



# A Journey To ~~The City Of~~ Inclusion

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# Justice

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Justice is the principle of treating all individuals equitably and without bias, irrespective of their background or identity. It encompasses the protection of human rights, redressing systemic injustices, and guaranteeing that everyone has equal access to opportunities, resources, and protections under the law.

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# Diversity

Diversity refers to the range of human differences, such as race, ethnicity, gender, sexual orientation, age, disability, religion, socioeconomic status, and cultural background. To embrace diversity means to acknowledge, value, and appreciate the distinct perspectives, experiences, and identities that each individual possesses and brings to the table.



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# Equity

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Equity refers to the just and impartial distribution of resources, opportunities, and outcomes to ensure everyone has the necessary tools to flourish. Unlike equality, equity takes into account the existence of systemic obstacles and disparities that result in inequitable access to resources and opportunities. The goal of equity is to balance the scales and encourage fairness for historically marginalized and underrepresented communities, promoting justice and equality for all.



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# Inclusion

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"Inclusion" refers to the act of creating environments where every individual feels valued, respected, and fully integrated into social, cultural, and organizational settings. This involves fostering a sense of belonging and actively ensuring that everyone's voices are heard, perspectives are considered, and contributions are recognized and appreciated.

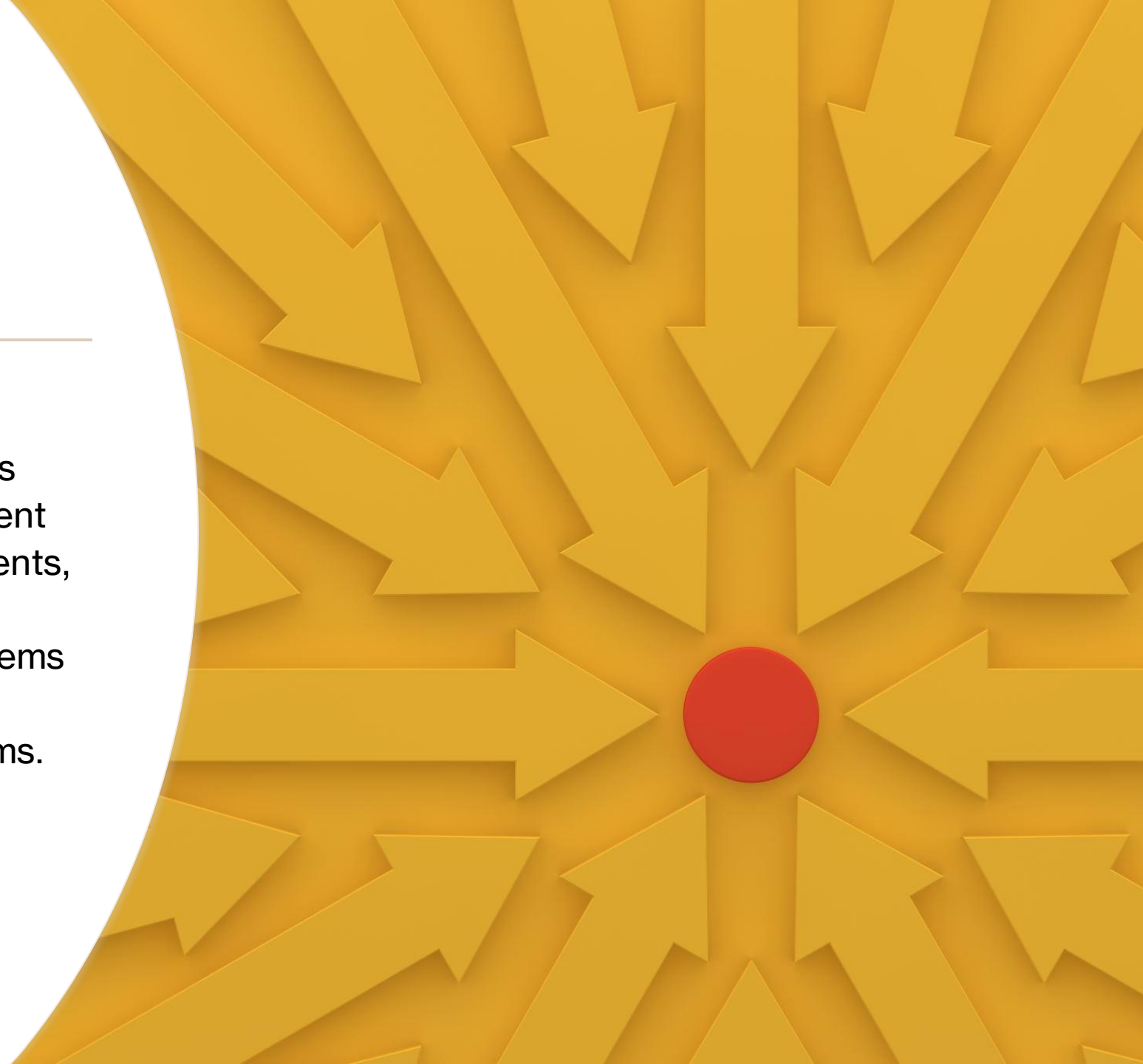


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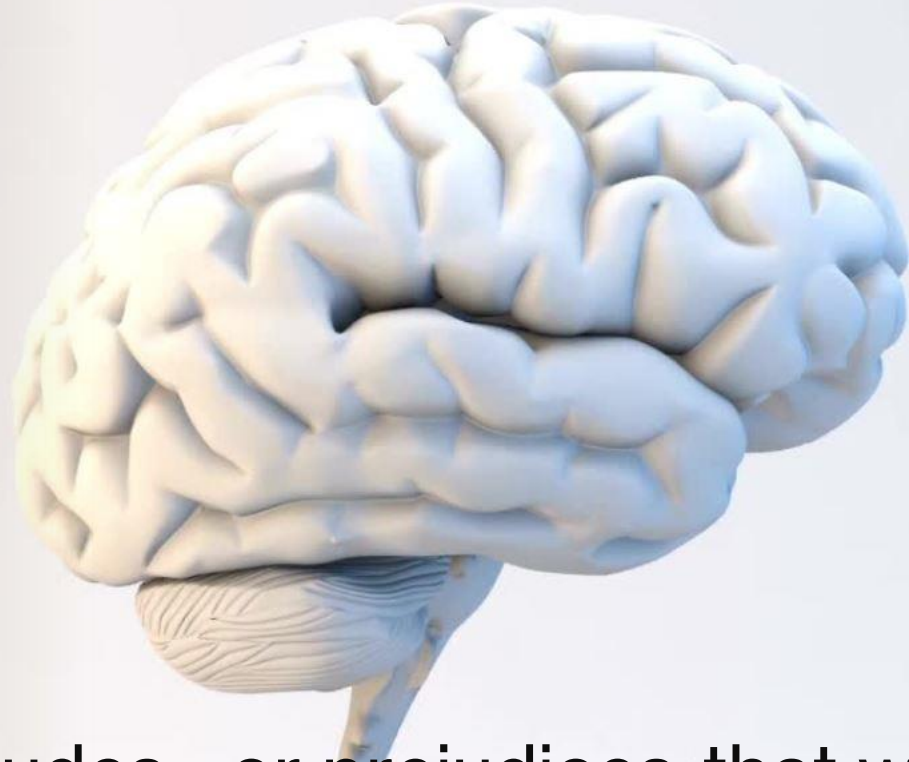
# BIAS

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Bias is the inclination to favor or disfavor certain individuals, groups, ideas, or things over others. It can manifest itself in different ways, influencing our perceptions, judgments, decisions, and behaviors. Bias can be conscious or unconscious, and it often stems from personal experiences, cultural influences, stereotypes, and societal norms.



# EXPLICIT BIAS



Conscious beliefs, attitudes, or prejudices that we know and may openly express. These biases are often rooted in stereotypes or negative attitudes towards certain individuals or groups.

# IMPLICIT BIAS



Is an unintentional process in the human mind that affects our responses to different groups, leading to unsubstantiated conclusions and damaging consequences.





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# Bias in Justice

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The National Conference Of State Legislators, The National Center for State Courts, and The BAR Association have all published reports documenting the following:



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# Bias in Justice

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- Racial and ethnic disparities exist in every area of our judicial system.
- State and federal governments are aware of this disparity.
- Researchers and policymakers are studying the drivers behind the statistics.

# Understanding Bias

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Bias is the inclination to favor or disfavor certain individuals, groups, ideas, or things over others



Bias can take on many forms, including unconscious biases that operate beyond our conscious awareness.

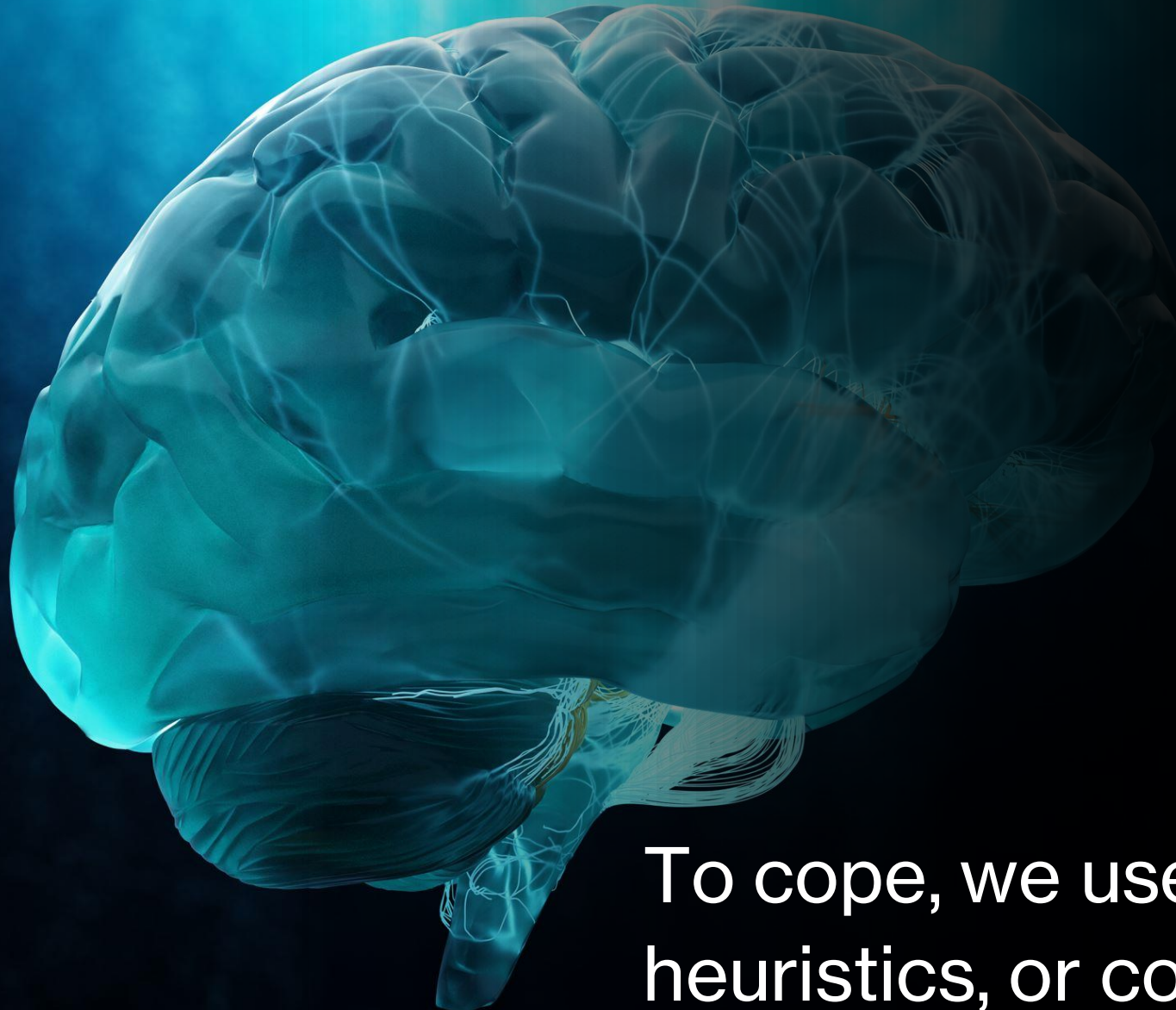
# Why Bias?

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The brain can process up to 11 million pieces of information per second, but our conscious minds can only handle 40-50 bits per second.







# Why Bias?

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To cope, we use  
heuristics, or cognitive shortcuts.

# Heuristics

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Heuristics, or cognitive shortcuts, are commonly used in daily life to make quick decisions and judgments without extensive analysis of all available information.



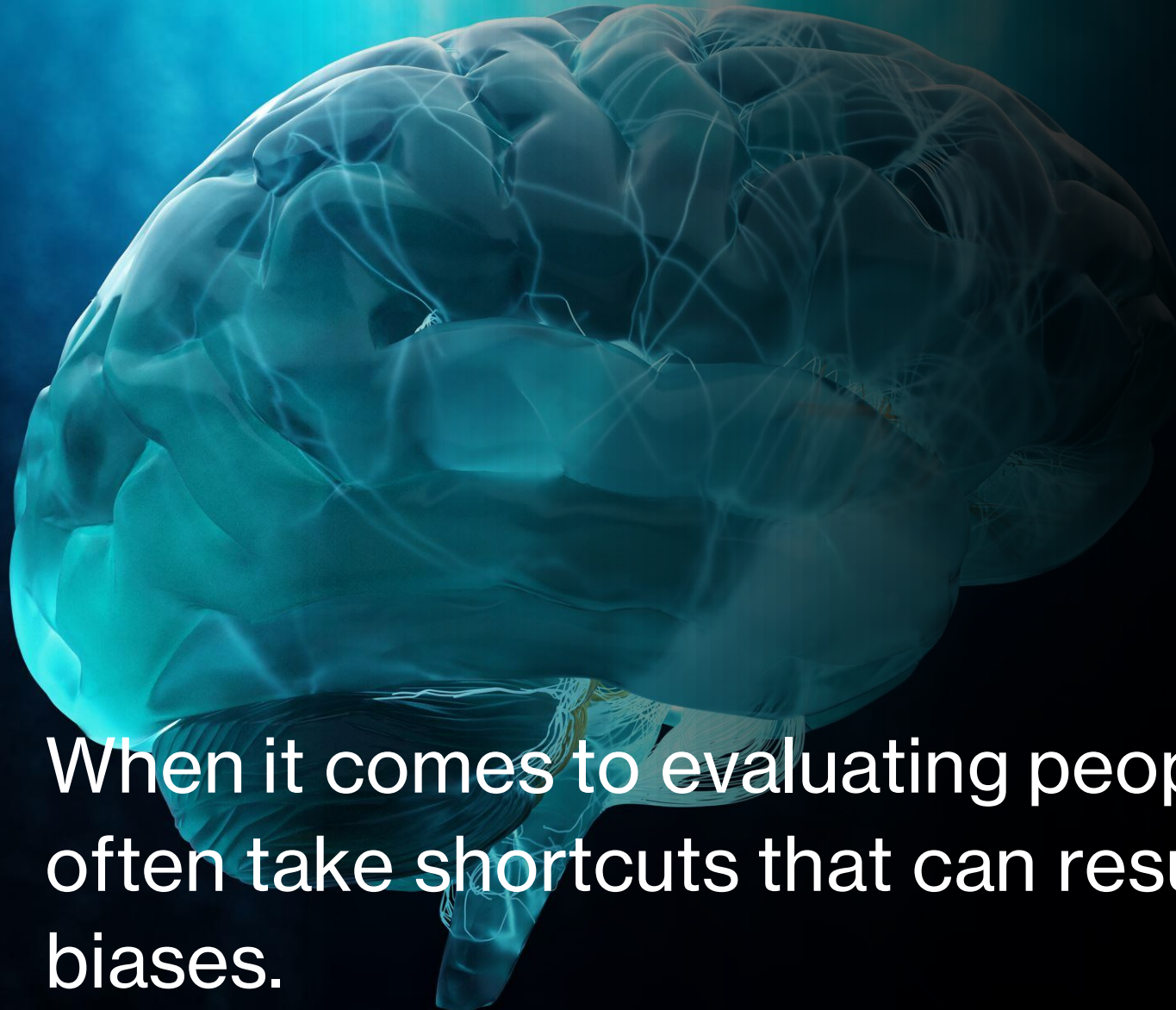


# Heuristics

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- **Route Selection** – Taking the most familiar route.
- **Shopping** - Selection by recognition.
- **New Social Interaction** - Similarity selection.
- **Dinner** - Availability/top of mind





# Cognitive Shortcuts

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When it comes to evaluating people, our minds often take shortcuts that can result in unconscious biases.



# Understanding Bias



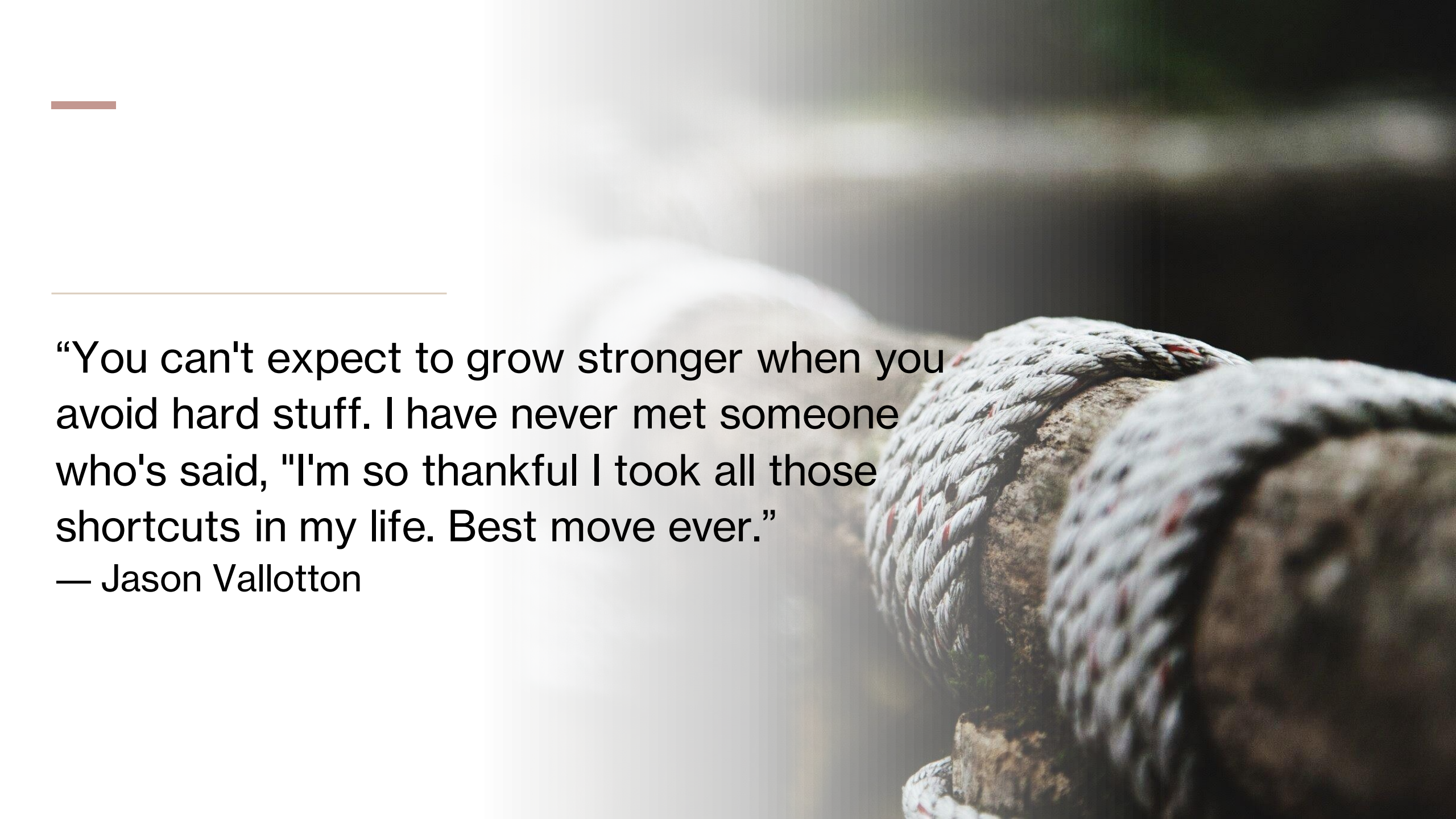
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Bias can take on many forms, including unconscious biases that operate beyond our conscious awareness.



It's important to acknowledge that bias is a natural part of being human. However, if left unchecked, it can lead to discrimination, inequality, and injustice.



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“You can't expect to grow stronger when you avoid hard stuff. I have never met someone who's said, “I'm so thankful I took all those shortcuts in my life. Best move ever.”

— Jason Vallotton



# Identify the Bias

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# Types of Bias

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There are various types of biases, some of which affect our subconscious thoughts while others are consciously held. This story aims to highlight four types of biases that Court employees should be aware of:



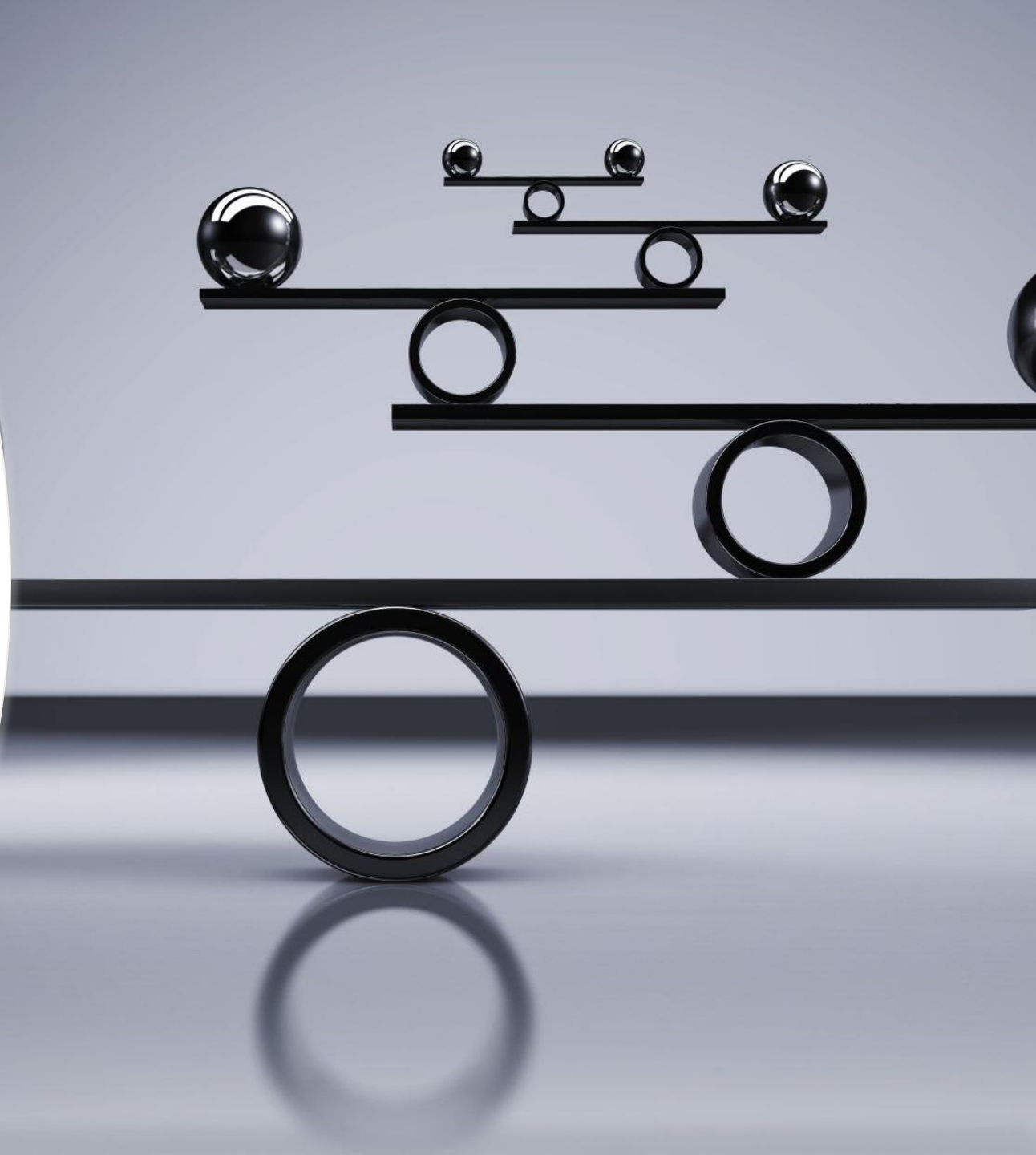


# Types of Bias: Confirmation

“Confirmation bias is the tendency to search for, interpret, favor, and recall information in a way that confirms one's preexisting beliefs or hypotheses while giving disproportionately less consideration to alternative possibilities or evidence that contradicts those beliefs.”

Source: Nickerson, R. S. (1998). Confirmation bias: A ubiquitous phenomenon in many guises. *Review of General Psychology*, 2(2), 175-220.

<https://doi.org/10.1037/1089-2680.2.2.175>



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# Types of Bias: Implicit

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"Implicit bias refers to attitudes or stereotypes that affect our understanding, actions, and decisions in an unconscious manner, often without our awareness. These biases can influence behavior and judgments, leading to unintentional discrimination or unfair treatment of certain individuals or groups."

Source: Greenwald, A. G., & Krieger, L. H. (2006). Implicit bias: Scientific foundations. *California Law Review*, 94(4), 945-967.





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# Types of Bias: Gender

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"Gender bias refers to prejudices, stereotypes, or assumptions based on an individual's gender, which can lead to unequal treatment or opportunities. It encompasses both explicit (conscious) and implicit (unconscious) biases that favor one gender over another, reinforcing traditional gender roles and perpetuating gender inequality."

Source: Ridgeway, C. L. (2001). Gender, status, and leadership. *Journal of Social Issues*, 57(4), 637-655.  
<https://doi.org/10.1111/0022-4537.00233>

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# Types of Bias: Anchoring

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"Anchoring bias is a cognitive bias that occurs when individuals rely too heavily on initial information or 'anchors' when making decisions or judgments, even if that information is irrelevant or misleading. This bias can lead people to make inaccurate assessments or estimations because they anchor their judgments to a specific reference point, rather than considering all available information objectively."

Source: Tversky, A., & Kahneman, D. (1974). Judgment under uncertainty: Heuristics and biases. *Science*, 185(4157), 1124-1131.  
<https://doi.org/10.1126/science.185.4157.1124>





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# Mitigating Bias:

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Mitigating biases requires a conscious effort to recognize and counteract the influence of biases on decision-making and behavior. Here are some effective strategies for mitigating biases, along with examples:



# Mitigating Bias: Be Aware

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- **Increase Awareness:** The first step in mitigating biases is to become aware of them. Continue to educate yourself about different types of biases and how they manifest in various situations.
- For example, if you're aware of confirmation bias, you can actively seek out and include information that may contradict your conclusion or recommendations in your reports.



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# Mitigating Bias: Be Honest

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- **Question Assumptions:** Challenge your assumptions and stereotypes about individuals or groups. When making judgments or decisions, ask yourself whether you're relying on stereotypes or making unfair generalizations.
- For example, if you're evaluating a petition to terminate a guardianship, question whether your assessment of the parent is based on relevant criteria or biased based on assumptions about them.



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# Mitigating Bias: Be Deliberate

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**Slow Down and Deliberate:** Take your time to consider all available information and weigh the pros and cons before making recommendations. Avoid relying on quick judgments or snap decisions, which are more susceptible to biases.

For example, if you're preparing an SIJS report, it's easy to conclude that you've heard "that story" a hundred times, but you should carefully consider all the information.







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## Mitigating Bias: Be Consistent

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**Use Decision-Making Tools:** Use decision-making tools and techniques to structure your thinking and recommendations and minimize the influence of biases.

For example, when making recommendations about temporary conservatorships, guardianships or ex parte request, use decision trees.



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# Mitigating Bias: Be Collaborative

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**Implement Checks and Balances:** Implement checks and balances in decision-making processes to mitigate the impact of biases.

For example, use peer reviews, or supervisory oversight. If you are in a supervisory capacity, consider implementing policies or guidelines to prevent biased behavior and promote fairness and equity.



# A Journey To ~~The City Of~~ Inclusion

The world becomes more  
inclusive when you become  
more inclusive





**Thank You**

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