

## IMPLICIT RACIAL BIAS ACROSS THE LAW

Book Launch Conference

Thursday, June 14, 2012

Ames Courtroom, Austin Hall, Harvard Law School

- 8:30 AM** Continental Breakfast
- 8:45 AM** Welcome from **Charles Ogletree & Justin Levinson**
- 9:00–10:00** **Panel One: The Science: Exploring Implicit Bias in the Legal Context**  
**Dr. Mahzarin Banaji**, Harvard University—*Who Would Have Thought!*  
**Dr. Patricia Devine**, University of Wisconsin—*Breaking the Prejudice Habit*  
**Dr. Sam Sommers**, Tufts University—*Implicit Bias, Race, and Expert Witnessing*  
Chair: **Justin Levinson**, University of Hawai'i
- 10:00–11:15** **Panel Two: Impacts of Implicit Bias Across the Law**  
**Robert Smith**, University of North Carolina & DePaul University—*Criminal Law and Justice: Coloring Punishment*  
**Michele Goodwin**, University of Minnesota—*Health Care: Cognitive Bias in Medical Decision-Making*  
**Charles Lawrence**, University of Hawai'i & Georgetown University—*Education Law & Policy: Unconscious Racism and the Achievement Gap*  
**Rachel Godsil**, Seton Hall School of Law—*Land Use and the Environment: A Tale of Two Neighborhoods*  
**Jerry Kang**, UCLA School of Law—*Communications Law: Bits of Bias*  
Chair: **Danielle Conway**, University of Hawai'i
- 11:30–12:45** **Panel Three: Courtroom Implications of Implicit Bias**  
**Dr. Greg Walton**, Stanford University—*Affirmative Meritocracy: Implications of Stereotype Threat for Affirmative Action*  
**Linda H. Krieger**, University of Hawai'i—*Missing Discussions of Implicit Bias in Federal Court Decisions*  
**U.S. District Court Judge Mark Bennett** (N.D. Iowa)—*"Debiasing" the Courtroom*  
**U.S. District Court Judge Nancy Gertner** (ret.), Harvard Law School—*How Judges Have Reversed Title VII*  
**Eva Paterson**, Equal Justice Society—*Litigating Implicit Bias*  
Chair: **Eric K. Yamamoto**, University of Hawai'i
- 12:45 PM** Lunch  
Location: Wasserstein 1015 & 1019

2:00–4:00

Afternoon Simultaneous Sessions

### **Room 1: Implicit Bias and Criminal Justice**

Location: Ames Courtroom, Austin Hall

2:00–3:30: Panel

**Marc Mauer**, The Sentencing Project—*Implicit Bias in Criminal Justice Policy and Practice*

**Ben Cohen**, The Justice Center—*Choosing Life or Death (Implicitly)*

**Dr. Jack Glaser**, University of California, Berkeley—*Motivation to Control Prejudice: No Intent to Discriminate vs. Intent to Not Discriminate*

**L. Song Richardson**, University of Iowa—*Policing and the Fourth Amendment*

**Lisa Thureau**, Strategies for Youth—*The Mechanics of Implicit Bias in Police-Youth Interactions*

**Anna Roberts**, Seattle University—*What to Do about Biased Juries*

Chair: **Carol Steiker**, Harvard Law School

3:30–4:00: Roundtable Discussion

Facilitators: **Robert Smith**, University of North Carolina/DePaul University & **Cynthia Lee**, George Washington University

### **Room 2: The Breadth of Implicit Bias in the Law**

Location: North Classroom, Austin Hall

2:00–3:30: Panel

**Dorothy Brown**, Emory Law School—*Stereotypes and the Earned Income Tax Credit*

**Danielle Conway**, University of Hawai'i—*Biases in Intellectual Property Law*

**Susan Serrano & Breann Swann Nu'uhiwa**, University of Hawai'i—*Implicit Bias Against Native Peoples as Sovereigns*

**Deana Pollard Sacks**, Thurgood Marshall School of Law—*Implicit Bias-Inspired Torts*

**Dr. Augustus White**, Harvard Medical School—*The Doctor's Hidden Brain, The Patient's Neglected Pain... What Can We Do?*

Chair: **Dr. Victoria Plaut**, University of California, Berkeley

3:30–4:00: Roundtable Discussion

Facilitators: **Camille Nelson**, Suffolk Law School & **Dr. Victoria Plaut**, University of California, Berkeley

### **Room 3: Education Law & Policy**

Location: West Classroom, Austin Hall

2:00–3:30: Panel

**Dr. Greg Walton**, Stanford University—*A Question of Belonging: Interventions to Remedy Stereotype Threat*

**Rachel Godsil**, Seton Hall—*Context and Capacity: Neutralizing Stereotype Threat in Law Students*

**Michelle Garcia**, Southern Poverty Law Center—*Training Teachers about Implicit Bias*

**Dr. Laura McNeal**, Charles Hamilton Houston Institute & University of Louisville—*Silent Epidemic: Implicit Bias and the School to Prison Pipeline*

**Dr. Gregory Parks**, Wake Forest University—*What Higher-Ed Based Organizations Might Tell Us about Implicit Bias and Civic Activism*

**Derek W. Black**, University of South Carolina—*Bias Across the Educational Spectrum: Ability Grouping, Special Education and Discipline*

Chair: **Charles R. Lawrence**, University of Hawai'i & Georgetown University

**3:30–4:00:** Roundtable Discussion

Facilitator: **Johanna Wald**, Charles Hamilton Houston Institute, Harvard Law School

#### **Room 4: Implicit Bias and Organizations**

Location: East Classroom, Austin Hall

**2:00–3:30:** Panel

**Jackie Glenn & Edwina Mays**, EMC Corporation—*Understanding Implicit Bias: An Insider's View*

**Dr. Lisa M. Coleman**, Harvard University—*Implicit Bias in Higher Education Organizations*

**Macey Russell**, Choate Hall & Stewart, LLP—*Implicit Bias in the Selection and Retention of Counsel*

**Eli Wald**, Denver University Law School—*Implicit Bias and Law Firm Hiring and Promotion*

**Melissa Hart**, University of Colorado Law School—*Implicit Bias at Work*

**Linda H. Krieger**, University of Hawai'i—*Patterns of Implicit Judicial Inference in Antidiscrimination Adjudications*

Chair: **Cheryl Wade**, St. Johns University

**3:30–4:00:** Roundtable Discussion

Facilitator: **Cheryl Wade**, St. Johns University

**4:15 PM**

Bridging the Sessions, Ames Courtroom

**David Harris**, Charles Hamilton Houston Institute, Harvard Law School

**Justin Levinson**, University of Hawai'i

During this short session, the conference reconvenes in the Ames Courtroom. Facilitators from the four sessions will report back to the conference on the discussions of the panels.

**4:45 PM**

Closing Remarks by **Justin Levinson**

**5:00 PM**

Cocktail reception. Co-sponsored by Equal Justice Society.

EQUAL JUSTICE SOCIETY

Conference co-sponsor: Culture and Jury Project at the University of Hawai'i at Mānoa



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