

Lesson III: Addressing Deceptive and Passive Bias

Outcomes: At the end of this lesson, participants will be better able to:

- Describe results of court surveys from the National Center for State Courts and Washington State on perceptions of equal treatment in the courts
- Identify biases
- Distinguish between deceptive and passive bias
- Identify steps to take when identifying bias in the workplace

Materials Needed

- Overhead transparency machine (optional)
- Easel pad and pens

Handouts

- Deceptive and Passive Bias Worksheet

Transparency or Poster

- Ground rules
- Chart of survey results from National Center for State Courts and Washington State

Preparing to Teach this Lesson

- Write up and post the lesson objectives
- Make copies of the Deceptive and Passive Bias Worksheet
- Prepare transparency of the (1) ground rules (use grounds rules sheet from Lesson I) and (2) results of National Center for State Courts Survey and Washington State Survey, or copy the transparency as a handout.

Community Resource People

- Not applicable to this lesson

Summary

At the end of each lesson is a debriefing or summary section. It is very important that the lesson be timed to allow sufficient debriefing with the employees. During this reflection period employees can discuss the information learned, clarify any concerns and analyze skills that they have practiced. This is a critical step in the learning process and should not be neglected.

Methods

Part 1: Review of ground rules (2 minutes, optional)

- Review ground rules, as needed.

Transparency or Easel Pad Paper

Ground Rules

1. One person speaks at a time.
2. Describe behaviors, not personalities.
3. Maintain confidentiality.
4. Share responsibility - speak up if something is not working for you.

Part 2: Present Survey Results (Choice 1 – 10 minutes or Choice 2 – 2 minutes)

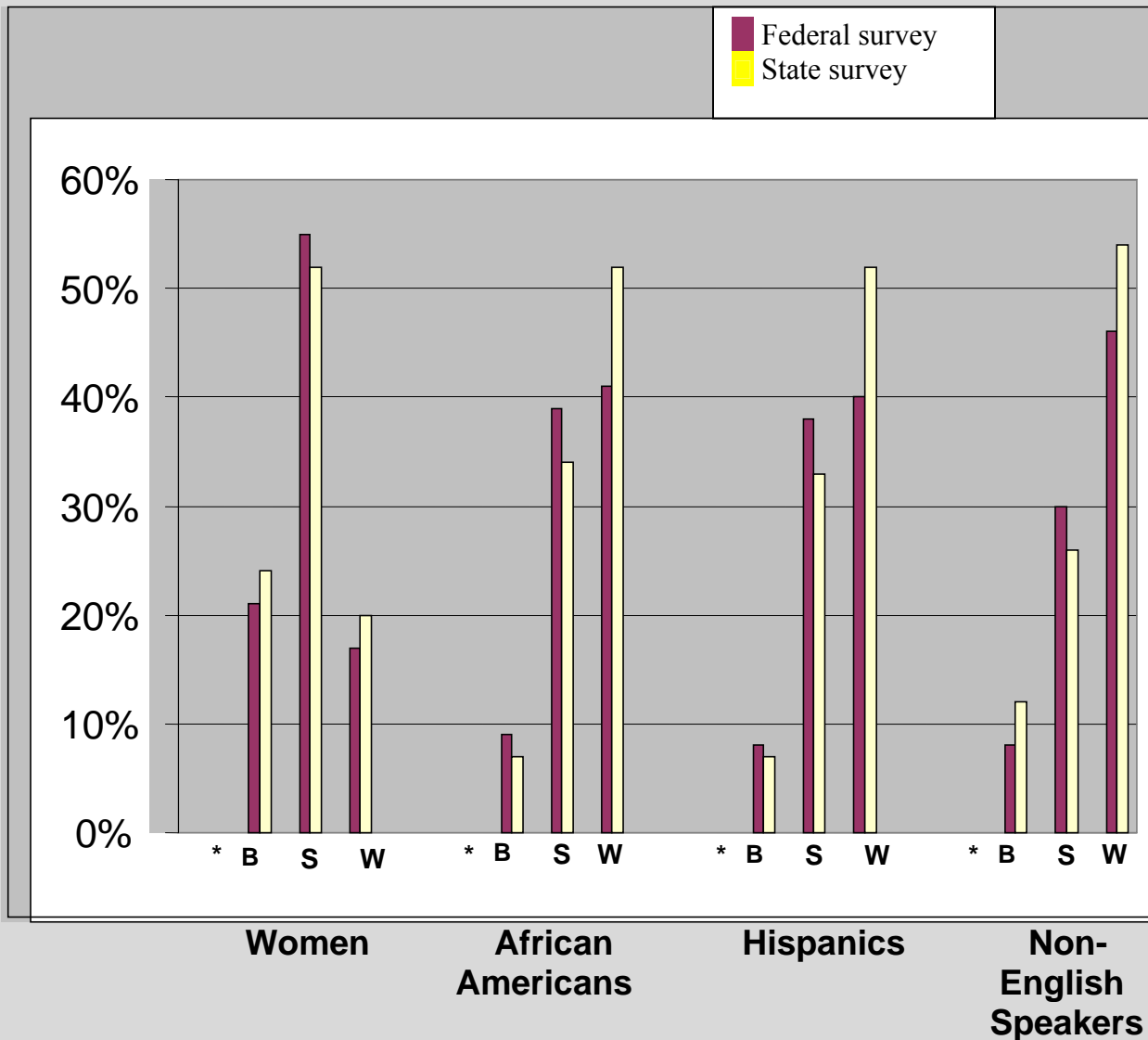
Present survey results using either the chart or summarizing results.

- **Presentation Choice 1:** Use chart: Put transparency on projector of survey results from the National Center for State Courts and Washington State (or pass out chart as a handout) and invite participants to interpret it.
 - Explain that a survey was conducted nationally and then repeated in Washington State in 1999 to determine how people experienced and perceived the courts. The results on the handout are the tabulated responses to the question:
 - Survey Question: What kind of treatment do various groups receive from the courts? There were three possible answers for each group:
 - i. better treatment
 - ii. same treatment
 - iii. worse treatment

Transparency or Easel Pad Paper

Perceptions of Equal Treatment

Survey Question: What kind of treatment do various groups receive from the courts?¹



* (B) - Better Treatment; (S) - Same Treatment; (W) - Worse Treatment

¹ A Study of Public Perception of State Courts/Washington, 1999 GMA Research Corporation sponsored by the Washington State Administrative Office of the Courts, including results of *How the Public Views the State Courts*, A 1999 National Survey by the National Center for State Courts.

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- The chart reports the survey results for women, African Americans, Hispanics and Non-English speakers. The first bar of each answer is the national survey results and the second bar is the state survey results. For example, people surveyed in the national survey reported that they believed women were treated better than others in the courts just over 20% of the time, the state results were about 24% of the time. About 55% of the time, persons reported in the national survey that they believed women were treated the same as everyone else, while there was a result of about 51% in the state survey. Almost 17% of those surveyed in the federal study believed women were treated worse, while the number was up to 20% in the state survey.
- Ask for someone to interpret the outcome for African Americans, then Hispanics and then non-English speakers.
- **Presentation Choice 2:** Alternatively, if the chart seems too complex, you could merely state that there is a perception from both national and state surveys, that women and minorities are not treated equally in the courts.
 - Ask participants for ideas why that might be so. Are court users actually treated unfairly at these rates, or is it just the perception that they are? Why is it important to address the perception of unequal treatment?

Part 3: Explore Types of Bias (33 minutes)

- Explain that the group is going to explore the differences between deceptive and passive bias, which were discussed in the on-line course.
- Ask for a definition of deceptive bias and then for a definition of passive bias.
- Pass out worksheet with definitions.

Handout on Deceptive and Passive Bias

Deceptive and Passive Bias Worksheet

Deceptive Bias: The actor is aware of his or her own bias but phrases it in a politically correct manner. The intent is to deceive. The person who hears it may or may not perceive the bias.

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Passive Bias (two types):

Type One:

Actor is not aware of his or her own bias and has no intent to express bias. The recipient may perceive the bias.

Type Two:

The individual perceives the bias expressed by another, but does nothing.

Directions: In pairs, create two realistic situations that could happen in your work; make one an example of deceptive bias and one of passive bias. Be prepared to report one situation to the group.

Deceptive Bias:

Passive Bias:

- Ask the group to work in pairs to create realistic scenarios where deceptive or passive bias could occur with court users and with co-workers.
- Have each group present one scenario and discuss what steps could be taken to change bias.

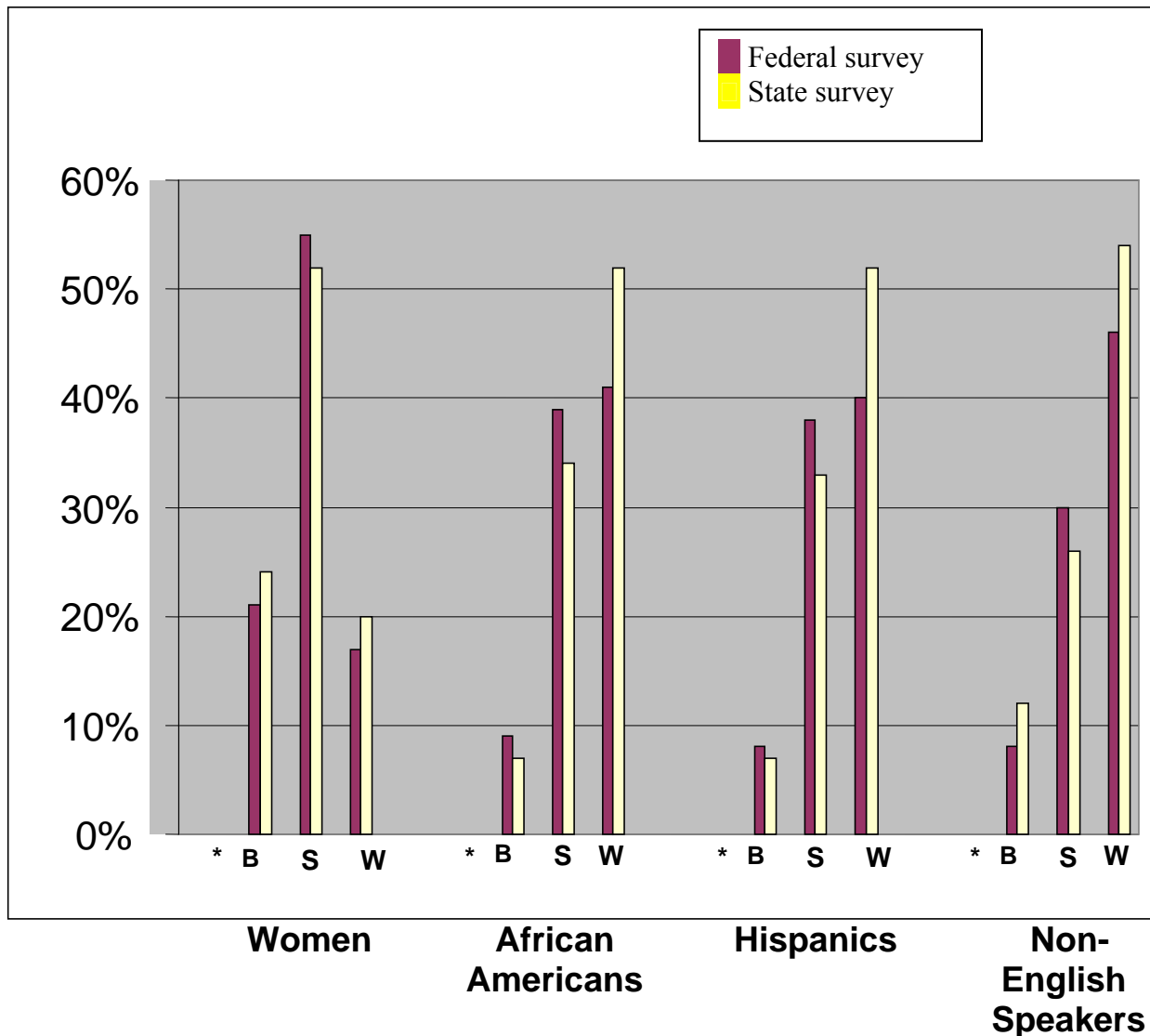
Part 4: Summary (5 minutes)

- Conclude with urging participants to be aware of possible bias and how to respond to it in the work place.
- Have each employee think about one thing he or she learned during the session. Ask them to write that down or share with a partner. After a few minutes, ask a few volunteers to share their ideas with the rest of the group.

Transparency or Easel Pad Paper
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