

Procedural Justice III Community: The Science of Justice



Center For
POLICING EQUITY
LEADERSHIP IN EQUITY THROUGH EXCELLENCE IN RESEARCH

Housekeeping

- Please silence your cell phones
- Restrooms
- Agenda – breaks & lunch
- Have an open mind!
- Ground rules for discussion

Why are you here today?

Pair & Share

- Name
- Why are you here today?
- What do you think this session is about?
- What do you hope to take away from today's session?

Objectives

- Understand the psychological science of bias and its influence on behaviors in a universal context and in a policing context
- Create a shared language to bridge the divide between law enforcement and the communities they serve
- Engage in dialogues that build empathy and increase self-reflection
- Empower you with tools to improve the way you respond to and make sense of situations vulnerable to bias

MODULE 1: Introduction

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This session is about...

The shortcuts that impact decision-making processes and learning how the biases and stereotypes that exist in the world can influence these shortcuts.



This session is *not* about your character.

1. We all have biases that affect our perception
2. Many are subconscious
3. Some may be contrary to our values
4. Brains make mistakes
5. Understanding how these mistakes are made is the first step in reducing those errors

In/Out Group Behavior Exercise

- Why is your group this way?
- Why is the other group this way?

In/Out Group Behavior

**In group + Bad
Behavior**

=

Situation

**Out Group +
Bad Behavior**

=

Character

How might this relate to
police/community relationships?

Observation Game

Pilot

Nurse

Judge

CEO

Flight Attendant

Doctor

Librarian

Lawyer

Pilot
Nurse
CEO
Teacher
Flight Attendant
Doctor
Librarian
Lawyer



**Pilot
Nurse
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Lawyer**



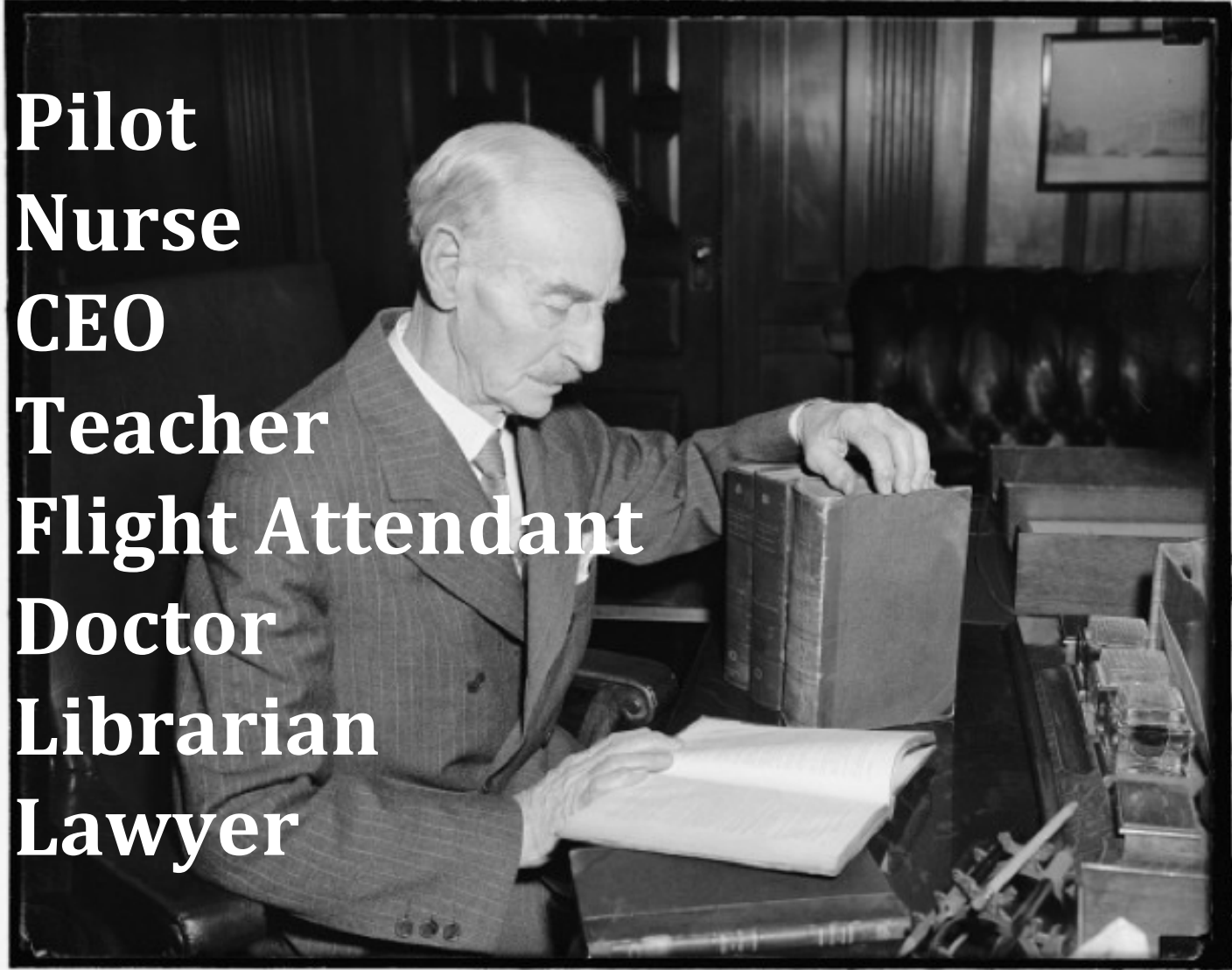
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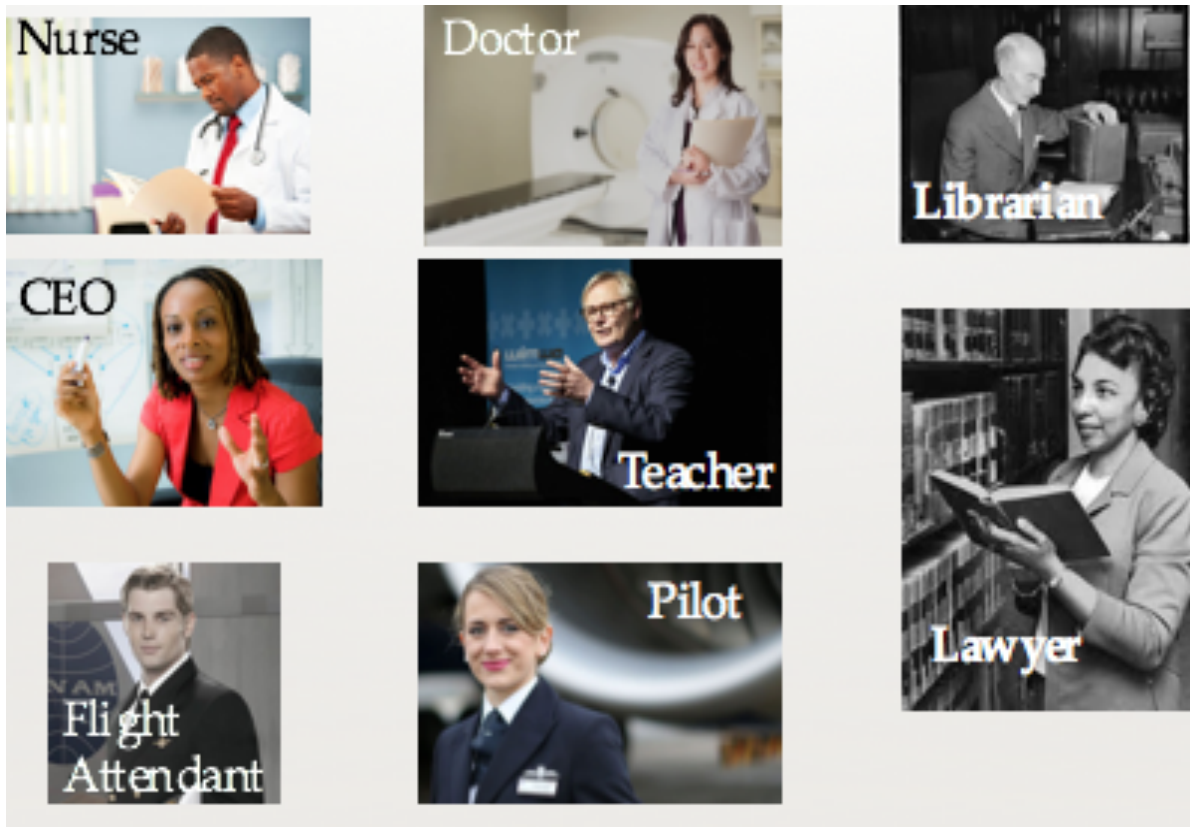


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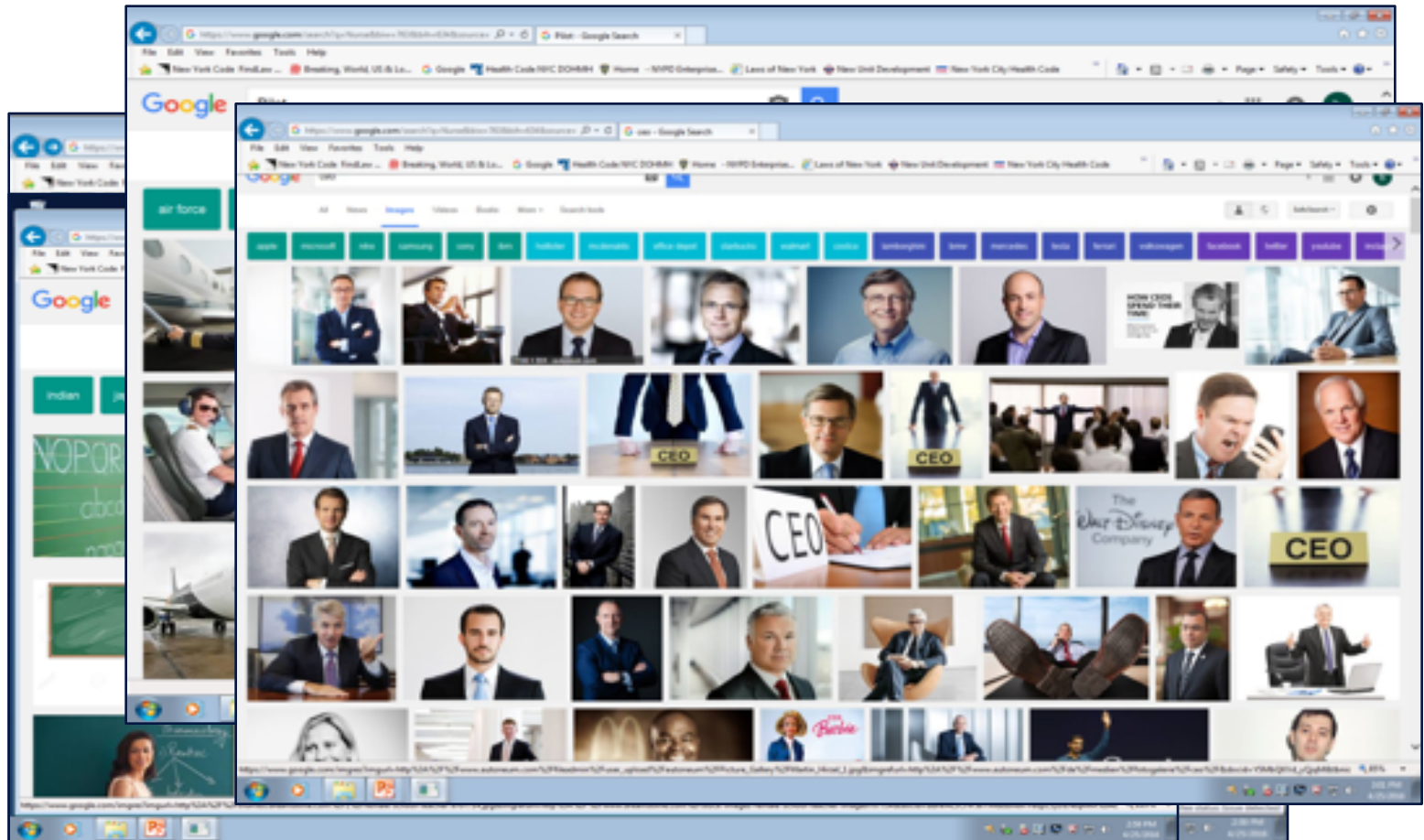


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Lawyer

Evaluation



Permeation of Stereotypes



#WhatADoctorLooksLike

Flight Attendant Didn't Believe She Was a Doctor: 'We Are Looking for Actual Physicians'



Dr. Tamika Cross
University of Texas-Houston



Unpacking Stereotypes

- Stereotypes – overgeneralizations that connect group membership to specific characteristics
- **Asian American students stereotyped as smarter**
 - Selective immigrations
 - Model minority
 - Which populations of Asians are imagined e.g. Japanese/Chinese vs Cambodian/Malaysian/Filipino

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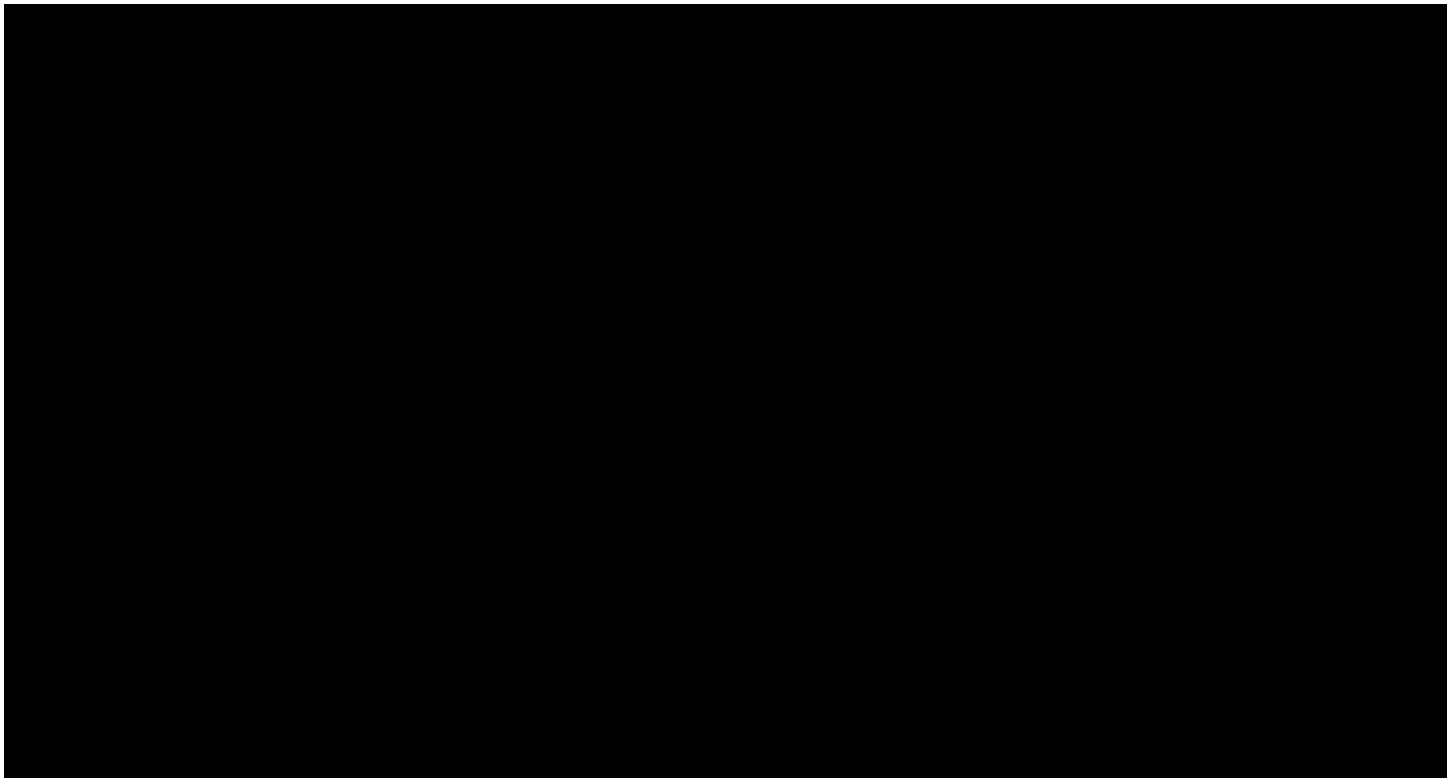
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“The problem with stereotypes is not that they are untrue, but that they are incomplete.” – Chimamanda Ngozi Adichie

Suspicious Person



Stereotype

“Stereotyping is normal human cognition. Police are normal humans. So police stereotype. Policing is not a normal job - it’s a particularly taxing position so they cannot make the same errors the rest of us can.”

- Jack Glaser, PhD

Associate Dean of Public Policy at UC-Berkeley

Author of *Suspect Race*

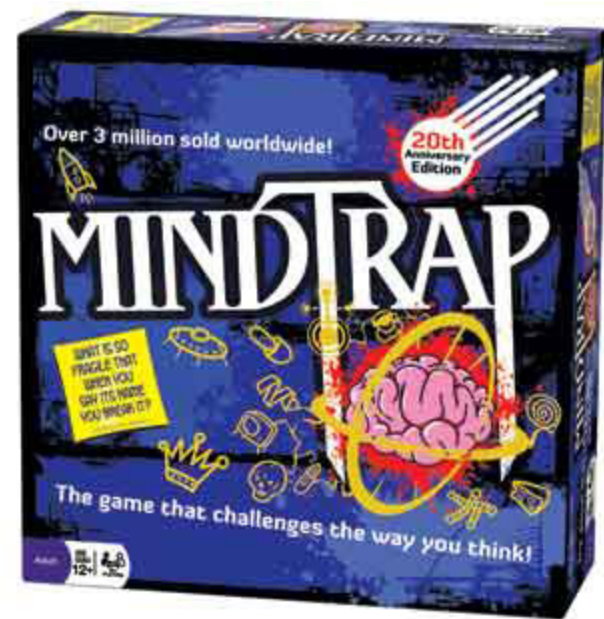
Identity Traps Defined

- Traps are situations that trigger mental reactions which influence behaviors
 - These behaviors are unrelated to the nature of one's character or conscious intentions
 - Provides a framework for understanding disparities in absence of bigotry
- Identity traps are divided into **fast traps** and **slow traps**.

MODULE 2: Fast Traps

Shortcuts in the Brain

Fast Traps: Reliance on implicit biases that result in negative consequences



Implicit Association

- A cognitive link between two concepts that is automatic.
- When one concept is primed (or made obvious), the other becomes more accessible, without conscious deliberation.
- For example, if I say peanut butter, you say____

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☆ Peter, Paul, and Mary sing _____ →



☆ Comedians tell _____ →



☆ If you have no money, you are _____ →



☆ Wire in a wheel, is a _____ →



☆ What comes out of a lit cigarette? _____ →



☆ White part of an egg is the _____ →



Subconscious Conclusions

- Think of branding: Can you name these brands?
- Were you born knowing this? If not, how did you learn?



Implicit Association Test



Implicit Bias

- Some implicit associations relate to social groups, such as race or gender.
- When these associations are relatively positive or negative toward different groups, they constitute bias.

Situations Matter

- You're late for work. Why?
 - Reality: your alarm went off and you hit snooze 5 times, you went through the Starbucks and the line was long, you forgot your gym bag and had to go back home to grab it
 - What you tell your supervisor: car trouble, traffic, parking, kids.....
- WHY? Reality is- people lie when...
 - They have motivation
 - The consequences will be slight
 - They believe they'll get away with it
- Who does this? EVERYONE

Situations that create fast traps

Situations that can lead to an over-reliance on implicit biases:

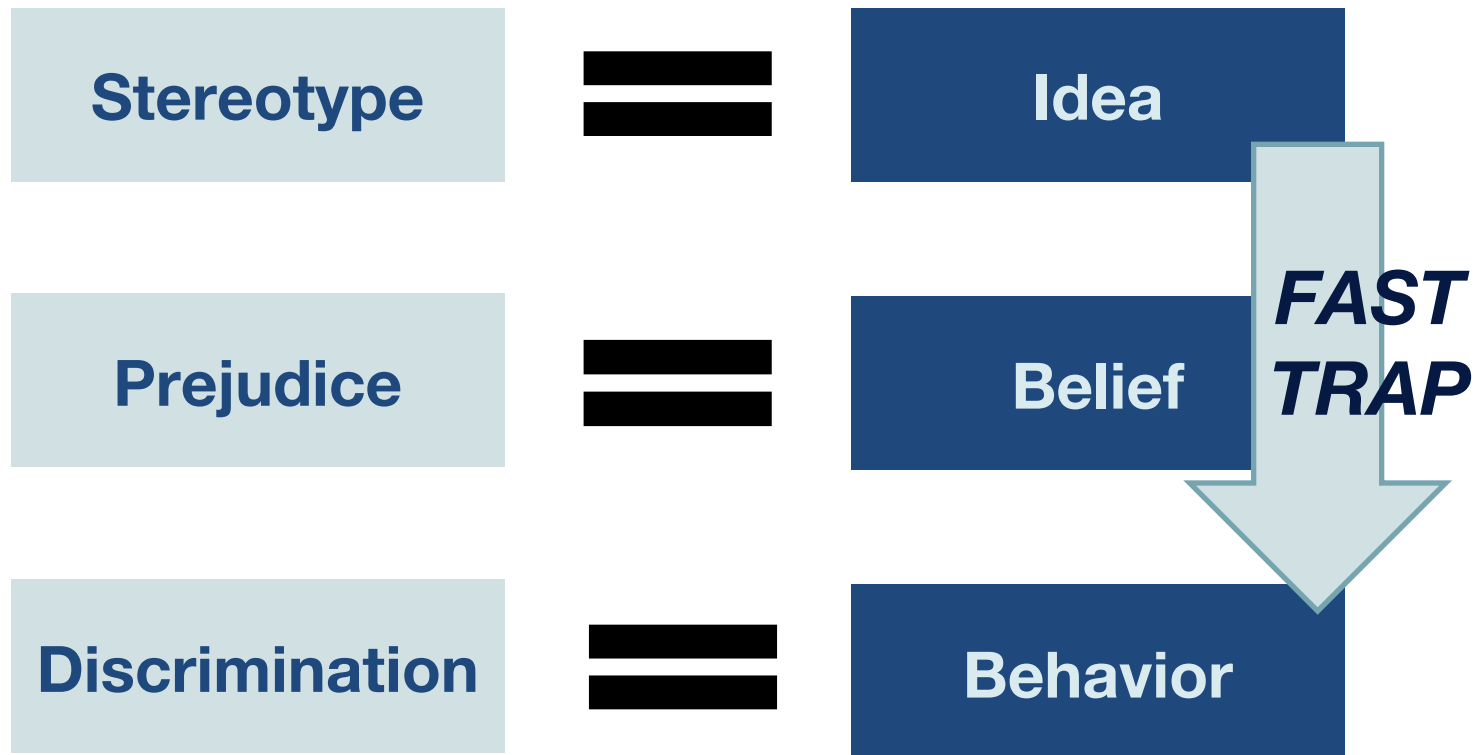
- Being mentally taxed
- Being in a bad mood
- Feeling threatened
- Being a novice
- Making quick decisions
- Multitasking

Does anyone here face these conditions? How often?

- **Stereotypes** – overgeneralizations that connect group membership to specific characteristics
- **Prejudice**- the belief that a stereotype or overgeneralization is true and/or you have a strong feeling about a particular group
- **Discrimination**- the behavior, acting in line with the stereotype or prejudice; objectionable differential treatment based on group membership

What happens in a fast trap?

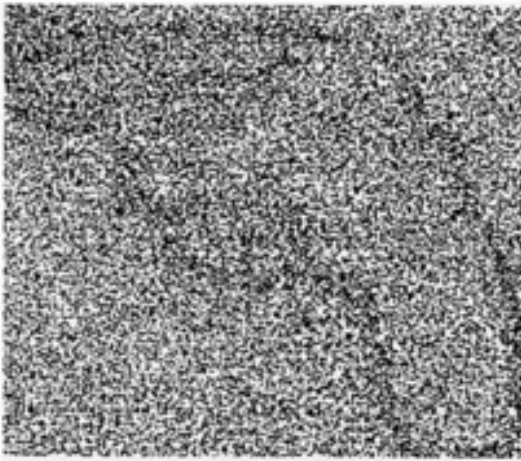
Stereotype → Behavior



Watch these judges fall into a trap.



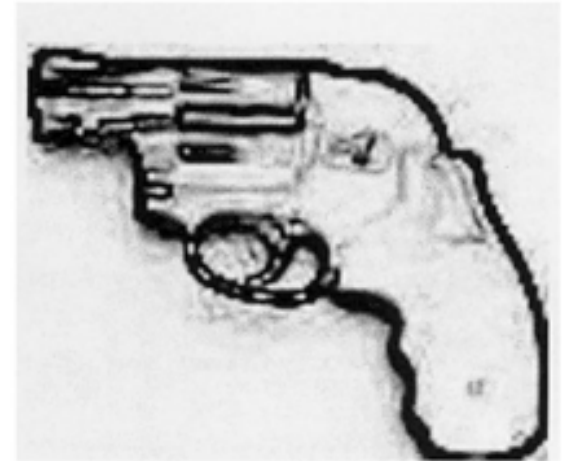
Black/Crime Association



Frame 1



Frame 20



Frame 41

Participants were presented with 41 frames of continuum displaying an image that initially as severely degraded, became less degraded and finally contained no degradation at all.

How can fast traps impact police officers?

- Fast traps can create blind spots that prevent officers from seeing important elements!
- Police learn that implicit biases can impact officer safety and reduce public safety



Small Group Exercise: Examples of Fast Traps

Reflect on an experience where your behavior may have been guided by implicit bias.

- Identify underlying stereotypes
- How did it change your behavior?
- Identify situational influences (e.g. being in a rush, multitasking, etc.)
- How did it impact you? The other person?

Module 3: Slow Traps

When Identities Matter

Slow Traps: A negative response to identity threats (e.g. stereotype threat, authority threat)



Slow Traps

Slow traps can happen when:

1. Our identity is important in a particular situation, and
2. Our abilities to manage other people's perceptions of ourselves are low, and
3. Failure to validate our identity could lead to changes in behavior which might have negative consequences

Stereotype Threat

Stereotype threat is the sense of threat that can arise when one knows that they can possibly be judged or treated negatively on the basis of a negative stereotype about one's group.

Stereotype Threat + Vulnerable Condition = A Slow Trap

Stereotype Threat Requires:

- An individual to feel strongly identified w/ a group
- The individual believes they are being evaluated
- Self-concept is connected to that evaluation

Situations that create slow traps:

- Being mentally taxed
- Being in a bad mood
- Feeling threatened
- Being a novice
- Making quick decisions
- Multitasking

Slow Traps on the Job

“When I was in the police academy, there were only three female recruits in my class. When it came to weight training I often pushed myself to try to lift more than I was ready for. Being one of the women in the room, I felt like I had something to prove. One day, during training, I lifted too much and ended up seriously injuring myself. I had to postpone the test over a year.”



Small Group Exercise: Examples of Slow Traps

- Choose an aspect of your identity that is really important to you (e.g. mother, Muslim, masculine, etc.)
- Imagine a situation where that identity is being evaluated negatively (e.g. you're a bad mom)
- How might that impact your thoughts or behaviors?

Authority Threat

The perception that one's identity as an authority figure is not respected or is negatively perceived.

This sense of threat could lead to an unwanted change in behavior.

Authority Threat + Vulnerable Condition = Slow Trap

What Types of Authority do cops have?

- Legitimate
- Expert
- Referent
- Coercive



Authority Threat Example

Call out the types of authority being exercised:

- Legitimate
- Expert
- Referent
- Coercive



MODULE 4: Defusing Traps

“Before anybody’s had contact with law enforcement, they’ve had contact with schools, with jobs, either getting them or not, with the health care system and the housing systems, all of which suffer from many of the same and sometimes even worse forms of bias than does law enforcement”- Phillip Atiba Goff

Defusing Traps

Engage in self-reflection when appropriate *and* prepare for the trap. Ask:

1. What are the factors that lead me to think of someone in a negative way?
2. What stereotypes could inform that decision?

Practice Procedural Justice

⊛ Voice	Listen
⊛ Neutrality	Fairness and Consistency
⊛ Respectful Treatment	The Golden Rule
⊛ Trustworthiness	Fair and Transparent Process

The goal is Legitimacy; the tactic is Procedural Justice.”

-Tracey Meares, JD
Justice Collaboratory, Yale Law School

Interventions

- Expand awareness
- See the individual
- Increase opportunities for interactions with other races, cultures, ethnicities, etc.
- Slow things down
- Hold accountability for yourself and each other
- Stereotype replacement

Stereotype Replacement



Scenario Group Exercise:

For each question, think about each group involved: law enforcement, civilians, potential bystanders

- What are the underlying stereotypes?
- How might those stereotypes influence the behavior?
- What are the situational factors that could influence this interaction negatively? (e.g. officer could be at the end of his shift, time of day, patterns of crime)
- How would you like to see this interaction play out?
- What strategies for each group could help guide this engagement?

Benefits of Parallel Trainings for Police and Communities on Identity Traps:

- Common language
- Understanding that no one is immune to identity traps
- Strategies for defusing

Closing Circle: Complete the Statement

“At first, I thought...”

“But now I think...”

“And now I will...”

Thank You!!

minneapolis.mn.gov/police

Policingequity.org

Trustandjustice.org

MICROPOPULATION SLIDES

Non-white Youth

- Stereotype - loud, dangerous, aggressive, culpable
- Black children are perceived as older and more culpable than their actual age and more culpable than their white and Latino/a counterparts. Black children are 18 times more likely than white children to be sentenced as adults and represent 58% of children sentenced to adult facilities.
- Age and culpability perceptions of teenagers are likely to impact police intervention in regular teenage activities.
- This may result in policing of adolescent behaviors that are not criminal but affiliated with negative stereotypes.

Non-white Youth Scenario

Situation: Officers respond to a noise complaint reported by neighbors. When they show up, ten black youth are having a party.

White Youth

White youth Stereotype: innocent, good, seen as individuals

- White and Latinx children are seen as more innocent than black children of the same age. White children are 18 times less likely than black children to be sentenced as adults.
- Perceptions of age and culpability of teenagers are likely to impact police intervention in regular teenage activities.
- One study found that probation officers were more likely to attribute black youths' delinquency to negative attitudes and personality traits and white youths' delinquency to social environments.

White Youth

Situation: Officers respond to a noise complaint reported by neighbors. When they show up, ten white youth are having a party.

Latinx

- Stereotypes: lazy, poorly educated, criminal
- Public views of immigration in America seem to be correlated with perceptions and stereotypes of Latino populations specifically
- If you are Latino, you are stereotyped as an immigrant
- Perceived cultural threats inform public opinion on immigration - major in group/out group

Latinx Scenario

Situation: Neighbors call about what sounds like a domestic dispute occurring next door. Officers respond to the scene and a couple is arguing on the front lawn. The woman present only speaks Spanish and the man speaks some English.

Lesbian, Gay & Bisexual

- Stereotypes: breaking rules, don't need to be protected, abnormal
- In some cities it is estimated that homeless youth make up to 40% are LGBT
- Attention in police reports is often focused on sexual orientation and not the crime
- Stereotypes about gender and perceived gender roles influence how LGB individuals are treated
- Often they are seen as breaking gender norms and historically have been policed for such

Lesbian, Gay & Bisexual Scenario

Situation: Officers respond to a dispute at a homeless shelter. One young male is accused of harassing and soliciting sex from two other young males. A third party notes that the first young male is gay and has been bullied several times at the shelter.

Transgender & Gender Non-conforming

- TQ Stereotypes: abnormal, wrong, sexualized
- Stereotypes regarding trans people results in prejudicial and subjective reasoning to police trans people and criminalize them, often with sex worker crimes that are unfounded
- U.S. survey conducted by the National Center for Transgender Equality, 90 percent of transgender respondents reported harassment or discrimination at work, 19 percent reported being refused a home or apartment because of their gender identity, 53 percent reported harassment in public, and 19 percent reported being refused health care because of their gender identity.

Transgender & Gender Non-conforming Scenario

Situation: Officers respond to a sexual assault.
The survivor self-identifies as a trans woman
of color.

Domestic Violence/Sexual Assault Survivors

- Stereotypes: only survivor is small female, sober, scared; only perpetrator is large, barbaric male
- US DOJ Office on Violence Against Women says....going to a room, a bar, drinking, consenting to some sexual activity, knowing the person are not assumptions of risk and rape is not the responsibility of the survivor
- In lesbian relationships, the more stereotypically feminine one looks the less likely they are to be perceived as culpable (i.e. More stereotypically masculine less likely to be perceived as victim)

Domestic Violence/Sexual Assault Survivors Scenario

Officers respond to a call from a young woman calls who reports that she was raped at a party the night before.

Muslim

- Muslim Stereotype: terrorists, anti-American, foreign, anti-woman, religion based on violence
- Hate crimes against Muslims went up 64% from 2014 to 2015, a total of 254 reported events.
- In 2015, there were 78 recorded incidents in which mosques were targeted.

Muslim

Situation: Officers respond to a call of suspicious activity outside of the courthouse. When they arrive, there are three women in burkas standing near the entrance of the courthouse.

Police

Situation: You are driving in your neighborhood in the evening and you see three police cars with their lights on parked behind one stopped vehicle. The driver of the stopped vehicle is getting out of their car.

Police

- Stereotypes: violent, abusive, not trustworthy
- A recent community poll found that non-white racial groups identified the most critical issues in policing to be under-policing and abusive policing.
- A 2016 study found that 68% of white respondents have a favorable view of police, while 40% of black respondents and 59% of Latinx respondents have a favorable view.
- The same study found that no racial group wished to reduce the number of police officers in communities; in fact, 90% entirely opposed reducing the number.

BREAK