

Can racial injustice be settled out of court?

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2014 was replete with social unrest to protest police brutality and racial inequality. With many calling for policy reform to improve race problems in the U.S. criminal justice system, new research suggests that the issue is less political and more behavioral. Researchers recommend increased documentation, institutional diversity, and bias training in a new paper published in *Policy Insights from the Behavioral and Brain Sciences (PIBBS)*.

"Individuals with different ideologies and political affiliations may well debate police enforcement priorities or factors that contribute to crime. However, people on both sides of the political aisle could agree that racial disparities in charging decisions, jury verdicts, and sentencing violate core American principles related to justice," wrote the researchers Samuel R. Sommers and Satia A. Marotta of Tufts University.

Analyzing racial disparities in policing, charging decisions and trial outcomes, Sommers and Marotta recommend three new policy interventions focused on data, diversity, and training:

- **Bias training:** Real-world data on police encounters with civilians indicate that some minority groups are perceived as more dangerous than whites and are treated differently as a result. The researchers support police training that diminishes racial associations with crime in order to reduce racial bias.
- **Institutional diversity:** Studying case data from the 1990s to the present, the researchers found a correlation between jury racial

composition and different legal outcomes. To prevent disparities in jury rulings, more attention needs to be placed on the pre-trial aspects of the jury selection process, such as minority underrepresentation and measuring bias in potential jurors.

- Documentation of disparities: In order to better understand and prevent what leads to [racial inequality](#) in legal decision-making, more data are needed on racial inequalities in policing and trial outcomes.

"One of the strongest tools for combating implicit bias is consciousness raising—making our unconscious associations conscious, and simply recognizing that bias can occur even among those of good intent. For [racial disparities](#) in legal outcomes, such acknowledgment of potential problems need not be cast as a 'political issue.'"

More information: "Racial Disparities in Legal Outcomes: On Policing, Charging Decisions, and Criminal Trial Proceedings" , *Policy Insights from the Behavioral and Brain Sciences*, 2015.

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