

# ***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**

# Presentation Overview:

- ◆ Basic Brain Functioning
- ◆ Heuristics
- ◆ Explicit versus Implicit Bias
- ◆ National and Local Data
- ◆ Solutions & RMJJ



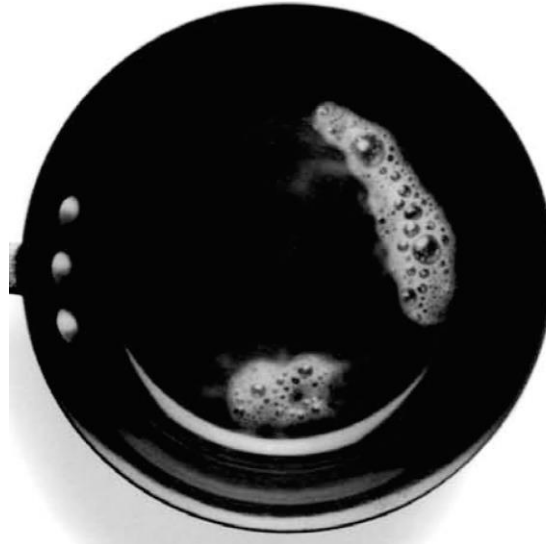
This is your  
brain.



This is your  
brain.



This is law  
school.



This is your  
brain.

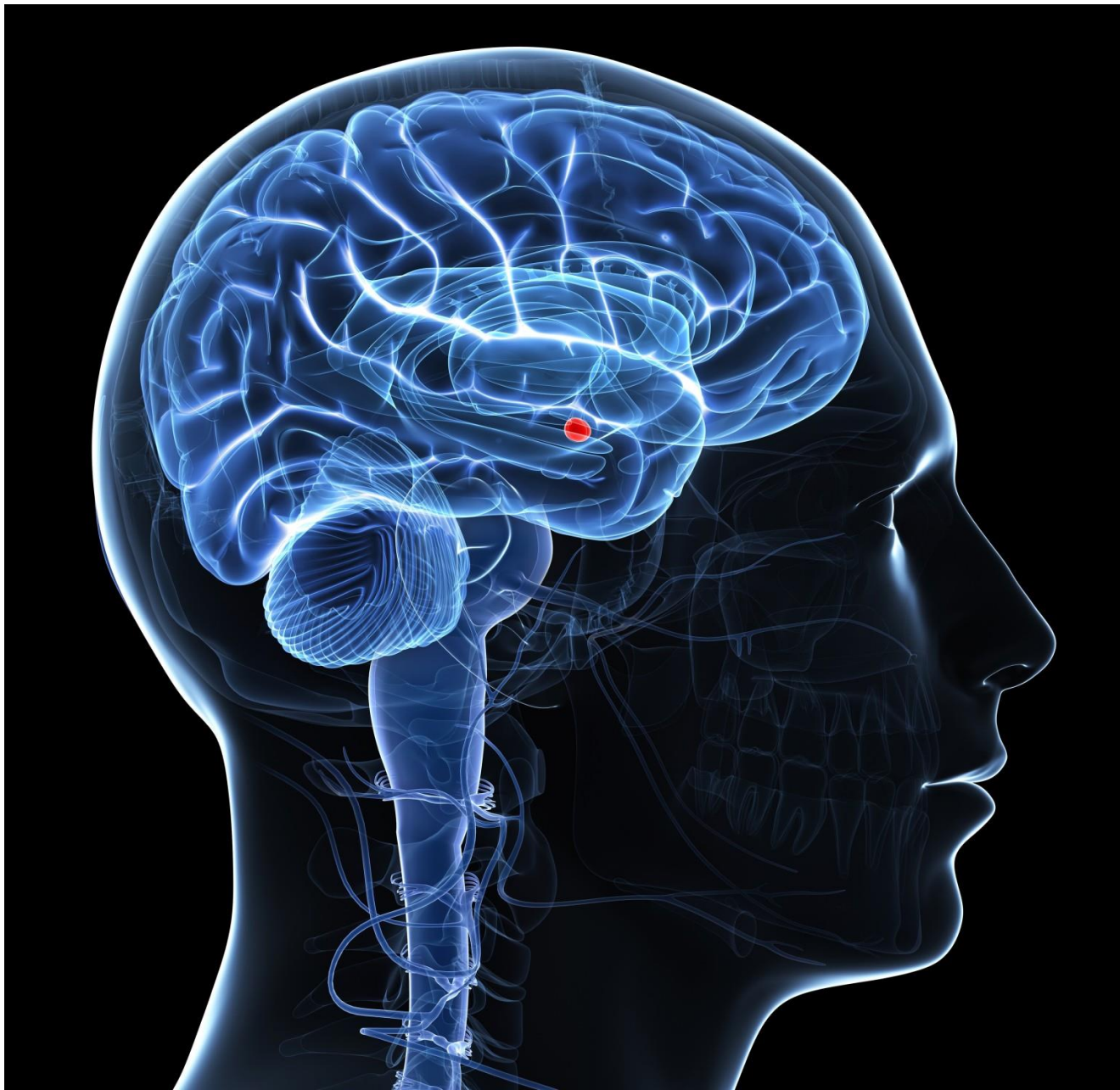


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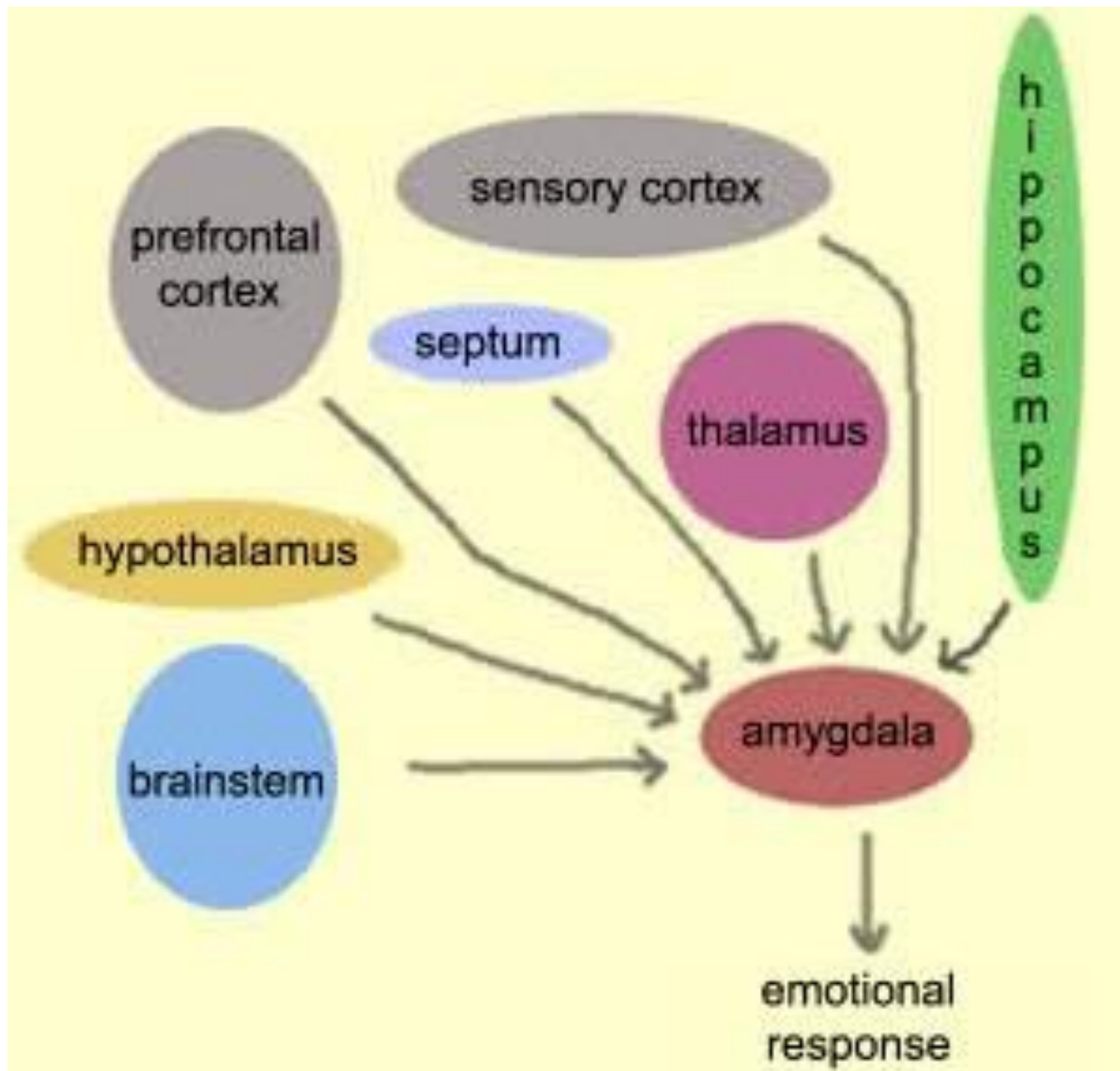


This is your  
brain after law  
school.





**Amygdalae**





# Heuristics



- We are bombarded with information and stimuli every minute which affect the hundreds of thousands (or more) decisions that we make every day
- Our brain has to quickly sort through and categorize information and stimuli for us to function.
- And that (automatic processing) can be very useful...







Amygdalae!

*Please read the following...*

I adda a qwer zcada eqai adfjk, fdaklad  
qeeqmoxn pwiq te nveh majdury. U dogn fo  
usni rep soz cocley. Zorg noyb goo?

*Now, read this...*

I cnnoat blveiee I aulacly uesdnatnrd waht I  
am rdanieg. Aoccdrnig to rscheearch at  
Cmabrigde Uinervtisy, it deosn't mtttaer inwaht  
oredr the ltteers in a wrod are, the olny  
iprmoatnt tihng is taht the frist and lsat ltteer be  
in the rghit pclae. The rset can be a taotl mses  
and you can sitll raed it wouthit a porbelm. Tihs  
is bcuseae the huamn mnid deos not raed  
ervey lteter by istlef, but the wrod as a wlohe.



Read the **Word**:

**BLUE** **BLACK** **GREEN**

**YELLOW** **RED** **BLUE**

**RED** **BLACK** **GREEN**

Say the **Color** of the Word:

**BLACK** **BLACK** **GREEN**

**YELLOW** **BLUE** **RED**

**RED** **SHARK!** **BLUE**



# **The Monkey Business Illusion**

[http://youtu.be/IGQmdoK\\_ZfY](http://youtu.be/IGQmdoK_ZfY)

# Heuristics



**Heuristics** are mental shortcuts that allow individuals to solve problems and make decisions/judgments quickly and efficiently.

- Availability Heuristic
- Representativeness Heuristic
- Anchoring
- “Just World” Heuristic
- Categorizing and Generalizing



# Availability Heuristic





# Availability Heuristic

Race Matters  
for Juvenile Justice

The logo for 'Race Matters for Juvenile Justice' features a stylized, swirling red and white graphic to the right of the text.

Cause of Death	People's Choice	Annual US Totals	Newspaper Reports/Year
Lung Cancer	43%	140,000	3
Vehicle Accidents	57%	46,000	127
Emphysema	45%	22,000	1
Homicides	55%	19,000	264
Tuberculosis	23%	4,000	0
Fire and Flames	77%	7,000	24

# Representativeness Heuristic

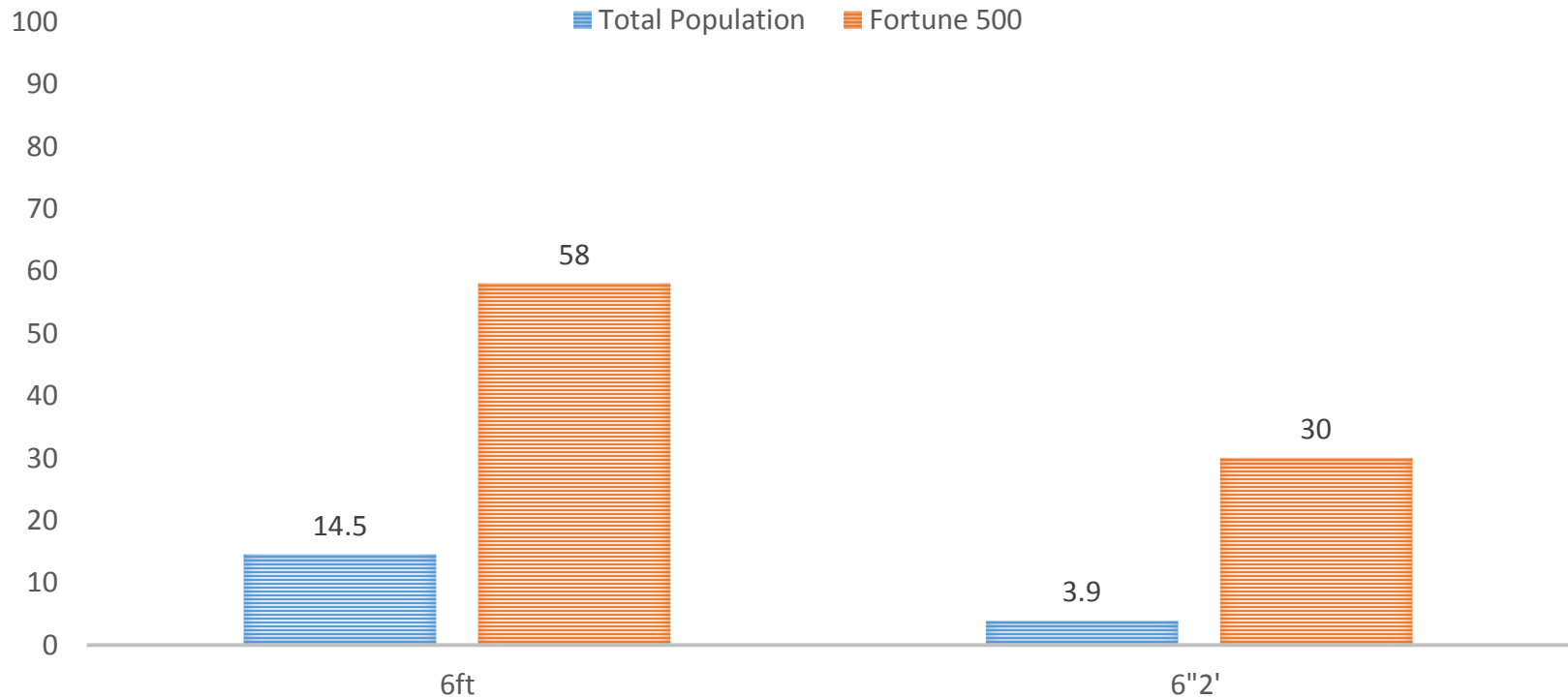


Race Matters  
for Juvenile Justice



# WHAT DO THE NBA & THE FORTUNE 500 HAVE IN COMMON?

## CEO HEIGHT



Source: Gladwell, Malcom; *Blink* (2005).

# Anchoring

Race Matters  
for Juvenile Justice

867-5309



# “Just World” Heuristic





# Categorizing & Generalizing





# **Bicycle Thief**

<http://youtu.be/ge7i60GuNRg>



# Explicit Bias



- **Explicit biases are ones that we are consciously aware of having.**
- **Because they are accessible through introspection, individuals can choose to conceal or hide explicit biases in order to appear more socially/politically correct.**

# Implicit Bias



- In contrast to explicit bias, implicit bias operates outside of awareness.
- Both explicit and implicit bias affect our decision-making everyday.
  - Automatic processing
  - Stereotypes
  - Fundamental attribution error
- Implicit bias is a preference for a group based on implicit attitudes, stereotypes, etc.

# How do we measure implicit bias?



- People may have attitudes they are *unwilling* to self-report
- People may have attitudes they are *unable* to self-report
- Measure must be indirect (non-verbal, response latencies, IAT)

# IAT Knee-Tapping Instructions



- Simulate computer keys with left and right knees
- Respond by tapping lightly with right and left hands
- Circle of words (names or valence words), go clockwise direction from starting point, and go around entire circle of words once
- Do this as quickly and accurately as you can
- If you get it wrong, tap the correct knee before moving to the next word

# IAT Name Categories

## BLACK

Ebony  
Marquis  
Precious  
Jada  
Malik  
Jazmin  
Tyrone  
Lakisha  
Jamal

## WHITE

Maxwell  
Heather  
Jake  
Molly  
Holly  
Luke  
Allison  
Hunter  
Hannah





BAD

hatred  
terrible  
war  
awful  
failure  
violent  
death  
evil  
tragedy

GOOD

joy  
laughter  
peace  
happy  
friend  
paradise  
love  
pleasure  
ecstasy

**S  
T  
A  
R  
T**



**Malik**

**Maxwell**

**Molly**

**Heather**

**Jamal**

**Ebony**

**Hannah**

**LEFT for**

**RIGHT for**

**Marquis**

**Hunter**

**BLACK**

**WHITE**

**Jake**

**Lakisha**

**Precious**

**Tyrone**

**Jada**

**Allison**

**Molly**

**Jazmin**

**Malik**

**Luke**

**Holly**



S  
T  
A  
R  
T



tragedy

hatred

ecstasy

peace

hatred

terrible

LEFT for

RIGHT for

joy

BAD

GOOD

friend

failure

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love

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death

war

pleasure

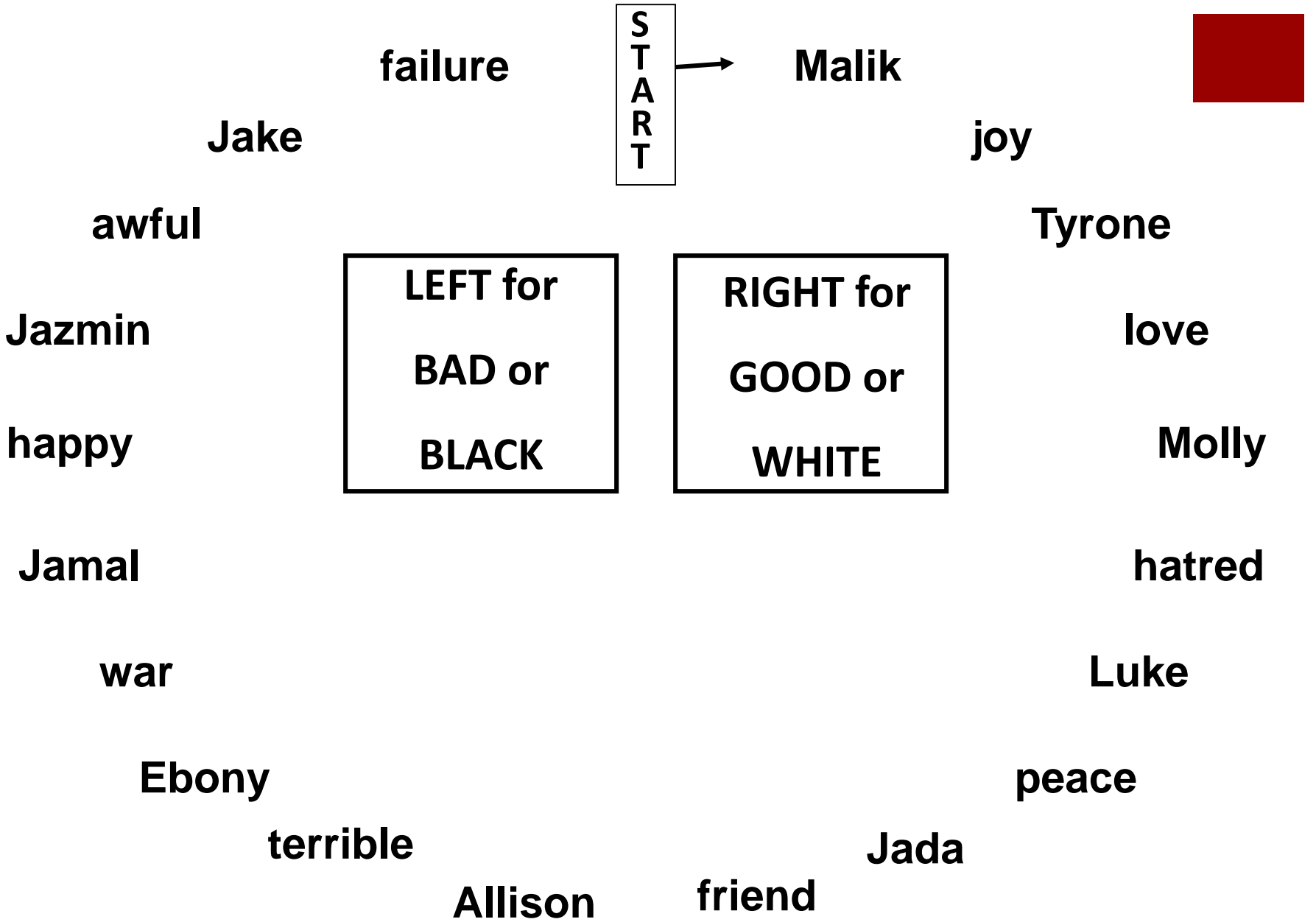
happy

violent

awful

laughter

paradise



Allison

S  
T  
A  
R  
T



Jamal



Maxwell

Hannah

Jamal

Lakisha

Ebony

LEFT for

RIGHT for

Hunter

WHITE

BLACK

Allison

Heather

Marquis

Tyrone

Precious

Jazmin

Molly

Luke

Jada

Malik

Jake

Holly

S  
T  
A  
R  
T



failure

Malik

Jake

joy

awful

Precious

Ebony

LEFT for

RIGHT for

BAD or

GOOD or

love

happy

WHITE

BLACK

Heather

Marquis

hatred

war

Luke

Maxwell

peace

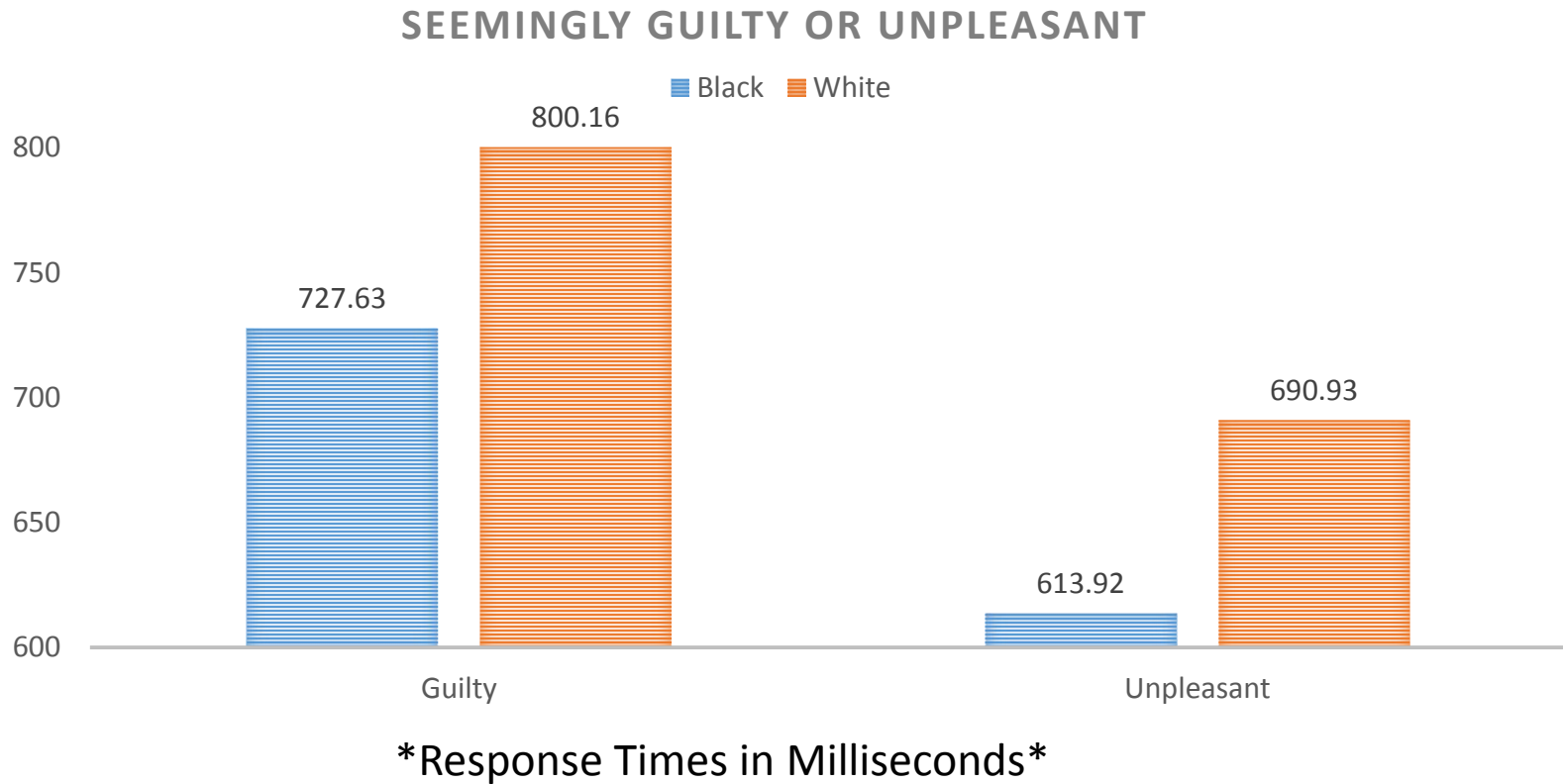
terrible

Tyrone

Molly

friend

# Guilt by Implicit Association



Source: Justin D. Levinson, Huajian Cai, and Danielle Young; Ohio State Journal of Criminal Law (2010).