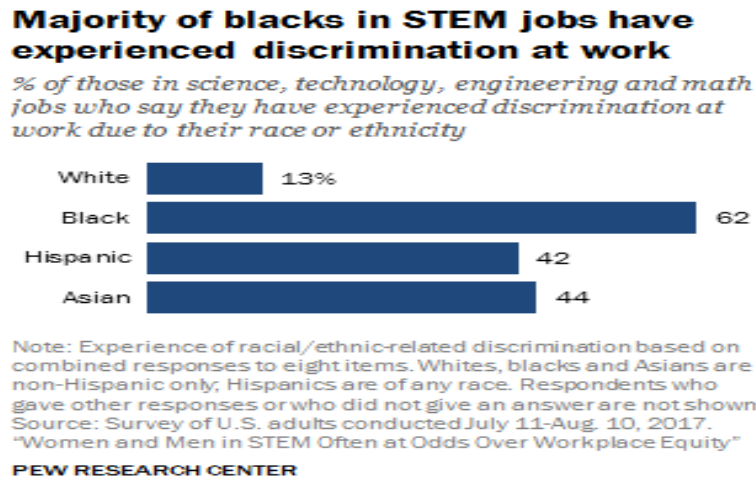


Consequences of Implicit Bias – Employment

Source: Women and Men in STEM Often at Odds Over Workplace Equity. [Cary Funk](#) and [Kim Parker](#). (2018). Pew Research Center



Consequences of Implicit Bias – Employment

Cocchiara, F. K., Bell, M. P., & Casper, W. J. (2014). Sounding "Different": The Role of Sociolinguistic Cues in Evaluating Job Candidates. Human Resource Management, Online first 11 Nov. 2014.

Cocchiara and colleagues conducted a qualitative analysis of human resources literature pertaining to racial attitudes and fit, evaluations of applicants, as well as the social significance of dialect. They concluded that race-recognizable dialects may unconsciously influence perceptions of an applicant's ingroup or outgroup affiliation, which may implicitly impact evaluations of fit, employability, and qualifications in favor of those who speak non-accented English (Cocchiara et al., 2014).

Consequences of Implicit Bias – Employment

In 2010, the U.S. Equal Employment Opportunity Commission (EEOC) announced that private sector workplace discrimination charge filings reached an unprecedented 99,922.

In a 2003 study, researchers found that job applicants with White sounding names received 50 percent more callbacks for interviews than applicants with Black sounding names (Bertrand, 2003).

A study conducted in Milwaukee by Northwestern University sociologist Devah Pager found that White job applicants with a criminal record were more likely than Black applicants without a criminal record to be called back for a job interview (Price, 2003).

Consequences of Implicit Bias – Criminal Justice

Lee, C. (2015). A New Approach to Voir Dire on Racial Bias. UC Irvine Law Review, 5(4), 843–872.

Other 2015 work by Cynthia Lee addressed the question of whether lawyers and/or judges should conduct voir dire into racial bias. She argued that any attorney who is concerned about how racial stereotypes may affect jurors' interpretation of evidence may benefit from bringing attention to implicit racial bias early in the judicial process, as this type of education can encourage jurors to consider the evidence presented without reliance on automatic racial associations. In considering the ramifications of meaningful voir dire into racial bias, she noted that this may constitute a valuable step toward ensuring "a truly impartial jury" (C. Lee, 2015, p. 847).

Consequences of Implicit Bias – Criminal Justice

Lustbader, P. (2015). Listening from the Bench Fosters Civility and Promotes Justice. Seattle Journal for Social Justice, 13(3), 903–934.

Reflecting on the importance of listening in the courtroom, Lustbader (2015) maintained that by listening to and learning from stories about racial injustice, judges can validate the experiences of communities of color. However, judges' implicit racial biases have the potential to reduce their ability to listen effectively, thus breaking down cross-cultural communication in the courtroom. To illustrate these effects of bias, Lustbader articulated that a client's ability to speak freely and openly with a judge (a basic assumption of procedural fairness) is influenced by cultural and racial biases. The article concluded with the suggestion that cross-cultural communication and reductions in implicit bias can be accomplished through education about diverse groups, being critical about one's objectivity, awareness of implicit bias, improved decision making, and through reflecting on the decision making process.

Consequences of Implicit Bias – Criminal Justice

SOURCE: U.S. Department of Education, Office for Civil Rights, Civil Rights Data Collection, 2015–16.

During the 2015–16 school year, black students represented 15 percent of the total student enrollment, and 31 percent of students who were referred to law enforcement or arrested – a 16 percentage point disparity.⁵ During the 2013–14 school year, black students had an 11 percentage point disparity (black students were 16 percent of the student enrollment and 27 percent of students referred to law enforcement or arrested). During the 2015–16 school year, white students represented 49 percent of the total student enrollment, and accounted for 36 percent of those referred to law enforcement or arrested. During the 2013–14 school year, white students were 50 percent of the student enrollment and 38 percent of students who were referred to law enforcement or arrested.

Consequences of Implicit Bias – Criminal Justice

Source: *“Black Disparities in Youth Incarceration.”* September 12, 2017. *The Sentencing Project* (Washington, DC)

Despite long-term declines in youth incarceration, the disparity at which black and white youth are held in juvenile facilities has grown. As of 2015, African American youth were five times as likely as white youth to be detained or committed to youth facilities.

- In six states, African American youth are at least 10 times as likely to be held in placement as are white youth: New Jersey, Wisconsin, Montana, Delaware, Connecticut, and Massachusetts.
- Five states saw their racial disparity at least double: **Maryland**, Montana, Connecticut, Delaware, and Wisconsin.
- Three states decreased their racial disparity by at least half: Vermont, West Virginia, and New Hampshire.

Consequences of Implicit Bias – Housing

Social science research demonstrates the pervasiveness of racially discriminatory treatment of minorities by landlords, realtors, and institutions. While much of this research does not utilize implicit measures, there is significant reason to conclude that implicit bias rather than animus may often be the animating cause of the differential treatment.”

– PROFESSOR RACHEL D. GODSIL AND JAMES S. FREEMAN, J.D. 2015, P. 318–319

Consequences of Implicit Bias – Housing

Many municipalities continue to resist building affordable housing in “high opportunity” suburban areas. Too often affordable housing is situated in racially segregated low opportunity communities characterized by low performing schools, high unemployment and high crime rates. Evidence suggests that many African American borrowers were targeted for risky subprime loans even when their credit histories would have qualified them for more conventional mortgage loans (New York Times, 2007).

African American homebuyers are “steered” to neighborhoods where residents are predominately of the same race.

- Homeowners’ insurance claims are denied on the basis of race.
- Credit scores or “insurance scores” are used to price homeowner’s insurance.
- Banks fail to adequately maintain foreclosed properties in African American neighborhoods.

Consequences of Implicit Bias – Education

A teacher may say—and explicitly believe—that he or she has equal expectations for all students, while in fact, implicit racial bias lowers expectations for students of color and stimulates subtle differences in the way the teacher behaves toward these students—less praise and recognition and more discipline, for example. A 2001 study conducted at seven integrated schools in southeastern Louisiana shows that White students were treated more favorably than Black students by their White female teachers (Casteel, 1998). These subtle differences, often driven by implicit racial bias, can affect a student’s self-esteem, motivation and academic performance.

Consequences of Implicit Bias – Education/Disproportionate Discipline

African American students, and especially African American boys, are disciplined more often and receive more out-of-school suspensions and expulsions than White students who commit the same offenses. A 2009-2010 survey of 72,000 schools (kindergarten through high school) shows that while Black students made up only 18 percent of those enrolled in the schools sampled, they accounted for 35 percent of those suspended once, 46 percent of those suspended more than once and 39 percent of all expulsions (Lewin, 2012). Over all, Black students were three and a half times as likely to be suspended or expelled than their White peers (Lewin, 2012). Over 70 percent of the students involved in school-related arrests or referred to law enforcement were Hispanic or Black (Lewin, 2010)

Consequences of Implicit Bias – Education/Special Education

African American children represent only 17 percent of the school population but constitute more than 30 percent of the children in special education (Kunjufu, 2009). Only 27 percent of African American male special education students graduate from high school (Lewin, 2012).

African American children are more likely than their peers with the same disability to be overrepresented in more restrictive settings, or underrepresented in the general education setting (Skiba, et al., 2000). Often, assignment to special education is the result of “cultural deficit thinking,” i.e., bias against the different language styles, appearance, and behavior of students of color.

“Deficit thinking” pathologizes behavior that differs from White middle class norms and uses these differences to categorize a child as disabled (Abraham, et al., 2011).

Black students with disabilities constituted 21 percent of the total, but 44 percent of those with disabilities who are subject to mechanical restraints, like being strapped down (Lewin, 2012).