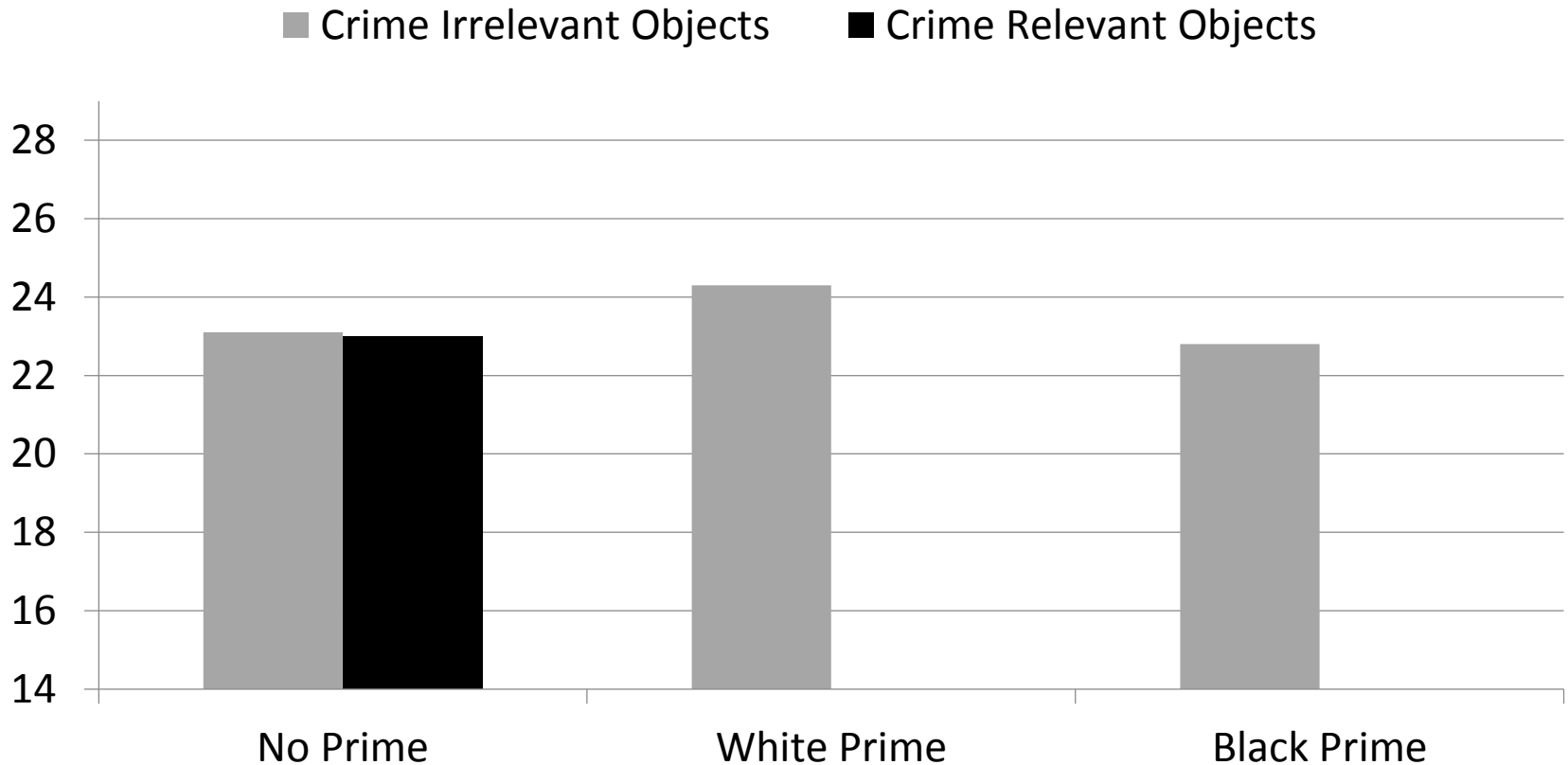
Frame 41

Study participants (Berkeley & Stanford University students) were presented with 41 frames of a continuum displaying an image that initially was severely degraded (Frame 1), became less degraded (e.g., Frame 20), and finally contained no degradation at all (Frame 41). The study measured how quickly participants could recognize the image.

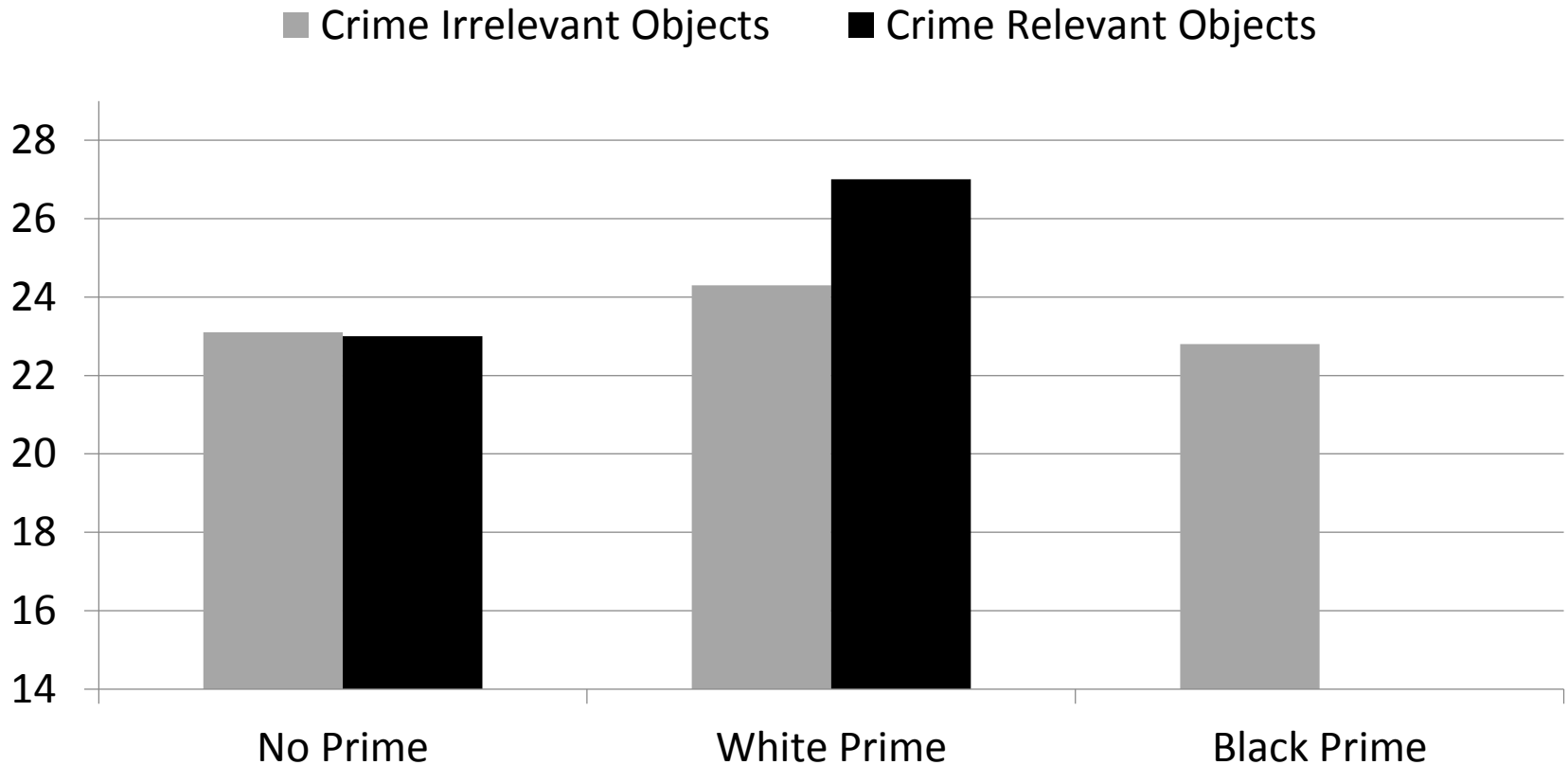
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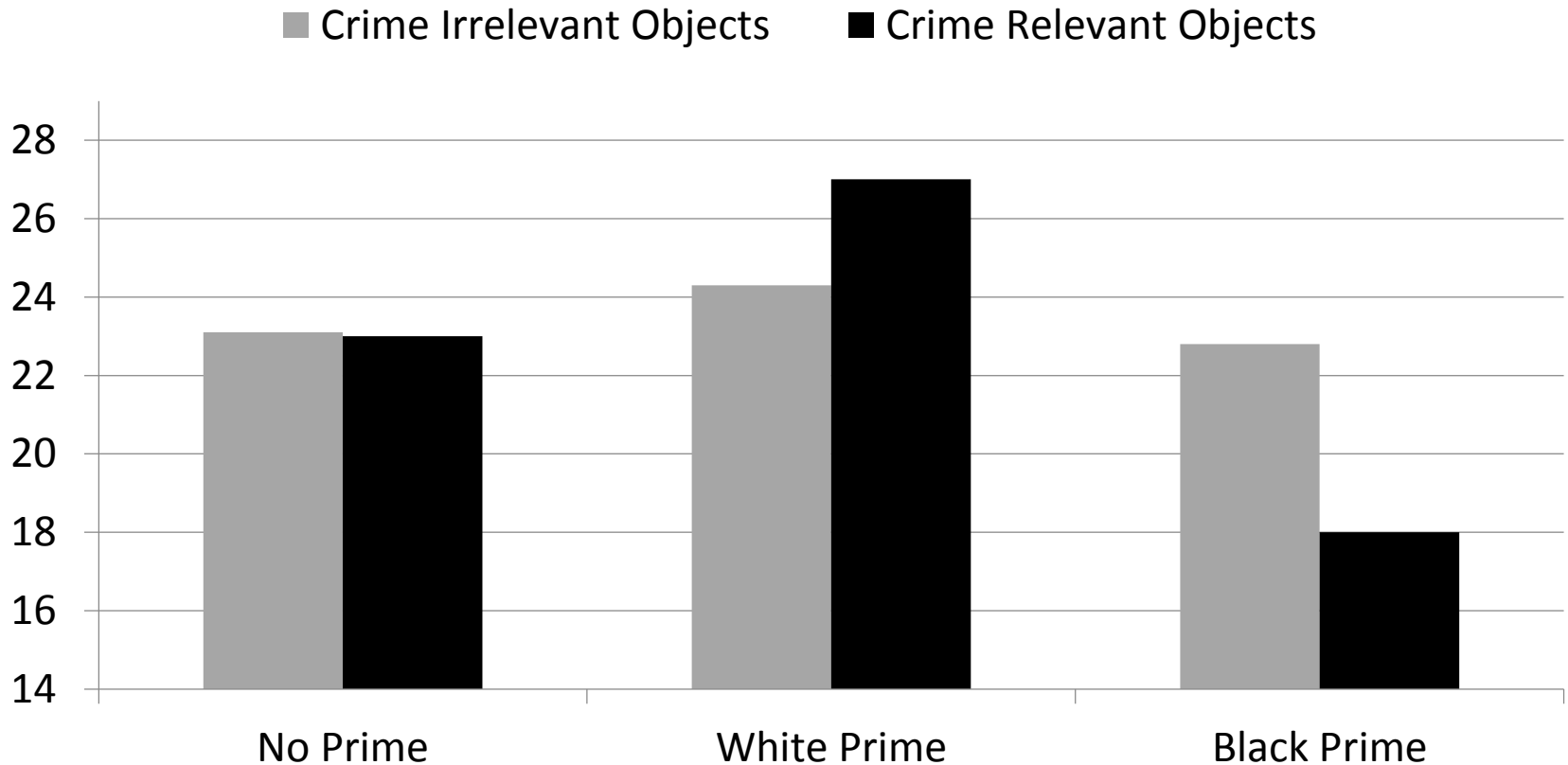


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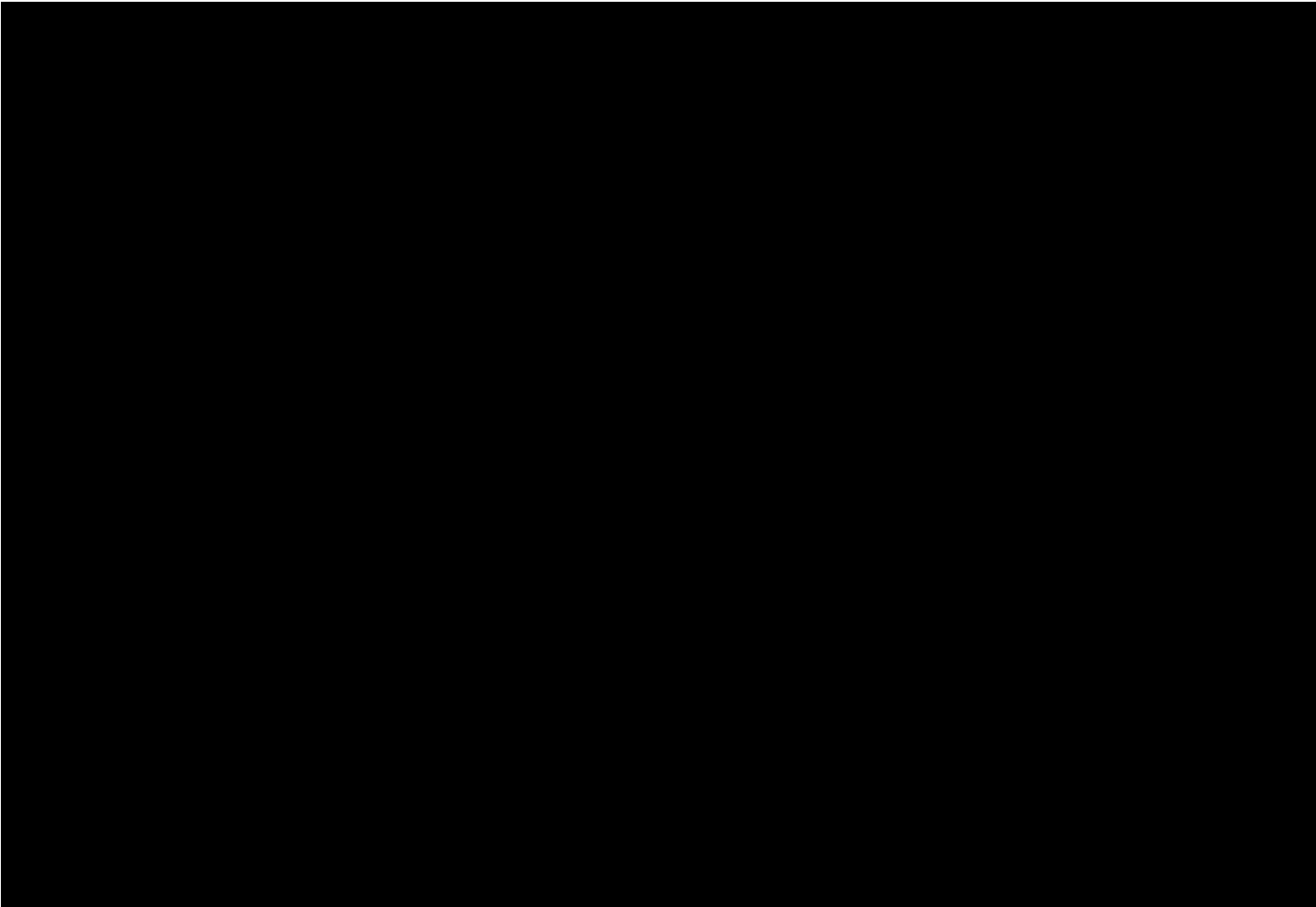
# Jennifer Eberhardt's Research



# *SHOOTER BIAS*



Source: Correll, Park, Judd & Wittenbrink (2007)



<https://www.youtube.com/watch?v=LaaeXIg9kSk>

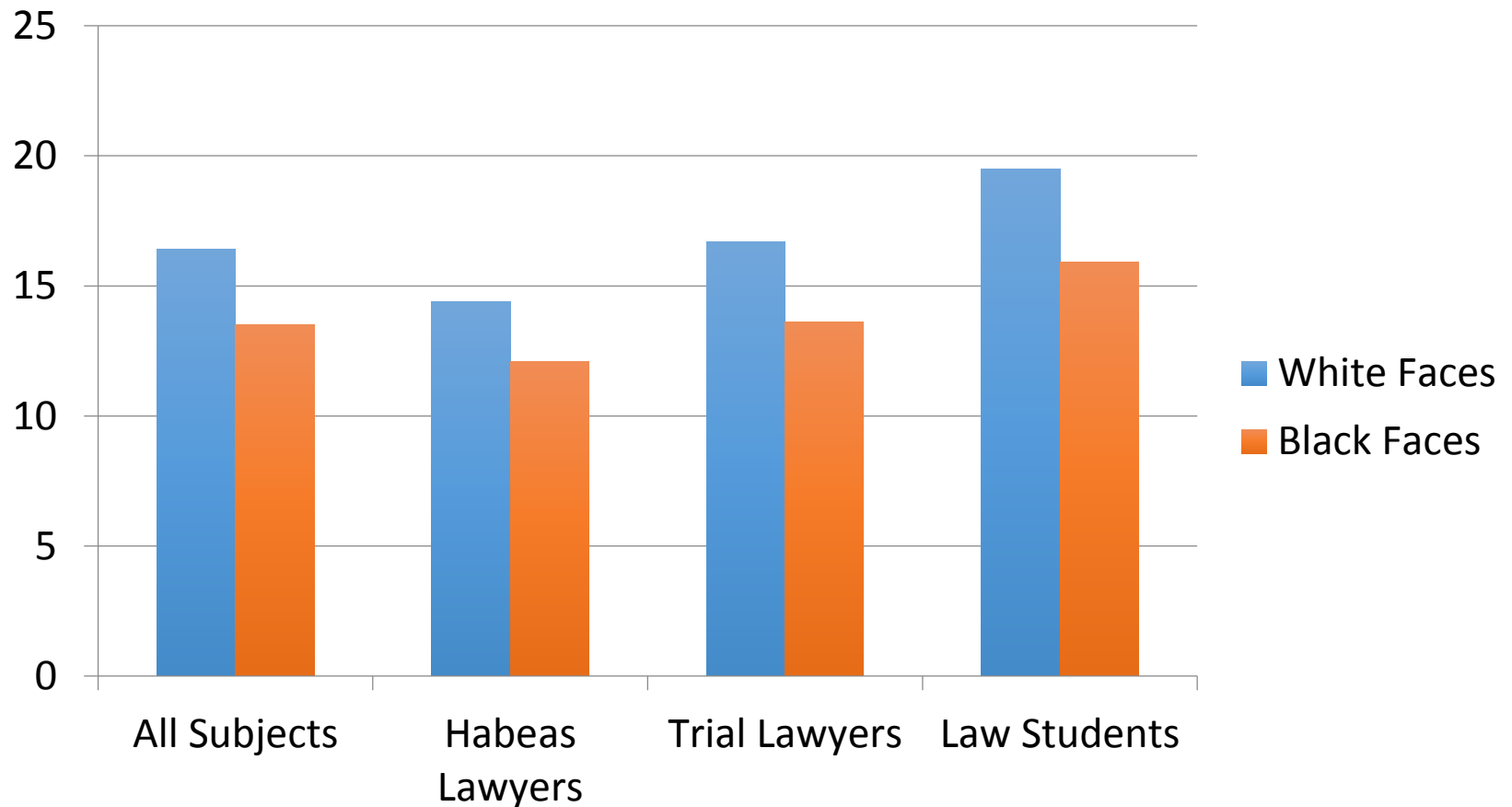
# Jury Duty



	Juror # 1		Juror # 2	
	When Black (%)	When White (%)	When Black (%)	When White (%)
College Students	80	59	41	20
Law Students	73	51	49	27
Attorneys	79	43	57	21

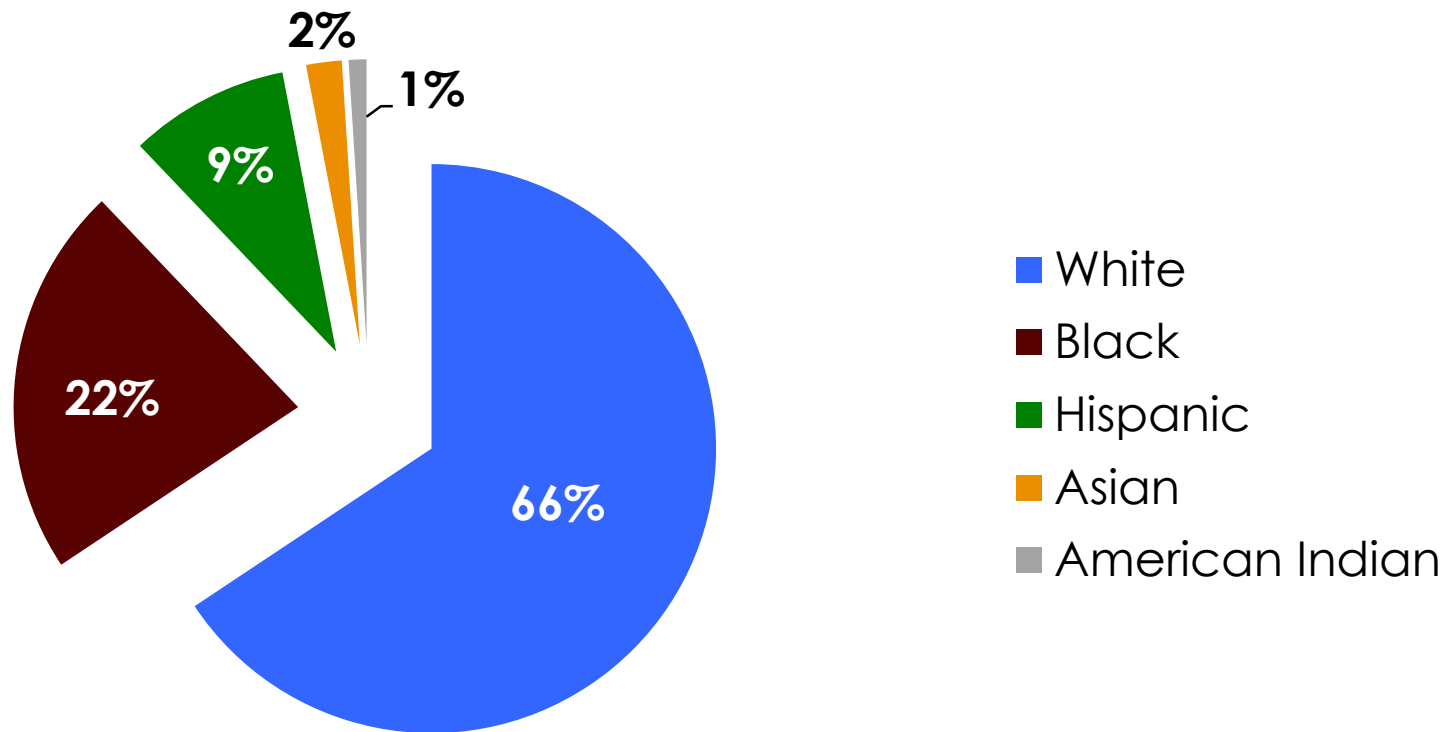
Source: Sommers & Norton (2008)

Avg. No. of Correct Responses when “Good”  
is paired with:



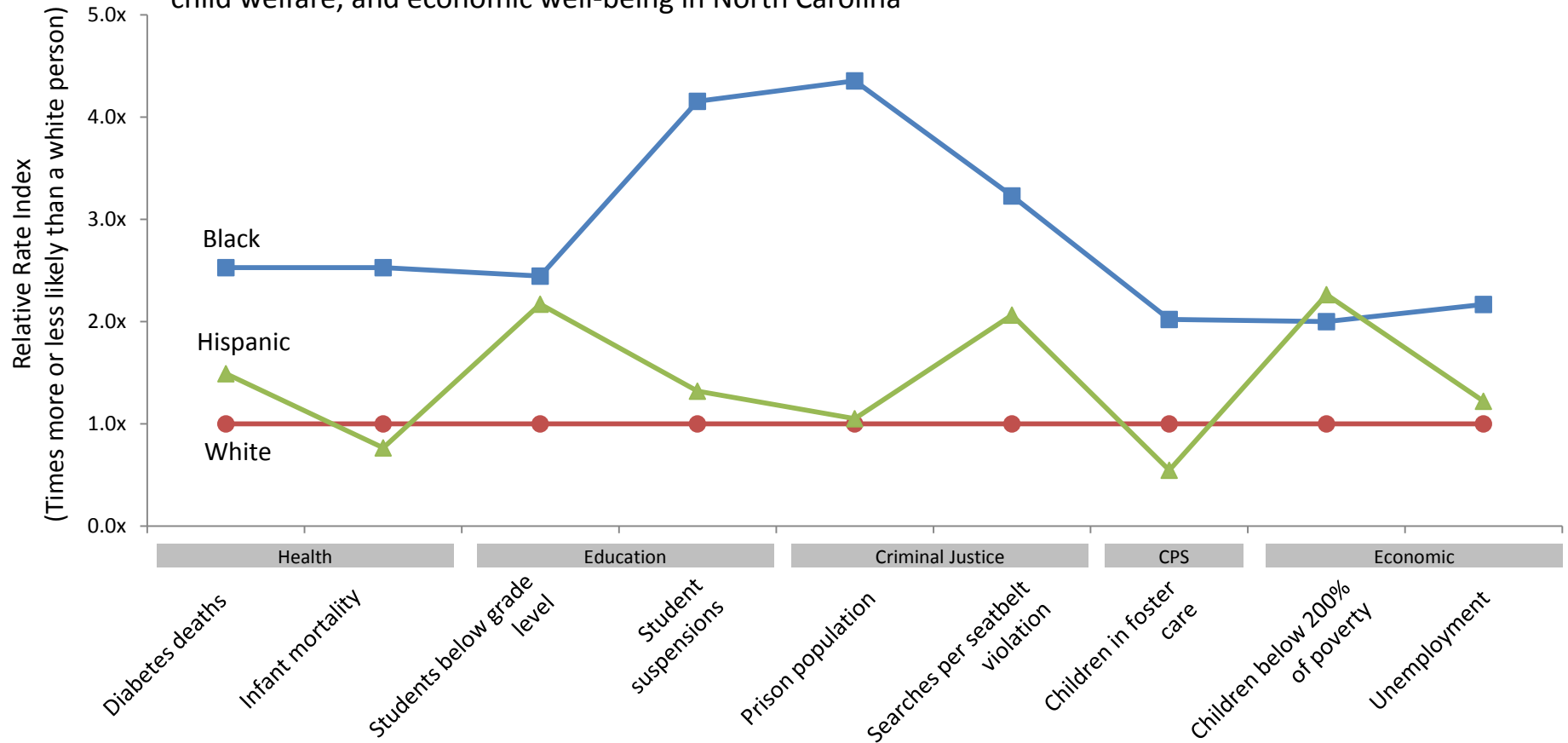
Source: Eisenberg and Johnson (2004).

# North Carolina Population Demographics, 2012



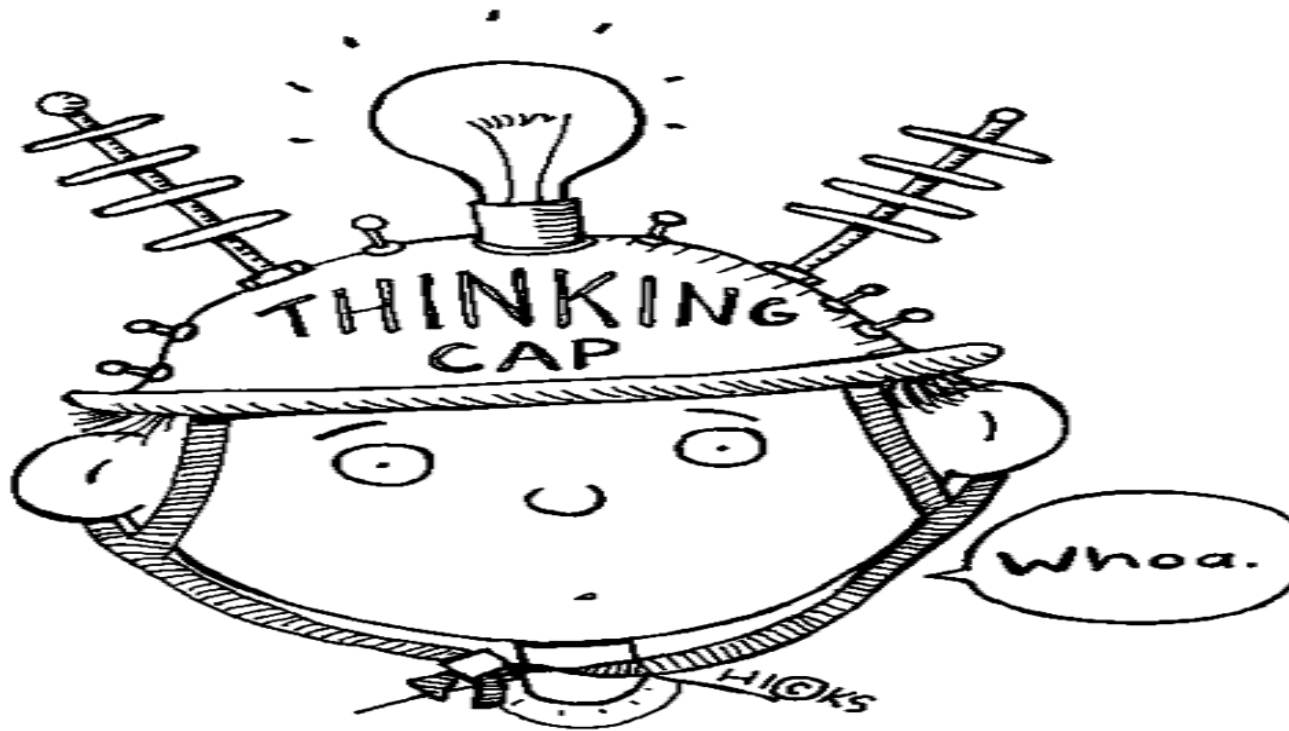
# Racial Inequity across systems in NC supports analysis of institutionalized racism as a root cause of disparities, that almost always exist with whites faring best and blacks faring worst

Relative rate index for measures across child welfare, health, education, criminal justice, child welfare, and economic well-being in North Carolina



# Solutions?

Race Matters  
for Juvenile Justice





# **A “Groundwater Approach” is based on several key observations:**



- 1. These disparities cannot be explained by just ‘legal’ variables but ‘extra-legal’ as well; e.g., cannot be explained by behavior**
- 2. The disparities cannot be explained by ‘a few bad apples’ or merely explicit biases**
- 3. Racial inequity looks the same across systems**
- 4. Systems contribute significantly to disparities**



**Our Vision** is a Charlotte-Mecklenburg Community where the composition and outcomes of juvenile courts cannot be predicted by race or ethnicity.

**Our Mission** is to build a collaboration of community stakeholders who will bring their constituencies to the table and partner in the Court's effort to reduce disproportionality and disparities.

[www.rmjj.org](http://www.rmjj.org)

## National & State Partners

- National Council of Juvenile and Family Court Judges
- Casey Family Programs
- NC Administrative Office of the Courts –
  - Court Improvement Project
- NC Dept. of Public Safety – Juvenile Justice
- Racial Equity Institute

## Charlotte-Mecklenburg Community Partners

- Juvenile Court Judges of the 26th Judicial District & Office of the Family Court Administrator
- Mecklenburg County Department of Social Services
- Charlotte-Mecklenburg Police Department
- Charlotte-Mecklenburg Schools
- Mecklenburg County Guardian ad Litem Office
- Charlotte-Mecklenburg Community Relations Committee
- Mecklenburg County Area Mental Health/MeckCARES
- Mecklenburg County Juvenile Crime Prevention Council
- UNC Charlotte & UNC CH – Schools of Social Work
- Community Building Initiative
- Foresight Leadership
- Council for Children's Rights

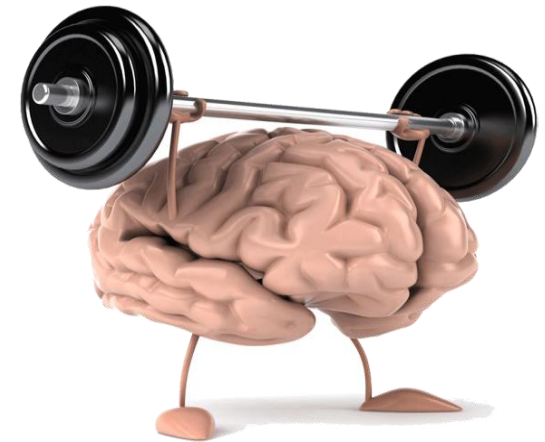




# Can Implicit Bias Be Controlled?



- **Probably.** We can work to process information differently and counteract some of the influence of stereotypes, attitudes, heuristics, etc.
- Requires...
  - Self awareness
  - Intrinsic and/or extrinsic motivation
  - An “active fight” each and every time
- Let’s look at some specific strategies for individuals and organizations...



Questions?

