

# IMPLICIT BIAS

## Unconscious Attitudes & Beliefs



### *An Exploration of Cognitive Biases in Society*

By Jeannie Santiago

Implicit bias, often referred to as unconscious bias, is a pervasive phenomenon rooted in subconscious attitudes and stereotypes that influence perceptions, judgments, and behaviors toward individuals or groups. While often unintentional, implicit bias can have profound effects across various sectors of society, including education, healthcare, employment, criminal justice, and more. This article explores the concept of implicit bias, its impact on different sectors, and its implications for mediation.

These types of implicit bias often operate beneath conscious awareness, shaping individuals' perceptions, decisions, and behaviors in subtle and inadvertent ways. Recognizing and addressing implicit biases is essential for promoting equity, diversity, and inclusion across sectors and fostering fair and respectful treatment of all individuals. However, to achieve a more inclusive environment we must explore the different categories of biases that are most prevalent in society.

Racial bias involves automatic associations, stereotypes, and prejudices towards individuals or groups based on their race or ethnicity. This bias can manifest in perceptions of criminality, intelligence, work ethic, and trustworthiness, leading to discriminatory treatment and unequal opportunities.

Gender bias encompasses unconscious attitudes and stereotypes towards individuals based on their gender identity or expression. This bias can manifest in expectations, evaluations, and opportunities related to roles, abilities, leadership, and behavior, contributing to gender disparities and inequalities in various domains.

Age bias involves implicit stereotypes and assumptions about individuals based on their age or generational cohort. This bias can affect perceptions of competence, adaptability, technological proficiency, and productivity, leading to ageism and discrimination against older or younger individuals in employment, healthcare, and other contexts.

Ethnic bias refers to implicit attitudes and stereotypes towards individuals or groups based on their ethnic background or cultural identity. This bias can influence perceptions of language proficiency, assimilation, cultural norms, and social status, contributing to ethnic inequalities and marginalization.

Sexual orientation bias involves unconscious prejudices and stereotypes towards individuals based on their sexual orientation or identity. This bias can affect perceptions of relationships, family structures, moral values, and societal acceptance, leading to discrimination and stigma against LGBTQ+ individuals.

Disability bias encompasses implicit attitudes and stereotypes towards individuals with physical, cognitive, or sensory disabilities. This bias can influence perceptions of independence, capability, productivity, and worthiness, leading to discrimination, exclusion, and barriers to access in education, employment, and public accommodations.

Socioeconomic bias involves unconscious perceptions and stereotypes based on individuals' socioeconomic status or economic background. This bias can affect judgments of intelligence, work ethic, financial responsibility, and deservingness, perpetuating classism and socioeconomic inequalities.

Intersectional bias refers to the compounding effects of multiple social identities and marginalized statuses on individuals' experiences of bias and discrimination. Intersectional biases can intersect and interact, amplifying inequalities and disparities based on race, gender, class, disability, and other factors.

These biases are often formed through exposure to societal messages, media representations, cultural norms, and personal experiences, leading to automatic associations and assumptions about others. The impact of bias can be influenced across sectors such as:

**Education:** Implicit biases can influence teachers' expectations, student evaluations, disciplinary actions, and academic opportunities, contributing to disparities in educational outcomes based on race, ethnicity, and socioeconomic status. In the case of Darryl George, a high school student attending Barbers Hill High School in Mont Belvieu, Texas was suspended from school due to his hair. Darryl, a black junior student, had been reprimanded on several occasions for his choice of cultural hair styles that Barbers Hill High School deemed to be inappropriate. Darryl later placed a lawsuit against his high school based on race-based hair discrimination, a violation of the CROWN Act that bans discrimination against hair texture (i).

**Healthcare:** Healthcare providers' implicit biases can affect patient care, treatment decisions, pain management, and health outcomes, leading to disparities in access, quality, and patient satisfaction, particularly among marginalized communities and genders. In a 2018 study by Hindawi

found that doctors often perceive men with chronic pain as "brave" or "stoic," while women with chronic pain are labeled as "emotional" or "hysterical" (ii). Due to these biases, women are misdiagnosed, under treated, and have caused the deaths of 40,000 to 80,000 women a year in the United States alone (iii). According to the United Nations global report found that close to 90% of people hold some kind of bias against women (iv). Due to these perceptions of women, gaps in medical research prior to 1990 are considered flawed due to test subjects being only male (v).

**Employment:** Implicit biases can influence hiring decisions, performance evaluations, promotion opportunities, and workplace interactions, perpetuating disparities in employment outcomes and contributing to workplace discrimination and inequality. According to the Equal Employment Opportunity Commission (EEOC) 24,324 complaints alleging discrimination based on employee's or applicant's disability with California, Florida, and New York accounting for a significant number of ADA cases. In 2017, more than half of ADA cases were filed in these three states with a 196% increase of employment discrimination claims nation wide (vi).







**Criminal Justice:** Implicit biases among law enforcement, prosecutors, judges, and jurors can influence policing practices, sentencing decisions, trial outcomes, and disparities in the criminal justice system, particularly regarding racial profiling, sentencing disparities, and wrongful convictions. Recent data suggests that black Americans are incarcerated at a five times higher rate than white American with certain states being ten times higher (vii). Black men are also more likely to receive a 4.7% longer sentences than both white and Hispanic males. Whereas no such disparity is seen with female convictions (viii). In states like New Jersey, having the highest ratio with 12.2 black males to 1 white male in prison with Wisconsin, Iowa, and Minnesota, and Vermont not far behind (ix).

**Media and Entertainment:** Media representations and portrayals often reflect and reinforce implicit biases, perpetuating stereotypes, stigmatization, and underrepresentation of certain groups, shaping public perceptions and attitudes towards marginalized communities. Movies have always served as a mirror towards the attitudes of certain marginalized groups during various periods in American culture. Such movies as *The Birth of Nations* that inspired the establishment of the KKK that inflicted racial violence, Charlie Chan films that were based on East Asian stereotypes, and even in more modern content of sitcoms like “*Ugly Betty*” and “*24*” that depicts biases and crude jokes based on body shape and “slut-shaming”.

Addressing implicit bias requires proactive measures and ongoing efforts to raise awareness, challenge assumptions, and promote equity and inclusion. By incorporating comprehensive education and training programs, this aims to increase awareness among individuals, organizations, and communities. Through workshops, seminars, and online resources that delve into the nature of implicit bias, its pervasive impact on decision-making, and effective strategies for recognition and mitigation. Implicit Bias Training sessions serve as a targeted approach tailored to specific sectors and contexts. Whether it's in education, healthcare, law enforcement, or workplace settings, our focus remains on understanding the science behind

implicit bias, identifying biases within oneself and others, and implementing practical strategies to counteract bias in decision-making processes.

Cultural competence is another vital aspect of our approach. By promoting cultural competence and sensitivity to diverse perspectives, backgrounds, and experiences, that foster cross-cultural communication, empathy-building exercises, and exposure to different cultures. This cultivates a deeper understanding and appreciation of diverse identities and viewpoints. Utilizing bias awareness tools allows for a systematic approach to assess and address implicit bias. Through the implementation of bias awareness tests, surveys, and simulations, individuals gain insight into their implicit biases and their impact on attitudes and behaviors, enabling meaningful reflection and growth.

Structural interventions play a pivotal role in mitigating the effects of implicit bias within organizations and institutions. By establishing clear guidelines, protocols, and accountability mechanisms, we ensure fairness, transparency, and equity in decision-making processes, hiring practices, performance evaluations, and service delivery. Furthermore, commitment to diverse representation underscores the importance of inclusivity in leadership positions, decision-making bodies, and media portrayals. By encouraging diverse representation and empowering individuals from varied backgrounds, we enrich decision-making processes and foster an organizational culture that values diverse perspectives.

Finally, continuous evaluation and improvement ensures that efforts remain effective and responsive to evolving needs. By regularly assessing and refining our strategies based on feedback and best practices, it inspires ongoing learning and adaptation in society's journey towards combating implicit bias. By implementing these problem-solving solutions and fostering a culture of awareness, accountability, and inclusion, individuals, organizations, and communities can work together to recognize and mitigate the impact of implicit bias, promote equitable outcomes, and create more inclusive and respectful environments.



## Civil Mediation & Implicit Bias

Implicit bias can also influence mediation processes and outcomes, impacting mediator neutrality, party perceptions, and the effectiveness of dispute resolution efforts.

Mediators must be aware of their own implicit biases to ensure neutrality and impartiality throughout the mediation process. Unconscious biases can unintentionally influence mediator perceptions, communication styles, and decision-making, potentially undermining the fairness and effectiveness of mediation.

Implicit biases among parties involved in mediation can affect their perceptions of fairness, trust, and cooperation, potentially hindering constructive dialogue and negotiation. Recognizing and addressing implicit biases can foster mutual understanding, empathy, and collaboration among parties, enhancing the likelihood of reaching mutually acceptable agreements. Mediators should possess cultural competence and sensitivity to navigate diverse perspectives, values, and communication styles effectively. Understanding the influence of implicit biases on party interactions and perceptions can help mediators create inclusive and supportive environments that facilitate meaningful dialogue and resolution. Mediation practitioners should undergo training and education on implicit bias recognition, mitigation strategies, and cultural competence to enhance their effectiveness in facilitating fair, equitable, and culturally responsive mediation processes.

By acknowledging and addressing implicit bias, individuals, organizations, and communities can work towards building more equitable and just societies that honor the dignity and humanity of all individuals, both in mediation and across all sectors of society.



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i [A Texas high schooler's suspension over his hair renews focus on CROWN Act : NPR](#)  
 ii ["Brave Men" and "Emotional Women": A Theory-Guided Literature Review on Gender Bias in Health Care and Gendered Norms towards Patients with Chronic Pain \(hindawi.com\)](#)

iii ['Everybody was telling me there was nothing wrong' \(bbc.com\)](#)

iv [Almost 90% of Men/Women Globally Are Biased Against Women | United Nations Development Programme \(undp.org\)](#)

v [Gender bias in healthcare: Examples and consequences \(medicalnewstoday.com\)](#)

vi [Just the Facts: Americans with Disabilities Act | United States Courts \(uscourts.gov\)](#)

vii [Updated data and charts: Incarceration stats by race, ethnicity, and gender for all 50 states and D.C. | Prison Policy Initiative](#)

viii [2023 Demographic Differences in Federal Sentencing. | United States Sentencing Commission \(ussc.gov\)](#)

ix [Black Americans incarcerated five times more than white people – report | US prisons | The Guardian](#)