

Implicit Bias and Cultural Competency

1. Common Assumptions About Clients
2. Role of Implicit Bias
3. Role of Culture
4. Interviewing Clients: Best Practices for Overcoming Personal Bias and Becoming Culturally Competent

4 Common Assumptions

1. Familiarity with legal aid/legal services
2. Familiarity with role of “government”
3. Will work around my availability
4. Easy to fill forms



Implicit Bias

“[B]ias in judgment and/or behavior that results from subtle cognitive processes (i.e. implicit attitudes and implicit stereotypes) that often *operate at a level below conscious awareness and without intentional control.*”

Implicit bias

- "In a democratic society, people should be judged as individuals and not as members of a group.."
- Positive stereotypes – no I don't have tech support expertise.



Implicit Bias

Can be expressed in decision making processes:

- Exercise of Police or Prosecutorial Discretion
- Use of Force
- Physician Treatment Plans
- Employer Hiring
- Court Sentencing

3 Characteristics of Racism

- Racism is structural: embedded in institutions and culture
- Racism is ubiquitous: comes at us from different angles (explicit and implicit)
- Racism is intransigent: Deep and hard to get rid of

Poll

What does culture mean to you?

- a. NATIONALITY
- b. LANGUAGE
- c. RELIGION/BELIEFS/CUSTOMS
- d. SEXUAL IDENTITY
- e. RACE
- f. RURAL/URBAN
- g. AGE
- h. FOOD
- i. OCCUPATION
- j. MANY MORE-ANY OTHER

The Iceberg Concept of Culture

Like an iceberg, the majority of culture is below the surface.



Surface Culture

Above sea level

Emotional load: relatively low

food ▪ dress ▪ music ▪
visual arts ▪ drama ▪ crafts
dance ▪ literature ▪ language
celebrations ▪ games

Deep Culture

Unspoken Rules

Partially below sea level

Emotional load: very high

courtesy ▪ contextual conversational patterns ▪ concept of time
personal space ▪ rules of conduct ▪ facial expressions
nonverbal communication ▪ body language ▪ touching ▪ eye contact
patterns of handling emotions ▪ notions of modesty ▪ concept of beauty
courtship practices ▪ relationships to animals ▪ notions of leadership
tempo of work ▪ concepts of food ▪ ideals of childrearing
theory of disease ▪ social interaction rate ▪ nature of friendships
tone of voice ▪ attitudes toward elders ▪ concept of cleanliness
notions of adolescence ▪ patterns of group decision-making
definition of insanity ▪ preference for competition or cooperation
tolerance of physical pain ▪ concept of "self" ▪ concept of past and future
definition of obscenity ▪ attitudes toward dependents ▪ problem-solving
roles in relation to age, sex, class, occupation, kinship, and so forth

Unconscious Rules

Completely below sea level

Emotional load: intense



Role of Culture

- Perceptions, values, attitudes and beliefs
- Response to environment and circumstances
- Culture of 911
- Expectations
- External behavior
- Understanding of the court system and procedures



Measuring Cross-Cultural Competence

- Stage One: Denial
- Stage Two: Defense
- Stage Three: Minimization of Difference
- Stage Four: Acceptance of Difference
- Stage Five: Adaptation of Difference
- Stage Six: Integration of Difference

Measuring Cross-Cultural Competence

- Gain Awareness
- Take a look at your own culture
- Try a Little understanding
- Listen closely and pay attention
- Suspend judgment as much as possible
- Be flexible

Cultural humility(Tervalon & Murray-Garcia, 1998)

- Clients = Experts in their culture
- Self-awareness
- Commitment to Long-term learning

Empathy

<https://www.youtube.com/watch?v=1Evwgu369Jw>

4 Qualities of Empathy

1. Perspective taking;
2. Staying out of judgment;
3. Recognizing emotion in other people;
4. Communicating that recognition.

Empathy and Interviews

- **Building Rapport:** Confidentiality disclosure, body language, active listening
- **Suggested techniques:** Start with small talk, offer a choice of seats, ask open-ended questions
- **Purpose:** Why are we meeting today
- **Sensitive information:** Questions about domestic violence, sexual violence, other forms of abuse

Sensitive Information

- Repeat confidentiality
- Go slow if needed
- Clarifying, open-ended questions.
- Mindfulness about emotions
- Eye contact

