



Annotated Bibliography of Racial Justice Resources

**RACIAL JUSTICE TOOLKIT:
COMMUNITY EDUCATION RESOURCE**

I. Understanding Implicit Bias

For additional resources for defenders looking to understand implicit bias, please see [Annotated Bibliography of Implicit Bias Studies](#).

a. Self-Assessments and Tools for Change for Systems Actors

IMPLICIT ASSOCIATION TESTS, PROJECT IMPLICIT, <https://implicit.harvard.edu/implicit/takeatest.html> (last visited November 2021).

Project Implicit created a series of Implicit Association Tests (IAT) that measure the strength of associations between concepts (e.g., Black people, gay people) and evaluations (e.g., good, bad) or stereotypes (e.g., athletic, clumsy). Available IATs include (1) Presidents; (2) Religion; (3) Gender-Career; (4) Skin-tone; (5) Sexuality; (6) Weapons; (7) Asian; (8) Native; (9) Gender-Science; (10) Weight; (11) Age; (12) Disability; (13) Arab-Muslim; and (14) Race.

NAT'L JUVENILE JUSTICE NETWORK, RACIAL JUSTICE TOOLKIT: RESOURCES TO HELP YOU CONNECT WITH POLICYMAKERS ON RACIAL JUSTICE (2018), <http://njjn.org/uploads/digital-library/Racial%20Justice%20Advocacy%20Toolkit%20Binder.pdf>.

The National Juvenile Justice Network released *Racial Justice Toolkit: Resources to Help You Connect with Policymakers on Racial Justice* to assist policy makers in pursuing anti-racist policies in the youth justice system. There continues to be disproportionality in the number of youth of color in the justice system at every stage of the process, yet not all policymakers are cognizant of this and many do not take it into account in drafting legislation and other policies. This toolkit provides fact sheets, suggestions for challenging harmful media narratives, and links to additional resources further detailing the disparities.

MONIQUE W. MORRIS ET AL., GEORGETOWN LAW CTR. ON POVERTY & INEQUALITY, BE HER RESOURCE: A TOOLKIT ABOUT SCHOOL RESOURCE OFFICERS AND GIRLS OF COLOR (2017), <https://genderjusticeandopportunity.georgetown.edu/school-and-pushout/be-her-resource/>

This toolkit provides guidance to improve interactions between law enforcement in schools and girls of color, with the ultimate goal of reducing the disproportionate rate at which girls of color are drawn into the juvenile justice system. Following interviews with school resource officers (SROs) and girls in the South, the report found that SROs do not receive regular training specific to interactions with girls of color and that the role of SROs within schools is often inconsistent. In response, the toolkit offers detailed recommendations, which include providing officers with training to address adultification bias. Please note, the toolkit should not be misinterpreted as an endorsement of the need

of police in schools. Rather, it is a toolkit for dealing with the existing reality that police are in our schools.

JAMES BELL & RAQUEL MARISCAL, *RACE, ETHNICITY, AND ANCESTRY IN JUVENILE JUSTICE* IN *JUVENILE JUSTICE: ADVANCING RESEARCH, POLICY, AND PRACTICE* 111–130 (2011).

This chapter identifies major elements of disparities by race, ethnicity, and ancestry in the juvenile justice system. Some key decision points prior to judicial appearance include “cite and release,” arrest, diversion after arrest, referral to a detention facility, and admission to detention. At each key decision point, juvenile justice professionals exercise judgements about how the young person and their family should be handled. Monitoring these decision points, pursuant to federal policy, reveals that youth of color are funneled deeper into the system for behaviors similar to their white counterparts. In response, the chapter identifies promising policies and practices for reducing racial and ethnic disparities, demonstrating that juvenile justice systems can operate with fairness and equity for all young people, including collaboratively using data to conduct critical self-examination of policies and practices and determine how they impact youth of color.

II. Books

KRISTIN HENNING, *THE RAGE OF INNOCENCE: HOW AMERICA CRIMINALIZES BLACK YOUTH* (2021).

Drawing upon twenty-five years of experience representing Black youth in Washington, D.C.’s juvenile courts, Kristin Henning confronts America’s irrational, manufactured fears of these young people and makes a powerfully compelling case that the crisis in racist American policing begins with its relationship to Black children. Henning explains how discriminatory and aggressive policing has socialized a generation of Black teenagers to fear, resent, and resist the police, and she details the long-term consequences of racism that they experience at the hands of the police and their vigilante surrogates. She makes clear that unlike White youth, who are afforded the freedom to test boundaries, experiment with sex and drugs, and figure out who they are and who they want to be, Black youth are seen as a threat to White America and are denied healthy adolescent development. She examines the criminalization of Black adolescent play and sexuality, and of Black fashion, hair, and music. She limns the effects of police presence in schools and the depth of police-induced trauma in Black adolescents.

MARGARET C. STEVENSON, BETTE L. BOTTOMS, AND KELLY C. BURK EDS., *THE LEGACY OF RACISM FOR CHILDREN: PSYCHOLOGY, LAW, AND PUBLIC POLICY* (2020).

The Legacy of Racism for Children: Psychology, Law, and Public Policy reviews the

intersecting implications of the named disciplines with the goal of understanding and ending the challenges facing racial minority youth in America today. Proceeding roughly from cause to consequences—from early life experiences to adolescent and teen experiences—each chapter focuses on a different domain, explains the laws and policies that create or exacerbate racial disparity in that domain, reviews relevant psychological research and its implications for those laws or policies, and calls for next steps.

JENNIFER L. EBERHARDT, *BIASED: UNCOVERING THE HIDDEN PREJUDICE THAT SHAPES WHAT WE SEE, THINK, AND DO* (2019).

Jennifer Eberhardt addresses how racial bias is not the fault of nor restricted to a few “bad apples” but is present at all levels of society in media, education, and business. Unconscious bias can be at work without our realizing it, and even when we genuinely wish to treat all people equally, ingrained stereotypes can infect our visual perception, attention, memory, and behavior. Jennifer Eberhardt reminds us that racial bias is a human problem—one all people can play a role in solving.

ROBIN DIANGELO, *WHITE FRAGILITY: WHY IT’S SO HARD FOR WHITE PEOPLE TO TALK ABOUT RACISM* (2018).

Referring to the defensive moves that white people make when challenged racially, white fragility is characterized by emotions such as anger, fear, and guilt, and by behaviors including argumentation and silence. These behaviors, in turn, function to reinstate white racial equilibrium and prevent any meaningful cross-racial dialogue. The author examines how white fragility develops, how it protects racial inequality, and what we can do to engage more constructively.

MONIQUE W. MORRIS, *PUSHOUT: THE CRIMINALIZATION OF BLACK GIRLS IN SCHOOLS* (2018).

Monique W. Morris chronicles the experiences of Black girls across the country whose intricate lives are misunderstood, highly judged—by teachers, administrators, and the justice system—and degraded by the very institutions charged with helping them flourish. Called “compelling” and “thought-provoking” by *Kirkus Reviews*, *Pushout* exposes a world of confined potential and supports the rising movement to challenge the policies, practices, and cultural illiteracy that push countless students out of school and into unhealthy, unstable, and often unsafe futures.

IJEOMA OLUO, *SO YOU WANT TO TALK ABOUT RACE* (2018).

Ijeoma Oluo guides readers of all races through subjects ranging from intersectionality and affirmative action to “model minorities” in an attempt to make the seemingly impossible possible: honest conversations about race and racism and how they infect almost every aspect of American life. The author works to bridge the gap between people

of color and white Americans struggling with race complexities by answering questions readers do not ask and explaining concepts that continue to elude everyday Americans.

PAUL BUTLER, *CHOKEHOLD: POLICING BLACK MEN* (2017).

This book examines the role police, laws, and practices play in perpetuating racial disparities in the criminal justice system. Written by a former federal prosecutor, *Chokehold* explores how Black men have become one of the most incarcerated groups in world history using “the Chokehold”-- laws and practices that treat every Black man as a thug. The author explores empirical research that examines the association between Black men and primates, as well as studies that demonstrate that Black men with more Afro-centric features are more likely to receive longer sentences than Black men with less Afro-centric features. The author argues that arrests are more problematic than incarceration, especially for low-level offenses or misdemeanors, because police and prosecutors are less concerned with guilt or innocence, and more concerned with placing Black men under government surveillance. The author also provides advice for how Black men can stay out of the criminal justice system, how to deal with police, prosecutors, and defense attorneys, and shows why the current efforts focused on police reform will not create lasting change.

ANGELA J. DAVIS, ED., *POLICING THE BLACK MAN* (2017).

A comprehensive, readable analysis of the key issues of the Black Lives Matter movement, this thought-provoking and compelling anthology features essays by some of the nation’s most influential and respected criminal justice experts and legal scholars.

In the chapter *Boys to Men: The Role of Policing the Socialization of Black Boys in Policing*, Kristin Henning expose readers to the ways in which Black boys in America are hyper-policed and surveilled. Highlighting a study that found police officers tend to overestimate the age of Black boys while underestimating the age of white boys, Henning explains the impact that over-policing has on the psyche of Black boys and how it in turn shapes their view of police.

NILDA FLORES-GONZÁLEZ, *CITIZENS BUT NOT AMERICANS: RACE AND BELONGING AMONG LATINO MILLENNIALS* (2017).

Nilda Flores-González examines how Latino millennials understand and experience race and develop notions of belonging. Based on nearly one hundred interviews, the author argues that although these young Latinxs are U.S. citizens by birth, they feel excluded from the “American project,” forever at the margins looking in. This book examines how characteristics such as ancestry, skin color, social class, gender, language, and culture converge and shape feelings of belonging and everyday experiences of racialization.

JAMES FORMAN, JR., *LOCKING UP OUR OWN: CRIME AND PUNISHMENT IN BLACK AMERICA* (2017).

This book seeks to understand the war on crime that began in the 1970s and why many African American leaders in the nation's urban centers supported it. James Forman, Jr. shows that the first substantial cohort of Black mayors, judges, and police chiefs took office amid a surge in crime and drug addiction. Many prominent Black officials feared that the gains of the civil rights movement were being undermined by lawlessness and thus embraced tough-on-crime measures, including longer sentences and aggressive police tactics. This book allows readers to understand why society became so punitive and offers important lessons to anyone concerned about the future of race and the criminal justice system in the United States.

JONATHAN KAHN, *RACE ON THE BRAIN: WHAT IMPLICIT BIAS GETS WRONG ABOUT THE STRUGGLE FOR RACIAL JUSTICE* (2017).

Jonathan Kahn argues that implicit bias has grown into a master narrative of race relations—one with profound, if unintended, negative consequences for law, science, and society. The author emphasizes its limitations, arguing that while useful as a tool to understand particular types of behavior, it is only one among several tools available to policy makers.

ELIZABETH HINTON, *FROM THE WAR ON POVERTY TO THE WAR ON CRIME* (2016).

In the United States today, one in every thirty adults is under some form of penal control, including one in eleven African American men. This book challenges the belief that America's prison problem originated with the Reagan administration's War on Drugs. The author traces the rise of mass incarceration to an ironic source: the social welfare programs of Lyndon Johnson's Great Society at the height of the civil rights era.

DERALD WING SUE, *RACE TALK AND THE CONSPIRACY OF SILENCE: UNDERSTANDING AND FACILITATING DIFFICULT DIALOGUES ON RACE* (2016).

This book debunks the most pervasive myths surrounding discussing race using evidence, easy-to-understand examples, and practical tools. The author works to answer these questions by covering characteristics of typical, unproductive conversations on race, tacit and explicit social rules related to talking about racial issues, race-specific difficulties and misconceptions regarding race talk, and concrete advice for educators and parents on approaching race in a new way.

CHARLES R. EPP ET AL., *PULLED OVER: HOW POLICE STOPS DEFINE RACE AND CITIZENSHIP* (2014).

This book traces the history of the investigatory police stop, from its discredited beginning as “aggressive patrolling” to its current status as accepted institutional practice. Drawing on the richest study of police stops to date, the authors show that who is stopped and how they are treated convey powerful messages about citizenship and racial disparity in the United States. *Pulled Over* offers practical recommendations on how reforms can protect the rights of citizens and still effectively combat crime.

ANTHONY GREENWALD & MAHZARIN BANAJI, *BLINDSPOT: HIDDEN BIASES OF GOOD PEOPLE* (2013).

Anthony Greenwald and Mahzarin Banaji question the extent to which our perceptions of social groups—without our awareness or conscious control—shape our likes and dislikes and our judgments about people’s character, abilities, and potential. This book aims to explain the science surrounding implicit biases in plain enough language to help well-intentioned people achieve alignment between behavior and intentions. By gaining awareness, humans can adapt beliefs and behavior and “outsmart the machine” in our heads so we can be fairer to those around us.

MICHELLE ALEXANDER, *THE NEW JIM CROW: MASS INCARCERATION IN THE AGE OF COLORBLINDNESS* (2010).

This book directly challenges the notion that the election of Barack Obama signals a new era of colorblindness. Michelle Alexander argues that “we have not ended racial caste in America; we have merely redesigned it.” By targeting Black men through the War on Drugs and decimating communities of color, the U.S. criminal justice system functions as a contemporary system of racial control—relegating millions to a permanent second-class status—even as it formally adheres to the principle of colorblindness.

GEOFF K. WARD, *THE BLACK CHILD-SAVERS: RACIAL DEMOCRACY & JUVENILE JUSTICE* (2012)

In *The Black Child Savers*, the first study of the rise and fall of Jim Crow juvenile justice, Geoff Ward examines the origins and organization of this separate and unequal juvenile justice system. Ward explores how generations of “black child-savers” mobilized to challenge the threat to black youth and community interests and how this struggle grew aligned with a wider civil rights movement, eventually forcing the formal integration of American juvenile justice. Ward’s book reveals nearly a century of struggle to build a more democratic model of juvenile justice—an effort that succeeded in part, but ultimately failed to deliver black youth and community to liberal rehabilitative ideals.

EDUARDO BONILLA-SILVA, *RACISM WITHOUT RACISTS: COLOR BLIND RACISM AND THE PERSISTENCE OF RACIAL EQUALITY IN AMERICA* (2003).

This book documents how, beneath our contemporary conversation about race, there lies a full-blown arsenal of arguments, phrases, and stories that whites use to account for—and ultimately justify—racial inequities. The author discusses the current racial climate, including the Black Lives Matter movement while examining the Obama presidency, the 2016 election, and Donald Trump’s presidency.

III. Cases

Please see [Case Law to Support Specific Racial Justice Arguments](#).

IV. Data Fact Sheets

For additional databases and webpages helpful for identifying reliable statistics on race and ethnicity within the juvenile legal system, please see [Helpful Statistics on Race and Ethnicity within Juvenile Legal Systems](#).

THE SENTENCING PROJECT, FACT SHEET: BLACK DISPARITIES IN YOUTH INCARCERATION (2021), <http://www.sentencingproject.org/publications/black-disparities-youth-incarceration/>.

Despite long-term declines in youth incarceration, the disparity at which Black and white youth are held in juvenile facilities has grown. Black youth are more than four times as likely to be detained or committed in juvenile facilities as their white peers.

THE SENTENCING PROJECT, FACT SHEET: LATINX DISPARITIES IN YOUTH INCARCERATION (2021), <http://www.sentencingproject.org/publications/latino-disparities-youth-incarceration/>.

Latinx youth are 28 percent more likely to be detained or committed in juvenile facilities than their white peers, according to nationwide data collected in October 2019 and recently released. In 2011, Latinx youth’s incarceration rate was 80% higher than their white peers, a rate roughly equivalent to the preceding 10 years. Though still significant, the Latinx-white placement disparity has dropped by roughly one-third since 2011.

THE SENTENCING PROJECT, FACT SHEET: DISPARITIES IN TRIBAL YOUTH INCARCERATION (2021), <http://www.sentencingproject.org/publications/native-disparities-youth-incarceration/>.

Disparities in tribal youth incarceration have grown worse over the course of the decade, with tribal youth being more than three times as likely to be incarcerated than their white peers.

REBECCA EPSTEIN, ERIN GODFREY, THALIA GONZÁLEZ, AND SHABNAM JAVDANI, DATA SNAPSHOT: 2017-2018 NATIONAL DATA ON SCHOOL DISCIPLINE BY RACE AND GENDER, GEORGETOWN LAW CENTER ON POVERTY AND INEQUALITY (2020), <https://genderjusticeandopportunity.georgetown.edu/wp-content/uploads/2021/04/National-Data-on-School-Discipline-by-Race-and-Gender.pdf>.

Analysis of Department of Education’s Office of Civil Rights Data Collection for the 2017-2018 academic year by the Georgetown Law Center on Poverty and Inequality’s Initiative on Gender Justice & Opportunity and the RISE Research team at New York University revealed widespread disparities by race and gender in all six main categories for which data was collected: rates of suspension, expulsion, arrest, restraints, referral to law enforcement, and transfers to alternative schools for disciplinary reasons. Black students were the most overdisciplined group across all six categories. Girls of color were overdisciplined compared to their white counterparts at even higher rates than boys of color compared to white boys, with only two exceptions. Black girls have the highest rate of overrepresentation compared to white youth of any other race and gender group.

THE SENTENCING PROJECT, FACT SHEET: RACIAL DISPARITIES IN YOUTH COMMITMENTS AND ARRESTS (2016), <https://www.sentencingproject.org/publications/racial-disparities-in-youth-commitments-and-arrests/>.

Racial disparities have been on the rise across the country, even as the overall number of incarcerated youth is declining. Nationwide, the average rate of incarceration for Black youth is five times higher than for their white peers, even when charged with similar offenses. In certain states, the disparities are significantly higher: Connecticut’s rate of incarceration for Black youth is 10 times higher than for white youth, and the rate is 15 times higher in Wisconsin and 30 times higher in New Jersey.

V. Empirical Studies: Race and Adolescent Development

Adolescent development manifests across all racial and socio-economic groups similarly. A number of studies have controlled for race and socio-economic status, finding no significant differences in key features of adolescence. Not only have studies confirmed that psychological and psychosocial development is similar across racial and socio-economic groups, but self-reported studies on adolescent behavior confirm that adolescent development manifests in similar behavior across racial and socio-economic lines as well. Please see [Annotated Bibliography: Race and Adolescent Development](#) for more research.

THOMAS RUDD, KIRWAN INST. FOR THE STUDY OF RACE & ETHNICITY, RACIAL DISPROPORTIONALITY IN SCHOOL DISCIPLINE: IMPLICIT BIAS IS HEAVILY IMPLICATED (2017), <http://kirwaninstitute.osu.edu/racial-disproportionality-in-school-discipline-implicit-bias-is-heavily-implicated/>.

Research shows that Black students are disciplined more often and receive more out-of-school suspensions and expulsions than white students. In 2010, over 70 percent of the students involved in school-related arrests or referred to law enforcement were Hispanic or Black. Overall, Black students were three and a half times more likely to be suspended or expelled than their white peers. According to the Kirwan Institute, implicit bias was heavily implicated as a contributing factor when the causes of racial disproportionality in school discipline were analyzed.

CHERYL STAATS ET AL., KIRWAN INST. FOR THE STUDY OF RACE & ETHNICITY, STATE OF THE SCIENCE: IMPLICIT BIAS REVIEW (2017), <http://kirwaninstitute.osu.edu/wp-content/uploads/2017/11/2017-SOTS-final-draft-02.pdf>.

This comprehensive resource is the fifth edition of the annual publication by the Kirwan Institute for the Study of Race & Ethnicity which highlights the latest research that considers the role of implicit racial biases when analyzing social inequities. Topics include:

- (1) Criminal Justice
 - a. Police Use of Force
 - b. Judges
 - c. Juries
 - d. Other Courtroom Dynamics
 - e. Legal Education
- (2) Understanding the Psychological and Structural Barriers People of Color Face in the Criminal Justice System
- (3) Education
 - a. Perceptions of (Mis)Behavior in Education
 - b. Academic Achievement
 - c. Higher Education
 - d. Other Contributions
- (4) Race Matters... And So Does Gender
- (5) Implicit Bias Strategies: Addressing Implicit Bias in Early Childhood Education
- (6) Ohio Discipline Data: An Analysis of Ability and Race
- (7) From Punitive to Restorative: Advantages of Using Trauma-Informed Practices in School
- (8) Health
 - a. Doctor-Patient Communication
 - b. Implicit Bias and Health Care Involving Youth
 - c. Medical School

- d. Mental Health
- e. Clinical Decision- Making
- (9) Unconscious Bias in Academic Medicine: Proceedings of the Diversity and Inclusion Innovation Forum
- (10) Aligning Outcomes with Intentions: Mitigating Implicit Bias in Health Care
- (11) Housing
 - a. Mortgage Lending
 - b. Neighborhood Dynamics
- (12) Challenging Race as Risk: Connecting Implicit Bias to Structural Issues
- (13) Guarding Against Bias
- (14) Parallel Student Experiences
- (15) Being an Active Bystander
- (16) Assessments/Measurements
 - a. Responses to the Implicit Association Test (IAT)
 - b. Affect Misattribution Procedure (AMP)
 - c. Faking
- (17) Neuroscience
- (18) General Contributions
- (19) Foretelling the Future: A Critical Perspective on the Use of Predictive Analytics in Child Welfare

REBECCA EPSTEIN ET AL., GEORGETOWN LAW CTR. ON POVERTY & INEQUALITY, GIRLHOOD INTERRUPTED: THE ERASURE OF BLACK GIRLS' CHILDHOOD (2017), <https://genderjusticeandopportunity.georgetown.edu/wp-content/uploads/2020/06/girlhood-interrupted.pdf>.

This study examines the adultification of Black girls, and finds not only that Black girls are viewed by adults as less innocent and more adult-like than their white peers, but also that this bias starts at age 5, as opposed to similar biases starting for Black boys at age 10. Survey participants perceived that (1) Black girls need less nurturing; (2) Black girls need less protection; (3) Black girls need to be supported less; (4) Black girls need to be comforted less; (5) Black girls are more independent; and (6) Black girls know more about sex. The data suggests that the perception of Black girls as less innocent may contribute to harsher punishment by educators and school resource officers, and the view that Black girls need less nurturing, protection, and support may translate into fewer leadership and mentorship opportunities in schools. Additionally, with respect to the discrepancies in law enforcement and juvenile court practices, the perception of Black girls as less innocent and more adult-like may contribute to more punitive exercise of discretion by those in positions of authority, greater use of force, and harsher penalties for Black girls.

CHERYL STAATS ET AL., KIRWAN INST. FOR THE STUDY OF RACE & ETHNICITY, STATE OF THE SCIENCE: IMPLICIT BIAS REVIEW (2016), <http://kirwaninstitute.osu.edu/wp-content/uploads/2016/07/implicit-bias-2016.pdf>.

This comprehensive resource is the fourth edition of the annual publication by the Kirwan Institute for the Study of Race & Ethnicity which highlights the latest research that considers the role of implicit racial biases when analyzing social inequities. Topics include:

- (1) What is Implicit Bias?
- (2) What Can I Do About It?
- (3) Trends in the Field (2015)
 - a. Public Discourse
 - b. The Academic Realm
- (4) Criminal Justice
 - a. Discussing Race in Court
 - b. Judges
 - c. Juries
 - d. Attorney Interactions
 - e. Expert Testimony on Implicit Bias
 - f. Inside the Courtroom
 - g. Shooter Bias/The Decision to Shoot
 - h. Trainings for Police Officers
 - i. Outside the Courtroom
- (5) Health or Health Care
 - a. Perceptions of Pain
 - b. Differential Treatment
 - c. Mitigating Bias in Health Care/Medical Education;
- (6) Employment
 - a. Accent Bias
 - b. Workplace Dynamics; (7)
- (7) Education
 - a. Perceptions of Behavior and Related Disciplinary Situations
 - b. Pre-Service Teachers
 - c. Higher Education
 - d. Addressing Implicit Bias in Education
- (8) Housing and Neighborhoods
- (9) Mitigating Implicit Bias
 - a. The Malleability of Implicit Associations
 - b. Mindfulness Meditation
 - c. Counterstereotypical Exemplars
 - d. Educational Programming for Children
 - e. Approach/Avoidance Behavior
- (10) Assessments and Measurements

- a. The Implicit Association Test (IAT)
- b. Affect Misattribution Procedure (AMP)
- c. Implicit Relational Assessment Procedure (IRAP)
- d. Relational Responding Task (RRT)
- (11) General Contributions
 - a. Implicit Bias Formation and Transmission
 - b. Ingroups and Outgroups
 - c. Ethical Considerations
 - d. News and Media
 - e. Political Behavior and Voting
 - f. Research Involving Video Games/Avatars
 - g. National and Ethnic Identity
 - h. Implications for Philanthropy
 - i. Neuroscience
 - j. Youth
 - k. Societal Impacts, Perspectives, and Social Issues
 - l. Scholarly Dialogue
- (12) Conclusion/Success Stories

CHERYL STAATS ET AL., KIRWAN INST. FOR THE STUDY OF RACE & ETHNICITY, STATE OF THE SCIENCE: IMPLICIT BIAS REVIEW (2015), <http://kirwaninstitute.osu.edu/wp-content/uploads/2015/05/2015-kirwan-implicit-bias.pdf>.

This comprehensive resource is the third edition of the annual publication by the Kirwan Institute for the Study of Race & Ethnicity which highlights the latest research that considers the role of implicit racial biases when analyzing social inequities. Topics include:

- (1) Mythbusters (Implicit Bias Edition): Clearing Up the Confusion Surrounding Implicit Bias
- (2) Trends in the Field (2014)
 - a. The Public Domain
 - b. The Academic Realm
- (3) Criminal Justice
 - a. Shooter/Weapons Bias
 - b. Police Officers and Implicit Bias Training
 - c. Judges
 - d. Jurors & Jury Instructions
 - e. Broader Contributions
 - f. Reducing Implicit Bias in the Court System
- (4) Health and Health Care:
 - a. Differential Treatment
 - b. Implicit Bias and Patient Wellbeing
 - c. Doctor-Patient Interactions

- d. Medical School Education
- (5) Employment
 - a. Evaluating and Rating Applicants
 - b. Performance Evaluations
 - c. Perceptions of Leadership
 - d. Employment Discrimination Lawsuits
- (6) Education
 - a. Implicit Bias – Teachers
 - b. Implicit Bias – Students
 - c. School Discipline
 - d. Academia
- (7) Housing
- (8) Debiasing
 - a. Training
 - b. Intergroup Contact
 - c. Taking the Perspective of Others
 - d. Emotional Expression
 - e. Counterstereotypical Exemplars
- (9) Other Broad Contributions
 - a. Ingroups and Outgroups
 - b. Assessments/Measurements
 - c. Skin Tone
 - d. Perception and Emotion
 - e. Cognitive Neuroscience
 - f. The Implicit Association Test (IAT)
 - g. Research Involving Avatars
 - h. Children
 - i. Political Behavior
 - j. Books and Book Chapters
 - k. Other Scholarship
- (10) Implicit Bias Work at Kirwan
- (11) Primer on Implicit Bias

CHERYL STAATS ET AL., KIRWAN INST. FOR THE STUDY OF RACE & ETHNICITY, STATE OF THE SCIENCE: IMPLICIT BIAS REVIEW (2014), <http://kirwaninstitute.osu.edu/wp-content/uploads/2014/03/2014-implicit-bias.pdf>.

This comprehensive resource is the second edition of the annual publication by the Kirwan Institute for the Study of Race & Ethnicity, which highlights the latest research that considers the role of implicit racial biases when analyzing social inequities. Topics include:

- (1) Primer on Implicit Bias
 - a. A Few Key Characteristics of Implicit Biases

- b. Measuring Implicit Cognition
 - c. Debiasing
- (2) New Developments in the Implicit Bias Literature
 - a. Criminal Justice
 - i. Shooter/Weapons Bias
 - ii. Defense Attorneys
 - iii. Courtroom Dynamics
 - iv. Juries
 - v. Sentencing
 - vi. Reducing Implicit Bias in the Judicial System
 - b. Health/Health Care
 - i. Physicians' Implicit Biases
 - ii. Doctor-Patient Interactions
 - iii. Implicit Bias and Patient Wellbeing
 - iv. Medical School Education
 - c. Education
 - d. Cognitive Neuroscience and Neurobiology
 - e. The Implicit Association Test
 - f. Debiasing
 - g. Books
- (3) Trends in the Field (2013)
 - a. The Public Domain
 - b. The Academic Realm
- (4) Employment
 - a. Ingroup Bias and Nebulous Notions of Being a Good “Fit” for a Position
 - b. Anti-Discrimination – Title VII
 - c. Uncovering Bias by Using Fictitious Resumes
 - d. Interviews
 - e. Perceptions of Competence During Hiring
 - f. The Illusion of Objectivity and Hiring Managers
 - g. Hiring Decisions
 - h. Perceptions of Leadership
 - i. Performance and Performance Evaluations
 - j. Addressing Implicit Bias in the Workplace
- (5) Housing
 - a. Using Paired Tester/Audit Studies to Examine Discrimination
 - b. Home Valuations and Price Differentials
 - c. Assistance from Real Estate Professionals
 - d. Race and Perceptions of Neighborhood Crime
 - e. Race and Perceptions Neighborhood Disorder
 - f. Neighborhood Demographics and Interactions
 - g. A Call For Further Research
- (6) A Conversation with an Implicit Bias Skeptic

(7) Quick Facts Sheet

CHERYL STAATS ET AL., KIRWAN INST. FOR THE STUDY OF RACE & ETHNICITY, STATE OF THE SCIENCE: IMPLICIT BIAS REVIEW (2013),
http://www.kirwaninstitute.osu.edu/reports/2013/03_2013_SOTS-Implicit_Bias.pdf.

This comprehensive resource is the first edition of the annual publication by the Kirwan Institute for the Study of Race & Ethnicity, which highlights the latest research that considers the role of implicit racial biases when analyzing social inequities. Topics include:

- (1) Introduction
 - a. The Formation of Implicit Bias
 - b. The Importance of Implicit Bias to the Work of Social Justice Advocates
- (2) Background on Implicit Bias
 - a. Key Concepts
 - b. Select Seminal Works
 - c. Understanding the Relationship Between Implicit and Explicit Bias
 - d. Downfalls of Self-Reports and Other Explicit Measures of Bias
 - e. On Controlling Responses
- (3) Measuring Implicit Cognition
 - a. Physiological Approaches
 - b. Priming Methods
 - c. Response Latency Measures
 - d. Implicit Association Test
 - e. IAT Findings on Race
- (4) Implicit Bias in Education
 - a. Teacher Expectations of Student Achievement
 - b. Teacher Perceptions of Student Behavior
 - c. Students' Self-Perceptions
 - d. Culturally Appropriate Curriculum
- (5) Implicit Bias in Criminal Justice
 - a. Bias in Police Officers
 - b. Shooter/Weapon Bias
 - c. Judges
 - d. Jurors
 - e. Sentencing
 - f. Prosecutors
 - g. Defense Attorneys
- (6) Implicit Bias in Health or Health Care
 - a. Physicians' Implicit Bias
 - b. Differential Treatment
 - c. Doctor-Patient Interactions

- d. Fostering Cultural Competency
- e. Concluding Thoughts
- (7) Debiasing
 - a. Counter-Stereotypic Training
 - b. Exposure to Counter-Stereotypic Individuals
 - c. Intergroup Contact
 - d. Education and Implicit Bias
 - e. Accountability
 - f. Fostering Egalitarian Motivations
 - g. Taking the Perspective of Others
 - h. Deliberative Processing
 - i. Other Interventions
- (8) Conclusion
 - a. Critiques of Implicit Bias Research
 - b. Criticism of the Implicit Association Test (IAT)
 - c. Steps for Addressing Implicit Biases
 - d. A Broader Interdisciplinary Future

Hilary Smith et al., *Race, Ethnicity, Class, and Noncompliance with Juvenile Court Supervision*, 623 AM. ACAD. POL. & SOC. SCI. 108 (2009).

The authors analyze juvenile court data to examine whether and how documentation of noncompliance is affected by race, ethnicity, and class. Logistic regression demonstrates that Black youth and youth from poorer neighborhoods are especially likely to have noncompliance documented. Content analysis of court social files clarifies further how race, class, family structure, and family circumstances affect officials' assessments of youth.

a. Adolescent Development Studies Controlling for Race and Socioeconomic Status

This is a non-exhaustive list of adolescent development studies controlling for race and socioeconomic status. For additional studies and information, please see the [Annotated Bibliography on Race and Adolescent Development](#).

Elizabeth Cauffman et al., *Age Differences in Affective Decision Making as Indexed by Performance on the Iowa Gambling Task*, 46 DEVELOPMENTAL PSYCHOL. 193 (2010).

A diverse sample of 901 individuals between the ages of 10 and 30 were administered a modified version of the Iowa Gambling Task, which is designed to measure “affective decision making.” Results indicate that approach behaviors (operationalized as the tendency to play increasingly from the advantageous decks over the course of the task)

display an inverted U-shape relation to age, peaking in mid- to late adolescence. In contrast, avoidance behaviors (operationalized as the tendency to refrain from playing from the disadvantageous decks) increase linearly with age, with adults avoiding disadvantageous decks at higher rates than both preadolescents and adolescents. The finding that adolescents, compared to adults, are relatively more approach oriented in response to positive feedback and less avoidant in response to negative feedback is consistent with recent studies of brain development, as well as epidemiological data on various types of risky behavior, and may have important practical implications for the prevention of adolescent risk taking.

Laurence Steinberg et al., *Age Differences in Future Orientation and Delay Discounting*, 80 CHILD DEV. 28 (2009).

In this study, age differences in future orientation are examined in a sample of 935 individuals between 10 and 30 years using a delay discounting task as well as a new self-report measure. Younger adolescents consistently demonstrate a weaker orientation to the future than do individuals aged 16 and older, as reflected in their greater willingness to accept a smaller reward delivered sooner than a larger one that is delayed, and in their characterizations of themselves as less concerned about the future and less likely to anticipate the consequences of their decisions. Planning ahead, in contrast, continues to develop into young adulthood. Future studies should distinguish between future orientation and impulse control, which may have different neural underpinnings and follow different developmental timetables.

Laurence Steinberg et al., *Age Differences in Sensation Seeking and Impulsivity as Indexed by Behavior and Self-Report: Evidence for a Dual Systems Model*, 44 DEVELOPMENTAL PSYCHOL. 1764 (2008).

The authors examined age differences in sensation seeking and impulsivity in a socioeconomically and ethnically diverse sample of 935 individuals between the ages of 10 and 30, using self-report and behavioral measures of each construct. Consistent with the authors' predictions, age differences in sensation seeking, which are linked to pubertal maturation, follow a curvilinear pattern, with sensation seeking increasing between 10 and 15 and declining or remaining stable thereafter. In contrast, age differences in impulsivity, which are unrelated to puberty, follow a linear pattern, with impulsivity declining steadily from age 10 on. Heightened vulnerability to risk taking in middle adolescence may be due to the combination of relatively higher inclinations to seek excitement and relatively immature capacities for self-control that are typical of this period of development.

Laurence Steinberg & Kathryn C. Monahan, *Age Differences in Resistance to Peer Influence*, 43 DEVELOPMENTAL PSYCHOL. 1531 (2007).

The authors examined age differences and developmental change in resistance to peer influence, which were assessed using a new self-report instrument that separates susceptibility to peer pressure from willingness to engage in antisocial activity. Data from four ethnically and socioeconomically diverse samples comprising more than 3,600 males and females between the ages of 10 and 30 were pooled from one longitudinal and two cross-sectional studies. Results show that across all demographic groups, resistance to peer influences increases linearly between ages 14 and 18. In contrast, there is little evidence for growth in this capacity between ages 10 and 14 or between 18 and 30. Middle adolescence is an especially significant period for the development of the capacity to stand up for what one believes and resist the pressures of one's peers to do otherwise.

b. Establishing the Presence, Nature, and Extent of Implicit Bias

Please see [Annotated Bibliography of Implicit Bias Studies](#).

VI. Resources for Judges

NAT'L JUVENILE DEFENDER CTR. ET AL., BENCH CARD: ADDRESSING BIAS IN CHILD WELFARE AND DELINQUENCY SYSTEMS (2018).

In partnership with the National Council of Juvenile and Family Court Judges (NCJFCJ), the National Juvenile Defender Center released “Addressing Bias in Child Welfare and Delinquency Systems,” a bench card to promote judicial leadership in eliminating racial and ethnic disparities in juvenile and family courts to create a fair and equitable system of justice for all youth. According to the bench card, “Youth of color are disproportionately represented at every decision point of the juvenile delinquency court process: they face higher arrest rates for similar conduct, are afforded fewer opportunities for diversion, and are far more likely to be detained and incarcerated . . . Youth of color and their families face similar disparities in the child welfare system, and when youth are dually involved in the delinquency and child welfare systems, these disparities are exacerbated . . .”

The bench card aims to educate juvenile and family court judges about structural, explicit, and implicit bias; provides judges with self-reflection tools to help them recognize and prevent bias in their courtroom; and offers judges concrete strategies to correct implicit bias.

NAT'L JUVENILE DEFENDER CTR. ET AL., BENCH CARD: ENSURING YOUNG PEOPLE ARE NOT CRIMINALIZED FOR POVERTY: BAIL, FEES, FINES, COSTS, AND RESTITUTION IN JUVENILE COURT (2018), http://njdc.info/wp-content/uploads/2018/04/Bail-Fines-and-Fees-Bench-Card_Final.pdf.

In partnership with the National Council of Juvenile and Family Court Judges (NCJFCJ), the National Juvenile Defender Center released “Ensuring Young People Are Not Criminalized for Poverty: Bail, Fees, Fines, Costs, and Restitution in Juvenile Court,” a bench card to illustrate some of the detrimental impacts of financial assessments and obligations upon

youth and their families, and provide guidance for judges on how to exercise their discretion to alleviate harm and support youth on pathways to success. Judges are uniquely positioned to eliminate the harms and hardships caused by the imposition of bail, fees, fines, costs, and restitution orders in court, particularly for youth of color.

NAT'L JUVENILE DEFENDER CTR. ET AL., BENCH CARD: ACCESS TO JUVENILE JUSTICE IRRESPECTIVE OF SEXUAL ORIENTATION, GENDER IDENTITY, AND GENDER EXPRESSION (SOGIE) (2017), http://njdc.info/wp-content/uploads/2017/08/NJDC_SOGIE_Benchcard-1.pdf.

In partnership with the National Council of Juvenile and Family Court Judges (NCJFCJ), the National Juvenile Defender Center released “Access to Juvenile Justice Irrespective of Sexual Orientation, Gender Identity, and Expression (SOGIE),” a bench card to promote judicial leadership in supporting Lesbian, Gay, Bisexual, Transgender, Queer or Questioning, and Gender Non-Conforming (LGBTQ-GNC) Youth.

NAT'L JUVENILE DEFENDER CTR. ET AL., BENCH CARD: APPLYING PRINCIPLES OF ADOLESCENT DEVELOPMENT IN DELINQUENCY PROCEEDINGS (2017), http://njdc.info/wp-content/uploads/2017/08/NJDC_Adolescent-Development_Bench-Card.pdf.

In partnership with the National Council of Juvenile and Family Court Judges (NCJFCJ), the National Juvenile Defender Center released “Applying Principles of Adolescent Development in Delinquency Proceedings,” a bench card to promote judicial leadership in recognizing the developmental differences between youth and adults and integrate, at each stage of the case, applicable principles supported by the research on adolescent development.

DIVERSITY & INCLUSION 360 COMM'N, AM. BAR ASS'N, HIDDEN INJUSTICE: BIAS ON THE BENCH (2016), <https://www.americanbar.org/news/abanews/aba-news-archives/2016/04/hidden-injustice--bias-on-the-bench/>.

The American Bar Association's recently formed Diversity and Inclusion 360 Commission released a video tool to raise awareness and provide practical tips for judges in the United States on the damages caused by implicit bias and the necessary steps to combat it.

VII. Media

a. Podcasts

1619, The New York Times.

In August 1619, a ship carrying more than 20 enslaved Africans arrived in the English colony of Virginia. America was not yet America, but this was the moment it began. No aspect of the soon-to-be-formed country has been untouched by the 250 years of slavery that followed. *1619* tells this story.

Another Round, New York Public Radio.

Produced by BuzzFeed, hosts Heben Nigatu and Tracey Clayton explore relevant topics in regards to the Black experience, race, gender, culture, and more.

Codeswitch: Race and Identity Remixed, National Public Radio.

This podcast covers the intersections of race, identity, and gender while exploring what these identities mean, how people navigate the spaces they occupy, and how these topics are constantly changing.

Pod Save the People, Crooked Media.

Organizer and activist DeRay Mckesson explores news, culture, social justice, and politics through deep conversations with influencers and experts, and the weekly news with fellow activists Brittany Packnett and Sam Sinyangwe, and writer Clint Smith.

Race Matters, National Public Radio.

This podcast boasts conversations for people trying to understand the value in their racial and cultural identity. Hosted by Rhyann Clapham, Sara Khan, Darren Lesaguis, and Georgia Mokak.

b. Documentaries

13TH (Netflix 2016).

Created by Ava DuVernay, this documentary analyzes the criminalization of the Black community and the U.S. prison boom using the voices of scholars, activists, and politicians.

TIME: THE KALIEF BROWDER STORY (Netflix 2017).

This miniseries traces the tragic case of Kalief Browder, a Bronx teen who spent three years in Rikers Island—two of them in solitary confinement—despite never being convicted of a crime.

THE CENTRAL PARK FIVE (Public Broadcasting Service 2012).

This film tells the story of the five Black and Latino teenagers from Harlem who were wrongly convicted of raping a white woman in New York City's Central Park in 1989 from the perspective of the five teenagers whose lives were upended.

TRUE JUSTICE: BRYAN STEVENSON'S FIGHT FOR EQUALITY (Home Box Office 2019).

For more than three decades, Alabama public interest attorney Bryan Stevenson, founder and executive director of the Equal Justice Initiative, has advocated on behalf of the poor, the incarcerated and the condemned, seeking to eradicate racial discrimination in the criminal justice system. This film follows his struggle to create greater fairness in the system and shows how racial injustice emerged, evolved and continues to threaten the country, challenging viewers to confront it.