6-2019

Understanding Implicit Bias in Public Defender Social Workers

Jess Laird

California State University - San Bernardino, jnlaird1@gmail.com

UNDERSTANDING IMPLICIT BIAS IN PUBLIC DEFENDER SOCIAL

WORKERS

_____

A Project

Presented to the

Faculty of

California State University,

San Bernardino

_____

In Partial Fulfillment

of the Requirements for the Degree

Master of Social Work

_____

by

Jess Nicholas Laird

June 2019

UNDERSTANDING IMPLICIT BIAS IN PUBLIC DEFENDER SOCIAL

WORKERS

_____

A Project

Presented to the

Faculty of

California State University,

San Bernardino

_____

by

Jess N. Laird

June 2019

Approved by:

Armando Barragan, PhD, Faculty Supervisor

Janet Chang, PhD, Research Coordinator

ABSTRACT

Research has demonstrated that implicit bias is an inescapable part of the human experience that can have harmful repercussions. Its effects can be seen particularly in the criminal justice system where those of marginalized groups are disproportionately represented. Social workers in the public defender's office representing indigent clients in the criminal justice system, implicit bias can negatively impact client outcomes or service access. This study sought to explore how these social workers understand implicit bias in their work and will be conducted using qualitative analysis through the use of interviews and document review. This research found that social workers in this setting identify in ways that are very different from their clients and view the resulting implicit bias as an important hurdle to overcome. Social workers reported that working with clients who are similar to them can increase rapport but also introduce issues of countertransference. When working with clients who are different from them, social workers found it most challenging to serve clients with worldviews they found personally offensive, such as homophobia or white supremacy. Social workers of more privileged identities found ways to leverage this advantage to best serve their clients. The participants in this study had mixed feelings on whether or not differences in identity between social workers and clients increase implicit bias or impact client outcomes. There are many larger factors that increase the risk of implicit bias, which participants feel can be mitigated with training and more diverse teams.

DEDICATION

This study is dedicated to my partner, Alex, and my son, Elliott. Thank you for your love, support, and patience. It is also dedicated to the hardworking social workers of the criminal justice system. Thank you for inspiring me with your passion and dedication.

TABLE OF CONTENTS

CHAPTER ONE:

ASSESSMENT

Introduction

This research study will explore the influence of implicit bias on social workers employed by multiple public defender offices in an urban area in Northern California. Chapter One will introduce the focus of this study and an explanation of the use of the post-positivist research paradigm. This chapter will also provide a review of existing literature on topics relevant to this study as well as overview the theoretical orientations used. In conclusion, the chapter will consider the potential contributions of this study to both micro and macro social work practice.

Research Focus

This study will utilize the post-positivist research paradigm. The post-positivist paradigm exists within the framework of an objective reality, but acknowledges that quantitative data alone can sometimes fail to capture the nuances of the human experience (Morris, 2013). Within this context, the post-positivist researcher may have an influence on the direction of the research process, but seeks to remain neutral when possible. Post-positivist research utilizes qualitative data. Morris describes post-positivist research as both a science and an art, as research strive to balance adherence to the scientific method with personal creativity and self-reflection (2013).

This paradigm was chosen because it lends itself well to developing a deeper understanding of implicit bias. A complex psychological phenomenon, implicit bias exists in the intersection of how we perceive information and then act on it based on preconceived notions of patterns we have been taught by society. Although a quantitative study on this subject would be informative, it is likely that the complexities of this topic could not be fully understood without qualitative data. The post-positivist paradigm will allow the sort of flexibility needed to adequately grasp how implicit bias manifests itself in the work of social service providers when interacting with adolescents in the criminal justice system. Post-positivist research also allows for observation in a naturalistic setting. Because of the nature of implicit bias, being able to observe it in as natural a setting as possible is vital. Implicit bias refers to the subconscious, preconceived stereotypes or attitudes that impact how we interact with the world and the people in it. Public defender social workers play a key role in shaping how clients are perceived in the criminal justice system, as well as what services they have access to before, during, and following incarceration. Because of the important role these social workers play in the lives of clients in the context of the criminal justice system, uncontrolled implicit bias can have an impact on the outcome of clients' trials as well as their access to services.

This study will focus on exploring the ways in which implicit bias subconsciously impacts the way social workers interact with clients in the criminal justice system. This includes gaining a greater understanding of how

implicit bias may be negatively impacting the well-being of clients and how this influences the outcomes of their cases.

Literature Review

This portion of the chapter will examine the existing literature on topics related to this study in order to develop a broader understanding of the context of this research.

<u>Implicit Bias Defined</u>

The term "implicit bias" has become a very politically and emotionally charged term in current American culture, though its roots are in evolutionary survival (McNutt, 2016). Implicit biases can be thought of as trained memory associations (Amodio and Mendoza, 2010). At its most basic form, implicit bias is a survival technique ingrained in nearly all living things to make instantaneous decisions allowing something to be immediately categorized as safe or dangerous. Entities that looked, sounded, or felt familiar to the observer were deemed a non-threat, and differences were detected and labeled as risky.

Although this evolutionary phenomenon has preserved the existence of the human race throughout time, survival in modern society no longer requires one to perceive someone different as dangerous and someone with similar features or characteristics to oneself as safe (McNutt, 2016). Nevertheless, our brains retain this evolutionary predisposition to people who look like us and against those who look different, typically without our conscious knowledge that this is taking place.

There are certain circumstances that utilize a greater dependence on implicit bias in decision-making (Holroyd, 2015). These circumstances include: situations in which one is acting reactively rather than due to achieving proximal goals, situations in which one is distracted, situations in which an instantaneous or otherwise quick course of action is required, or situations when one's brain makes an assessment without conscious awareness (DeHouwer, Teige-Mocigemba, Spruyt, and Moors, 2009).

Prevalence of Implicit Bias in American Society

Research conducted by the Kirwan Institute for the Study of has found that implicit biases are virtually universal, as they are a key function of human evolutionary survival (2015). Even those in positions that require impartiality, such as judges, doctors, or social workers are still influenced by these subconscious associations (The Kirwan Institute, 2015).

Harvard University has undertaken groundbreaking research on this topic, and taken awareness of implicit bias from academic to everyday settings by its development of Project Implicit and the free online Implicit Association Test (IAT). Although we commonly associate implicit bias with race, Project Implicit has identified a variety of contexts in which implicit bias is a factor, including sexual orientation, age, body type, disability, religion, and gender.

Implicit Bias and Criminal Justice

Like all of our institutions, our criminal justice system is made up of humans with implicit biases. Unfortunately, this reality most directly impacts

people of color. Studies have found that there is a higher readiness to perceive anger from black faces than from white face with similar expression (Hugenberg and Bodenhausen, 2003). Todd, Thiem, and Neel (2016) used process-dissociation-procedure analysis to determine that participants were prone to associating violence and danger with black people rather than white.

Similarly, when first primed with images of black faces, study participants were more prone to label everyday objects as weapons than when primed with white faces, demonstrating an association with black faces and weapons (Payne, 2000). Correll, Park, and Judd (2007) looked for this same pattern in police officers in shoot/don't shoot decisions, and found that officers were more likely to perceive a black person has holding a weapon whether that was true or not (Correll, Park, and Judd, 2002). Based on that perception, officers made decisions to shoot much quicker and much more often than with white targets. When the officers were placed under mental stress, this distinction was magnified further. Officers are also much more likely to perceive black people has been physically larger, stronger, and taller than they actually are, something not found in white counterparts (Wilson, Hugenberg, and Rule, 2017).

Implicit racial bias extends from policing to other aspects of the criminal justice system, far more than what can be covered here. As an example, a 2011 study of racial bias in sentencing found that racial minority defendants are consistently given harsher sentences in cases where the victim is white (Alesina, 2011). In the juvenile justice system, risk assessment instruments are widely

used in probation, and studies have found the most commonly used assessment tools to be biased against youth of color (Perrault et al., 2017). Juveniles of color are also more likely to be placed in custody rather than probation when compared to their white counterparts, and are more likely to be given longer sentences (Depew, Eren, and Mocan, 2017). Academic studies as well as Supreme Court decisions have found racial bias in jury selection, though little formal guidance exists on how to prevent this (Mathis, 2006).

There is possibly no greater demonstration of racial bias in the criminal justice system than in looking at the racial makeup of the prison population in the United States. The following statistics are from The Sentencing Project, a national organization tracking racial disparity in the American criminal justice system:

- African-Americans are incarcerated at a rate that is over five times that of whites. In five states, this jumps to a rate of more than 10 to 1.
- In twelve states, more than half of the prison population is black.
- In eleven states, 1 in 20 adult black males is incarcerated.
- Latinos are imprisoned at a rate that is 1.4 times that of whites.
- People of color comprise 59% of the state prison population despite only representing 31% of the overall population of the United States (Nellis, 2016)

Addressing Implicit Bias

Not surprisingly, studies have demonstrated that an increase in diversity decreases the impact of implicit bias. A 2013 study by Soderberg, and Sherman found that in context of racial implicit bias, subjects were less influenced by implicit bias when a part of a racially diverse crowd rather than a racially homogenous crowd.

Interestingly, the same study found that the presence of a "novel" individual is still highly subjected to implicit bias, even in an otherwise diverse group. For example, in a group made up of white, black, and Hispanic individuals, implicit bias would be reduced for all involved. However, if a single Arabic individual was introduced to that group, that individual would experience similar levels of implicit bias as seen in homogenous groups. From this research, it can be suggested that the one way to decrease implicit bias is to create environments that do not only include token representation, but true diversity.

According to the Kiwan Institute for the Study of Race and Ethnicity, implicit biases are malleable (2015). Often, implicit biases do not alight with one's declared beliefs or personal values, because they are simply a result of subconscious societal conditioning. Steps can be taken to rewire our brain's biases, through research has found that this is most effective in those who are highly motivated as opposed to those who are receiving implicit bias training as an obligation (Allen, Sherman, and Klauer, 2010).

Existing literature on this topic reveals that implicit bias is an unavoidable part of the human experience. The reality of bias has contributed to a disproportionate representation of marginalized populations in the criminal justice system. Steps can be taken to rewire how our brains interpret and make use of implicit bias, but that begins with first developing an understanding and awareness of how it impacts human interaction.

Theoretical Orientation

This study will utilize dual-process theory as a framework for understanding implicit bias. Dual-process theory argues that humans are guided by two forms of thought: implicit, emotional-based responses and intentional, analytical thought (Lacasse, 2017). Depending on the circumstances, we make decisions utilizing one or both of these thought processes. In terms of understanding implicit bias, the goal is to move implicit decision-making from an impulsive, emotional decision to a logical, analytical one.

Potential Contribution to Micro and Macro Practice

The research obtained in this study can potentially impact both micro and macro social work practice. On the micro level, a better understanding of how implicit racial bias impacts social workers and other social service providers can hopefully prompt practitioners to work to dismantle their own implicit biases in order to best serve their clients. On the macro level, this research can inform policy makers at many different intersections of the criminal justice system to

advocate for and create policies that promote diversity, inclusivity, and sensitivity to the reality of implicit racial bias.

Summary

Chapter One of this study introduced the topic of focus as well as the research paradigm that will provide a framework for the remained of the chapters. It also surveyed existing literature regarding implicit bias, including its defining characteristics, its pervasiveness, and its manifestations in the criminal justice system, and approaches to addressing it. Chapter One also described the theoretical orientation used in this study as well as the ways this work might potentially contribute to micro and macro social work practice.

CHAPTER TWO:

ENGAGEMENT

Introduction

This chapter covers the topic of engagement. It gives an overview of the population that will be participating in the study, as well as the agencies where the participants work. This chapter also summarizes the approach to engagement of the research participants. Lastly, Chapter Two considers how ethics, diversity, and political considerations impact engagement.

Study Site

Rather than a specific site, this study will utilize a particular population of social workers. This population is made up of social workers employed by Offices of the Public Defender in several counties surrounding a metropolitan area in Northern California. The counties are situated around a large, urban area, though not all of them exclusively urban. These social workers meet quarterly to engage in trainings, share resources, and support one another in their work.

Although these social workers are employed in various locations, their roles are very similar from site to site. They exclusively serve low-income clients or clients of a low socioeconomic status who reside within their counties. As discussed in the literature review, the populations served by these social workers are disproportionately made up of people of color, as people of color are disproportionately represented in the criminal justice system.

The social workers serving at these sites provide a variety of services. They work with attorneys in conducting bio-psycho-social-spiritual assessments to prepare in narrative form to be used in court proceedings. They also work with the client's family and support system to broker resources and in some cases, provide therapeutic support. These social workers also assist clients who are leaving incarceration by preparing pre-release plans and helping them transition successfully back into the community. On a day-to-day basis, social workers in Offices of the Public Defender are generally also on call to advise attorneys on matters relating to the scope of expertise that social workers have.

Social workers that are working in these settings almost always have a very overwhelming caseload. In some of the offices in this area, an Office of the Public Defender may have only one or two social workers on staff, who are expected to provide social work services to dozens of attorneys (who have extreme caseloads of their own) and their clients. According to the Department of Justice, 73% of county public defender offices exceed the maximum number of cases recommended per year, which is 150 felonies or 400 misdemeanors (Van Brunt, 2015).

In some cases, social workers will meet many times with a particular client and their family members/support systems, and develop a strong rapport developed over time. In many other cases, social workers may only have limited direct interactions with their clients. Because of the caseloads they are expected to carry, social workers in this setting must make quick assessments and

judgements, and have to rely often on their gut. Because these are the circumstances in we more often operate out of implicit biases, it is important for social workers to be acutely aware of how this might impact their work.

Engagement Strategies for Gatekeepers at Research Site

This research project will engage a group of public defender social workers who meet quarterly. This is a close-knit group that is very motivated to support and encourage one another. This group is made up of MSWs and LCSWs, most (if not all) of whom have experienced the process of completing a research project for a graduate program.

This group will initially be engaged via a contact at one particular office, who has a professional relationship with the researcher. This social worker is the only social worker on staff at her office, and created this group herself in order to develop a supportive community within the greater area, even if she is alone at the office. Because she is the founder of this group, she is the primary gatekeeper. She is well-known and well-respected in this community, and so has a lot of power to help make this happen. This group is very motivated to continually grow and develop in their practice. The researcher will engage them by explaining the impact of implicit bias on their clients, which will likely motivate them to participate in research that will help them better serve the populations in their counties.

Self-Preparation

The researcher's primary goal in engaging this group is to be as informed as possible on the nature of the work of these social workers, existing literature and data on implicit bias, and any differences between the various counties. These social workers have busy schedules and difficult jobs, so the primary goal will always be to respect their time and effort. Before engaging with this group, the researcher will continue studying existing literature on topics of implicit bias as well as demographic information of the counties represented in this study.

Diversity Issues

The social workers that will be the focus on this study are very experienced working with diverse populations. It is important to be sensitive to the fact that this topic is likely one they have wrestled with many times before. Especially considering that the NASW Code of Ethics already requires social workers to be mindful of issues of bias, the researcher wants to be sure to not come across as condescending or as if accusations are being made that these social workers of allowing discrimination or bias to impact their work. Rather, the goal is to present implicit bias as something that is not unique to any of us, and is not an indication of a "good" or "bad" social worker, but rather an ongoing reality that we must all be aware of.

It is also important to be sensitive to the reality that perspectives on racial bias will vary greatly from person to person, and will be impacted by each social worker's individual race, gender, ethnicity, background, personal experiences,

etc. The social workers who make up this community are a diverse group themselves, many of whom have likely been on the receiving end of the impact of implicit racial bias. The researcher will be mindful of that when engaging with them and preparing this study.

Ethical Issues

This entire project gets at the heart of an ethical issue: how our implicit biases can impact the quality of our work. This topic touches all of the core values of social work outlined in the NASW Code of Ethics. It can be hoped that the social workers engaged with in this study already strive to avoid discrimination or bias from impacting their practice. However, addressing and building awareness of implicit bias is a topic that must be continually engaged as a means of upholding our ethical values as social workers.

As with any research study, it is imperative that confidentiality will be protected. This study will not collect identifying data about clients of the Offices of the Public Defender. It will also utilize a coding system to ensure that data collected cannot be connected to the social workers participating in the study. The data collected will be kept on a password-protected computer.

Political Issues

Although there is a great deal of political influence in the work of the Offices of the Public Defender, thankfully that will be able to be avoided for the most part in terms of engagement in this study. However, it will be important for

the researcher to be mindful of the fact that participants might feel hesitant to disclose information or give opinions about internal practices of their agencies in terms of implicit bias, as it is a sensitive topic. Because the researcher has a direct connection already with this community of social workers, further gatekeepers do not need to be consulted.

Role of Technology

Technology will be utilized in this study as a means of communication with participants regarding logistical details of the research. The researcher's password-protected computer will be used to store research data.

Summary

Chapter Two introduced the research participants of this study as a group of social workers who are employed by county Offices of the Public Defenders in Northern California. It also overviewed the characteristics of this population, as well as the populations that they serve. Finally, this chapter explored some issues relating to diversity, ethics, politics, and technology as they apply to the topic of implicit racial bias and engaging social workers in that context.

CHAPTER THREE:

IMPLEMENTATION

Introduction

This chapter explores the implementation phase of the research project. It overviews the participants in the study and how they will be selected. The main portion of Chapter Three describes how data will be gathered and evaluated. This includes the phases of data collection, data recording, and data analysis. Finally, this chapter explains how the study will be terminated and how the research will be shared with relevant parties.

Study Participants

The participants in this study were social workers employed by county Offices of the Public Defender from a group of counties in Northern California. These social workers serve both juvenile and adult clients, have varying ranges of experience, and have been working at the Offices of the Public Defender for varying amounts of time. Some of the social workers were licensed clinical social workers and others were gaining hours to achieve licensure. Utilizing a variety of social workers rather than all of one "type" was an intentional choice to increase diversity in the results. Because the purpose of this study was to explore how implicit racial bias impacts clients, it is important that the participants represent the actual makeup of social workers who are in these roles.

Selection of Participants

This study utilized homogeneous purposive sampling in order to gain an in-depth look at the experience of social workers who all work in Offices of the Public Defender representing clients in the criminal justice system. The study participants for this project were volunteers from the previously described group of social workers in Northern California who are actively working in the field representing clients in the criminal justice system. The social workers were contacted via an email database.

In order to maximize the sample size, all volunteers were included in the study. This is because the goal was to gather data about typical interactions between social workers and their clients. As all members of this group are actually working in the field with clients, each represents a typical experience of a social worker in the Office of the Public Defender, and thus is appropriate to be included in this research project.

Data Gathering

Post-positivist research utilizes qualitative data collected from as many sources as possible in order to gain the most comprehensive understanding of the phenomenon being studied. This can include interviews, observation, and literature review. In this study, interviews and literature review were utilized. Interviews were conducted with each study participant. Questions in the interviews included the following types:

- *Descriptive Questions*:

- o "How do you guard against implicit racial bias in your work?"
- *Structured Questions*:
  - o *Inclusion*: "How does this agency address implicit racial bias?"
  - o *Verification*: "As a social worker, do you see evidence of implicit racial bias in your own work or the work of your colleagues?
  - o *Substitution frame*: "I would define implicit racial bias as …"
- *Contrast Questions*:
  - o "With which clients do you feel that implicit racial bias might be a factor in your work? Are there any clients with whom implicit racial bias is not a factor?"

This study also examined existing literature at each of the agencies to learn more about how (or if) training is conducted in regards to implicit racial bias. The researcher asked representatives at each office to provide training documents regarding client interaction that are utilized for educating social workers. These documents were used to understand the context of previous training social workers have received on this topic from their agency.

Phases of Data Collection

There was one main phase of data collection that was conducted via phone interviews. Each interview had four phases: engagement, development of focus, maintaining focus, and termination. In the engagement phase, the researcher asked throw away questions to establish rapport. In second phase, the researcher asked basic, essential questions to develop the focus. In the third

phase, the research maintained focus by asking follow-up and probing questions. The researcher then terminated the interview by thanking the interviewee for their time and participation in the study, as well as by providing information about research follow-up.

Data Recording

During interviews, a recording device was used to document the conversation of the interview. Transcripts were made from each recorded interview. A standardized form was used to take written notes during each interview.

Data Analysis

In evaluating data collected through interviews, observation, and literature review, the information was analyzed qualitatively using a "bottom up" approach. The first step in this process is to conduct open coding of interview transcripts to identify themes. For example, a social worker might make the statement, "I wish implicit bias training was more thorough because it is something I struggle with." In that example, the first half of the sentence might be coded in the category of "training references" and the second half might be coded as "acknowledgement of implicit bias in work". This will allow for the identification of patterns in interview data.

Second, axial coding was used to find relationships between the themes and categories determined from the opening coding process. Third, selective

coding was used to develop a theoretical statement about the data. Finally, using a conditional matrix, the theoretical statement was considered within the larger context of human behavior and interaction.

Termination, Follow-up, and Communication of Findings

When the study was completed, the researcher thanked the participants, gatekeepers, and relevant people at the research sites for the time and effort. The work of this study was compiled into this report that was submitted to the graduate department and the social work department of California State University - San Bernardino. The research was made available to the participants and gatekeepers.

Summary

Chapter Three reviewed the implementation plan for this study. The study participants will be members of a group of social workers that work in Offices of the Public Defender in several area counties in Northern California. Data was collected using interviews, observation, and examination of agency literature, policies, and training materials. The data collected was analyzed using a "bottom-up" qualitative approach. The findings of this study were communicated to California State University - San Bernardino.

CHAPTER FOUR:

EVALUATION

Introduction

Chapter Four explores the findings and results of this study. It breaks

down the most significant conclusions drawn from the participant interviews by

considering responses to the following five research questions:

1. Who are public defender social workers in terms of identity,

   background, and worldview? How does this differ from clients?

2. How have views of social workers on issues of implicit bias

   changed over time?

3. How do social workers mitigate the effects of implicit bias in their

   work?

4. How do social workers feel about working with clients who are

   similar to or different from themselves?

5. What factors increase or decrease the risk of implicit bias?

Evaluation by Research Question

RQ1: Who Are Public Defender Social Workers in Terms of Identity, Background,

and Worldview? How Does This Differ From Clients?

Of social workers interviewed, the overwhelming majority share very little

in common with their clients. In terms of race and ethnicity, six out of seven

participants identify as white with only one identifying as a person of color. In

contrast with clients, all participants reported that most of their clients are people of color. There is also a gap of shared identity in terms of gender. Only one participant interviewed is male and participants report that very few men occupy the role of social worker in public defender offices. However, participants all reported that the majority of their clients are male. Participant 7 summed up this reality by saying, "I am a white female and I have never had a white female client."

Gaps also exist between social workers and clients in terms of experience with the criminal justice system. Of participants interviewed, six out of seven have no direct or personal experience with the criminal justice system. One participant shared that they grew up with immediately family members in prison and was raised in the foster care system, something that they feel connects them more directly to their clients. This will be discussed in depth later in this chapter.

In general, participants interviewed come from much more privileged backgrounds than their clients. Six out of seven participants reported that the feel they came from economically comfortable backgrounds. These participants all acknowledged that because their roles require significant formal education, the result is a population of social workers who tend to have benefited from privilege in ways not afforded to their clients.

<u>RQ2: How Have Views of Social Workers on Issues of Implicit Bias Changed</u>

<u>Over Time?</u>

Because social workers interviewed come from backgrounds and hold

identities that are generally very different from their clients, a common theme that

arose was the various ways their understandings of other identities has shifted

and adapted throughout their upbringing, transition to adulthood, education, and

career. The following are the primary means by which social workers have

experienced these changes.

<u>Exposure to Different People and Experiences.</u> Particularly for participants

who grew up in homogenous environments, a significant means of learning has

come from spending time with people who identity differently. Participant 2

shared that what made the biggest difference for them was "learning and having

my eyes opened when I did have a chance and more exposure to different types

of diversity and culture". For Participant 3, this came in the form of moving to a

part of the country that is very different from where they grew up, which allowed

them to "explore more dynamics than what I had from my childhood and

community in which I grew up." Another participant, who grew up in an

environment with very few people of color, shared that working in this setting with

a diverse team of lawyers has helped to overcome their own racial biases by now

witnessing so many successful, professional people of color thriving in their work.

<u>School/Trainings.</u> Participants also found formal education in their school

background as well as professional trainings to be an important component to

23

better understanding the role of implicit bias. Participant 2 recalled a graduate school class entitled "Power, Privilege, and Identity" that opened their eyes to their own blind spots in terms of bias. That participant shared that this foundation helped them to consider how important it is to bring issues of bias out into the open in discussion with other service providers. Several participants were very satisfied with the way their offices approach this topic. Participant 3 shared: "Our office has been kind of on the forefront of doing training around [this topic] and we have a racial bias committee in the office as well as a bunch of trainings". Other participants expressed a desire for their offices to do a better job of formalizing training on this topic because of the way they have seen its impact on clients.

Implicit Bias Tests. Several participants have previously taken an online implicit bias test and found it very eye opening. "It was very stressful and very shaming. I did it a few times. It showed a preference for white people and I felt so bad about that because it didn't match my perception of myself", shared Participant 5.

RQ3: How Do Social Workers Mitigate Implicit Bias in Their Work?

All participants interviewed felt that actively working to understand and overcome implicit biases is an important part of their work. Multiple participants shared that this begins by developing an honest awareness of where their biases lie and continually engaging with that reality. Participant 1 said:

I can't say to you that I am not racist because I think everybody is. I mean,

I have my own biases. I think everybody has them. It is what you do with

them that matters, not that you don't have them. Because if you say you

don't, my feeling is that you really are not acknowledging that there are

differences and there are. And to ignore them I think is racism.

Similarly, Participant 3 shared, "As clinicians it is always important to constantly

think about where our ideas come from or what sort of countertransference

comes up and where that comes from."

Participants also noted the importance of understanding how biases, both

personal and systemic, can impact clients. Participant 7 effectively summed up

this reality:

The majority of clients that I work with are not white and I am in the

majority of the providers in the community, who provide the therapy

resources or the mitigation report or the behavioral studies, and who are

white. I'm constantly understanding my role in that and analyzing that we

are working with a population that doesn't reflect who is providing the

resources, and how does that actually affect how effectively the resources

are being disseminated?

When it comes to practical action steps social workers take to mitigate

implicit bias in their work on a day to day basis, the tactics used fell into one of

two categories: viewing the client as the expert and consulting outside sources of

information. The majority of participants interviewed rely primarily on the former.

Participant 4 said, "I always think that the client is the expert and I want to learn from them, so I spend a lot of time asking them questions and learning about their culture." Similarly, Participant 6 echoed the importance of utilizing the client's experience as an important tool: "My client is the expert on themselves, so I am never the expert in my client's experience and story. You have to be a learner to do this work."

Participant 5 expressed mixed feelings about this approach, because while they believe the client is certainly a wealth of knowledge and insight about their own experience, they hesitate to burden the client with being in the position of educating a white, privileged person, a position marginalized people often find themselves in. "I try not to force them to be my educator, but also that is kind of my job – to learn all about them", Participant 5 shared.

Fewer participants reported utilizing outside sources of information to learn about the identities of their clients, citing limitations of time and resources. Participants 2 and 5 found it most helpful to do outside research when working with clients from ethnic backgrounds they are unfamiliar with. Participant 2 said, "I do some of my own research [in those cases] because it's not necessarily day to day for me to work with clients from those backgrounds." Participant 5 similarly shared that when working with a client from an unfamiliar country, they will "read books about that country" in order to better understand that client's background without placing the burden or education directly on the client.

<u>RQ4: How do Clients Feel About Working with Clients with Similar or Different</u>

<u>Identities to Their Own?</u>

Of all things discussed in interviews, the greatest variety of opinion came in how to think about working with clients of similar or different identities. Participants had strong, often mixed feelings about the impact of serving different types of clients and the effects of these shared or opposing identities.

<u>Countertransference.</u> When working with clients who have very similar identities to the social worker, participants consistently identified countertransference issues as a particular challenge. Often, participants find working with clients who are similar to them to be more challenging than working with clients who are different from them because of the increased risk of countertransference. Participant 2 shared, "When I come across someone who identified very close to me or has a lot of similarities to me, I become very wary of countertransference issues." Participant 3 said that working with a similar client also runs the risk of tempting both parties to assume they understand the other person's life, downplaying or overlocking less obvious differences between them.

Participants shared that working with clients who are similar to them can sometimes cause them to more harshly judge the client. Recalling such a situation, Participant 3 reflected, "I think maybe it brought up some of my own stuff more and judgements that maybe I have about people who are similar to me that withhold from clients in general, but had a harder time withholding in that

circumstance". Echoing this, Participant 6 summarized: "The hardest population I have is people who are white with privileged backgrounds [like myself]."

Participant 1 went so far as to say that the only time similarities are truly helpful is when multiple identity factors line up, not just one. The intersectionality of various identities carried by one person means that they are unique and do not have universal experiences that are shared by all other people who share one similar identity factor.

It is age, race, and gender, when they all come together. For me, dealing with a client that [has all of those things in common with me] sometimes is an added benefit, if you will. And just because we share a racial identity does not mean that we share socioeconomic status or ideologies. It just doesn't It doesn't translate.

Experiential Similarities. Alternatively, Participant 4, who has familial experience with the criminal justice system and grew up in foster care, feels that these experiential similarities go a long way in building rapport with clients. Although this participant is white and primarily works with people of color, they feel that sharing experiential similarities is even more important than sharing a common racial or ethnic identity:

I think from my experience, the common experience or similar experience holds more weight. I don't care what color you are, it's just that there is an understanding there. I mean, I've had African Americans or Hispanic

28

[service providers who do not have that background] who match the ethnicity of my clients but they are completely out in left field.

Regardless of concerns of countertransference or miscommunications based on similar identities, it is far more common for social workers to serve clients who are very different from themselves. Because this is the circumstance participants most often find themselves in, a great number of insights surfaced regarding this experience. Interestingly, the social worker's personal background was the single greatest predictor of whether or not they felt differences in the social worker/client relationship were a significant factor or not. The six participants who do not have personal experience with the criminal justice system all felt that differences did not have a substantial bearing on the relationship, believing instead that their professional experience enabled them to get the same results as would be the case if they were similar to the client.

Advantages of Commonalities. Participant 4, the only participant who has familiar experience with the criminal justice system and who grew up in foster care, had a starkly different opinion. When asked if she believes a social worker with shared experiences as the client is more likely to be successful in their rapport and ultimate outcomes with a client, she responded:

Absolutely. Because I've had so many [clients] tell me that about other social workers. "I'm not feeling them. I don't want them coming to see me again. I don't want this or that." They say that a lot. They say, "[Participant 4], you're just like us!" And I say, "Well, I used to be but I am different

29

now." But I tell them that I understand. I've been told I'm just genuine and I'm real and it's not fake … I don't care how hard they are to handle, for some reason I just have the ability where I could just get to their level and I'm able to work with them. And I think it is because of where I come from … I just get it … I just feel like I could speak their language.

Participant 5 felt that though they believe their professional skills prevent their work from being less successful even though they are not similar to clients, they admitted to having their eyes opened to the advantages of a shared identity:

We had one intern here before who was African American and from that community. I took her with me on a number of visits and it just immediately highlighted to me how much I am missing because of the way in which she immediately had people engaging with her and sharing information and understanding things they were saying to her. I don't think it means that I can't do my job. I don't think it means I am ineffective. But I think that there is quite a lot that I'm missing and probably quite a lot more I could be doing if I were not from my background or were from one that felt more relatable.

Therapeutic Work vs. Crisis Work. In general, however, participants agreed that shared identities are less important in the context of their work compared to a therapeutic social worker/client relationship. This is because within the context of social work in the criminal justice system, the focus is on crisis management rather than a therapeutic relationship. Participant 7 shared

that in contrast to a therapeutic setting where that rapport-based relationship is so important, "I think people just want someone to help them get something done". Participant 5 elaborated: "My experience has been that [clients] are just so happy to have anyone give a fuck about them or spend more than five minutes in court with them. I am sure that maybe they would prefer [a similarly-identified social worker], but mostly they're just so happy to have someone to talk to."

Relevance of Commonalities. So, does it matter if the social worker and client identify in similar ways? The answer is both contextual to the circumstance and to the perspective of either the social worker or the client. For clients who are of a vulnerable/marginalized population (most clients), having a social worker with a similar background is likely considered an advantage from the perspective of the client. For social workers, however, especially those who have a background of privilege (most social workers), having a client who is like them is viewed as a disadvantage because of countertransference issues.

In general, participants report believing that while matching a social worker to a client based on commonalities is an overall advantage, it is not a make-or-break issue within the context of their work. Participant 3 shared, "I think it is really important that there are people in those positions that look like that population that they serve and that can be comforting and relatable and put people at ease. But I don't think it is a hindrance to other people doing the work." Participant 3 acknowledge that there are many different factors that determine the success of a social worker/client relationship: "It would be better if you could

31

have someone who matched at least some of the identities the client has. That being said, the role is very nuanced and very complex and there are a lot of different factors that matter in order to do the job effectively."

Luxury of Social Workers. Many participants pointed out that in the criminal justice system, having a social worker at all is considered a luxury. Because so few social workers are employed by offices of the public defender, only a small portion of clients in that setting have access to a social worker. That being the case, having a social worker at all is more important than having a social worker that is similar to a client, according to participants. "I think maybe when clients are facing legal issues and stress is running high, their priorities or their thoughts are just elsewhere", shared Participant 2. Participant 6 voiced a similar observation: "You know, I would say the vast majority of my clients are not expecting a social worker in the public defender's office and are grateful for someone who has more time than the attorney". Participant 3 shared that because social workers are so limited in this setting, the unique relationship within the intensity of the circumstances can overcome differences. "My identity might not match up when checking all the boxes, but I felt a shared experience with being with the person at that moment", they said.

Utilizing Privilege. Although participants recognized that there are disadvantages to often finding they are very different from their clients, those participants that identify as white (all but one) have experienced this to be an advantage, though an admittedly uncomfortable one. For example, white

participants reported that while their racial privilege might make it harder to personally relate to the client, it is an advantage for the client in terms of advocating for them to an overwhelming white and privileged set of authority figures within the criminal just system. "Unfortunately," shared Participant 7, "sometimes when I stand up in the courtroom, I am taken more seriously than [a non-white person would be]. So in that ability, my white privilege is helping their court case".

Code Switching. Another advantage that was referenced by multiple participants is the skill of "code switching", or the ability to easily converse with people in very different settings by adapting your language and approach. This allows social workers to get necessary information from clients that can then be relayed to court officials clearly and effectively. Participant 3 said they do this by asking clients to try to explain what they mean by phrases like "the hustle" or "life on the streets" so that they can accurately convey those things to lawyers, judges, or juries. Participant 6 described this experience this way: "A large part of my role is learning about my clients and trying to come up with a way to code switch those stories to the district attorney or the court in a more formal 'white context' in order to help build some degree of empathy." For social workers, such as Participant 6, who often find they are more similar in identity to those in authority over the criminal justice system rather than those under its control, combining that privilege with the skills of social work provides the ultimate advantage for clients in this setting:

I think that having a social worker you can directly relate to is important,

but also at the end of the day it's about who is going to be the most

effective at helping the client get a more just outcome for the criminal

proceeding. And I think this job requires someone who is able to be

present and show up and appreciate and love the clients. But also it

requires someone who can really, truly code switch and go sit down with a

judge and the district attorney who are coming from a totally different

planet and explain why this person deserves mercy.

RQ5: What Factors Increase/Decrease the Risk of Implicit Bias Impacting the
Work of Social Workers in This Context?

Participants described a number of factors that the believe increase the

risk of implicit bias in their work.

Conflicting Ideologies. Social workers interviewed consistently found it

more challenging to work with clients who have ideologies that are very different

from their own as opposed to personal identity factors different from their own.

For example, Participant 5 shared that it is difficult to remain unbiased with

clients who hold homophobic beliefs. Participant 7 said they find it most

challenging to work with clients who have ideologies rooted in white supremacy

or toxic masculinity. When clients simply identify in different ways than

participants, such as in terms of race or gender or age, participants did not find

this challenging. However, when clients have beliefs that participants find

personally offensive, staying clear-headed becomes a more difficult task.

Overwhelming Caseloads/Time Pressures. Because of the large caseload size that most social workers carry, participants expressed frustration that they do not have the time to spend learning about the particulars of a client's identity that they are unfamiliar with or slow down enough to really examine their biases. Participant 5 shared:

The problem is the pace is so fast that I think there's not much time for anyone to think too much about what they're doing and why they did it and what does it mean … it's hard because people's liberties and lives are at stake. And so if you have an hour to go over something with your supervisor, are you going to go over why you talked a certain way to somebody or reflecting on your own thoughts about someone? Or are you going to go over the best strategy to write the report so that you can try to prevent this person from going to prison for the rest of their life? I think that the resources get subverted more toward crisis. Ideally there would be more checking in and honest reflection.

Lack of Resources and Urgency. Participants reported that in general, resources simply aren't available to devote to investing in implicit bias training. Because of limits of time and money, social workers felt that their offices see trainings on these topics as an unrealistic luxury, even though the social workers reported seeing these topics as dire to their work. Without buy-in from leaders of the offices, these things are not considered a priority.

A Losing Battle. The social workers interviewed also shared that it can be difficult to remain motivated to combatting their own implicit biases because the larger criminal justice system makes this very challenging. Participants reported that they are consistently frustrated that no matter how much they have worked to actively overcome their own implicit biases in order to best serve their clients, they are fighting a losing battle on this front when it comes to the rest of the criminal justice system. These participants felt that even if they present a perfectly unbiased report to the court, it will not matter if the judge, jury, or district attorney has not overcome their own implicit biases.

Lack of Interest From Lawyers. All participants reported that in their offices, there is a very low ration of social workers to lawyers. In some cases, a team of one hundred lawyers might have only two or three social workers. Because the social workers are such a minority in these offices, large-scale trainings are not undertaken if there is a lack of interest from lawyers on the subject.

"Preaching to the Choir" Effect. Several participants pointed out that although trainings on the topic of implicit bias are helpful, those who attend willingly tend to be the ones who need it least because they are already actively thinking about these things. Those who attend compulsorily are likely not going to invest in the work needed to actually change.

In addition to these factors that increase the risk of implicit bias impact the work of social workers in this setting, participants also identified two factors that

they believed would decrease the impact of implicit bias: training and diverse teams.

Training. As referenced earlier in this chapter, participants felt that implicit bias training has had a significant impact on the quality of their work. Several participants pointed out that they believe the most significant changes would occur if implicit bias trainings were seriously embraced by social workers and attorneys alike.

Diverse Teams. In the context of multi-disciplinary teams, the differences between a client and social worker can be mitigated if other members of the team have similar identities to the client. On this topic, Participant 7 shared:

What I have learned is that from my point of view, working with a team of providers can be really helpful. There can be a clinician that has a lot of therapeutic skills, and also someone who identifies closer to the clients, maybe from the same community. Working together in this way can actually be a really dynamic team that actually supports the client in a way that I think is probably the most effective.

<center>Summary</center>

Chapter Four overviewed the most significant findings of this study. It explored the ways that social workers employed by offices of the public defender are most often very different from their clients. This chapter reviewed the ways social workers have adapted and changed over time in terms of how they think about people who are different from themselves. It also overviewed the steps

social workers take to mitigate the impact of implicit bias in their work through

viewing the client as the expert of the experiences and consulting outside

resources. The bulk of this chapter was spent examining the mixed perspectives

participants hold on working with clients who are similar or different from them.

Lastly, Chapter Four considered factors that increase and decrease the role of

implicit bias in the context of this work.

CHAPTER FIVE:

TERMINATION AND FOLLOW-UP

Introduction

Chapter Five will provide an overview of the end stages of this study. It will explain the manner in which the study was terminated as well as whether or not the researcher will have an ongoing relationship with the participants. It will also communicate the dissemination plan for communicating results to study participants.

Termination of Study

This study concluded upon the completion of this report. Each participant was interviewed one time for 30-90 minutes. Interviews were conducted over the phone over the period of 4-6 weeks. All interviews were transcribed and then analyzed using opening coding. The findings of this analysis are communicated in this report.

Ongoing Relationship with Study Participants

There will be no ongoing relationship with participants as it relates to this study. The research works in a similar location and field as the participants and may interact with them in the future in other contexts.

Dissemination Plan

At the completion of each interview, participants were sent a debriefing statement. This statement informed participants that if they are interested in obtaining a copy of the results of this study, they may do so by consulting the ScholarWorks database after publication in July 2019.

Summary

Chapter Four provided an overview of the concluding steps to this research study. Termination in terms of contact with participants occurred at the completion of each interview. This study terminated with the completion of this report. Study participants may access the results of this study by consulting the ScholarWorks database.

APPENDIX A

INTERVIEW QUESTIONS

Demographic
1. What is your role in this agency?
2. How long have you held this position?
3. Do identify as a part of a marginalized or minority community?
    1. If yes, which one(s)?

Self-Awareness/Understanding of Implicit Bias
1. How do you define "implicit bias"?
2. How do you think implicit bias impacts people?
3. How do you define "privilege" within the context of identity and biases?
4. Are there any aspects of privilege you feel you carry in your own identity and life experiences?

Background
1. What messages were you given as a young person about various identity groups that are different from your own?
    1. *Prompt for other identities that they don't bring up on their own.*
2. Do you feel you have had to unlearn any biases or stereotypes you previously held?
    If "yes":
        1. What was the process like?
        2. What initiated it?
        3. Specifically, what is an example of a bias/stereotype you held and what did you replace it with?
        4. Do you find yourself still mentally defaulting to those prior beliefs at times?
    If "no":
        5. Why is that the case?

Training in Implicit Bias
1. Have you ever taken an implicit bias test, such as the one conducted by Harvard's Project Implicit?
    If "yes":
        1. What was that experience like?
        2. Were you surprised with the results?
        3. What did you learn about yourself from that experience?
        4. Did the results impact the way you approach working with clients who identify differently than you?
2. Have you received training on the topic of implicit bias?
    If "yes":
        How recently?
        Can you describe it?
        How has it helped you in your work?

Did it change the way you approach your clients?
> If "no":
>> Do you feel it would be helpful?
>>> 1. Why or why not?

3. When working with a client who has identity factors that are different from you, how often do you spend time educating yourself about those factors?
> If "often":
>> What methods/sources of education do you use?
> If "not often":
>> Why not?
>>> 1. Lack of time?
>>> 2. Lack of resources?
>>> 3. Feel it is unnecessary?

4. Can you tell me about a time that you felt you needed to learn more about an aspect of a client's identity in order to more effectively serve them?
> Follow-up:
>> What prompted that decision?

Professional Context

1. Can you describe the general demographic makeup of the clients you serve, from your perception?
   1. Age
   2. Gender
   3. Race
   4. Ethnicity
   5. LGBTQ+ affiliation
   6. Religion
   7. Disability
   8. Immigration status

2. How often do you find that you have more identity factors in common with a client than not?

3. Do you ever feel as though the differences between your identity and that of your client limit your ability to serve them?
> If "yes":
>> How so?
>>> 1. Can you describe an example of when you felt this way?
> If "no":
>> Do you feel that your clients would generally agree with your answer?

4. How important do you feel it is for a client to be matched with a social worker that shares a common identity with them?

5. Do you feel that a social worker who identifies in similar ways to a client will be more effective than a social worker who identifies in different ways?

6. Do you find that clients prefer a social worker who identifies in similar ways to them?
7. Do you feel more comfortable/confident working with clients who share similar identities to you?
8. What identity factors do you feel least familiar with? For example, working with a transgender client, a client of a different religion, a client of a certain ethnicity, etc.
9. Do you feel your agency/team is adequately trained or has adequate resources available to counteract personal implicit biases held by social workers?

   Is there anything that can be improved?

APPENDIX B

INFORMED CONSENT

CALIFORNIA STATE UNIVERSITY
SAN BERNARDINO

College of Social and Behavioral Sciences
School of Social Work

INFORMED CONSENT

The study in which you are asked to participate is designed to examine the perception of implicit bias in public defender social workers. The study is being conducted by Jessica Laird, a MSW student under the supervision of Dr. Armando Barragan, assistant professor in the School of Social Work, California State University, San Bernardino. The study has been approved by the Institutional Review Board Social Work Sub-Committee, California State University, San Bernardino.

PURPOSE: The purpose of this study is to examine the perception of implicit bias in public defender social workers.

DESCRIPTION: Participants will be interviewed about the understanding of implicit bias, how it impacts their work, and how they guard against it.

PARTICIPATION: Your participation is completely voluntary and you do not have to answer any questions you do not wish to answer. You may skip or not answer any questions and can freely withdraw from participation at any time.

CONFIDENTIAL: Your responses will be confidential and will not contain identifying information. Any audio recorded during interviews will be immediately deleted upon transcription. Data will be kept on a password-protected computer.

DURATION: Interviews will last 30-90 minutes.

RISKS: Participants may experience discomfort discussing topics related to implicit bias and how that might impact work or client outcomes.

BENEFITS: Participants may gain a broader awareness and understanding of implicit bias.

CONTACT: If you have any questions about this study, please contact Dr. Armando Barragan at abarragan@csusb.edu.

RESULTS: Results of the study can be obtained from the Pfau Library ScholarWorks (http://scholarworks.lib.csusb.edu) at California State University –San Bernardino after July 2019.

CONFIRMATION STATEMENT:
I understand that I must be 18 years of age or older to participate in your study, have read and understand the consent document and agree to participate in your study.

Place an "X" marker here to sign:_____ Date: _____
I agree to be audio recorded: _____Yes _____No

APPENDIX C

DEBRIEFING STATEMENT

Debriefing Statement

The study you just participated in was designed to investigate how public defender social workers understand implicit bias. We are interested in understanding what awareness public defender social workers have of implicit bias and how they guard against it in their work. This is to inform you that no deception is involved with this study. Thank you for your time and your participation!

If you have any questions about this study, please contact Dr. Armando Barragan at abarragan@csusb.edu. If you would like to obtain a copy of the results of this study, please contact the ScholarWorks database (http://scholarworks.lib.csusb.edu/) after July 2019.

REFERENCES

Alesina, A. (2011). A test of racial bias in capital sentencing. *IDEAS Working*

      Paper Series from RePEc.

Allen, T., Sherman, J., and Klauer, K. (2010). Social context and the self-

regulation

      of implicit bias. *Group Processes and Intergroup Relations*, 13 (2), 137-

149.

Amodio, D. and Mendoza, S. (2010) Implicit intergroup bias: Cognitive, affective,

      and motivational underpinnings. *Handbook of Implicit Social Cognition*,

      353-374.

Correll, J., Park, B., and Judd, C. (2002). The police officer's dilemma: Using

      ethnicity to disambiguate potentially threatening individuals. *Journal of*

      Personality and Social Psychology, 83(6), 1314-1329.

DeHouwer, J., Teige-Mocigemba, S., Spruyt, A., and Moors, A. (2009). Implicit

      measures: A normative analysis and review. *Psychological Bulletin*, 135

      (3), 347-368.

Depew, B., Eren, O., and Mocan, N. (2017). Judges, juveniles, and in-group bias.

      The Journal of Law and Economics, 60(2), 209-239.

Harvard University. (2015). Take a test. *Project Implicit*.

Holroyd, J. (2015) Consciousness and cognition. *An International Journal*, 33,

511-

      523.

Hugenberg, K. and Bodenhausen, G. (2003). Facing prejudice. *Sage Journals*, 14

(6), 640-643.

Kirwan Institute for the Study of Race and Ethnicity (2015). Understanding implicit

bias. The Ohio State University. Retrieved from:

kirwaninstitute.osu.edu/research/understanding-implicit-bias/

Lacasse, K. (2017). Going with your gut: How William James' theory of emotions

brings insights to risk perception and decision making research. *New*

Ideas In Psychology, 461-7.

Mathis, G. (2006). Racial bias in juries confirmed. *Miami Times*, 2C.

Mcnutt, M. (2016). Implicit bias. *Science,* (New York, N.Y.), 352(6289), 1035.

Morris, T. (2013). *Practice informed research methods for social workers*.

Nellis, A. (2016). The color of justice: Racial and ethnic disparity in state prisons.

The Sentencing Project. Retrieved from:

sentencingproject.org/publications/color-of-justice-racial-and-ethnic-

disparity-in-state-prisons/

Payne, K. 2001. Prejudice and perception: The role of automatic and controlled

processes in misperceiving a weapon. J*ournal of Personality and Social*

Psychology, 81(2), 181-192.

Perrault, R., Vincent, G., Guy, L., Ben-Porath, Y., Edens, J, and Boccaccini, M.

(2017). Are risk assessments racially biased?: Field study of the SAVRY

and YLS/CMI in probation. *Psychological Assessment*, 29(6), 664-678.

Soderberg, and Sherman. (2013). No face is an island: How implicit bias

operates

in social scenes. *Journal of Experimental Social Psychology*, 49(2), 307-

313.

Todd, A., Thiem, K., and Neel, R. (2016). Does seeing faces of young black boys

facilitate the identification of threatening stimuli?. *Sage Journals*, 27(3),

384-393.

Van Brunt, A. (2015). Poor people rely on public defenders who are too

overworked to defend them. *The Guardian*. Retrieved from:

theguardian.com/commentisfree/2015/jun/17/poor-rely-public-defenders-

too-overworked.

Wilson, J., Hugenberg, K., and Rule, N. (2017). Racial bias in judgements of

physical size and formidability: From size to threat. *American*

Psychological Association. Retrieved from:

apa.org/pubs/journals/releases/psp-pspi0000092.pdf