Achieving an Impartial Jury,
An ABA Enterprise Grant Project

In 2012, the ABA Board of Governors awarded an Enterprise Grant to the Criminal Justice Section together with the ABA Section of Litigation, Coalition on Racial and Ethnic Justice, Center for Racial and Ethnic Diversity, Council for Racial and Ethnic Diversity in the Educational Pipeline, Commission on Racial and Ethnic Diversity in the Profession, Section of Individual Rights and Responsibilities, Commission on Sexual Orientation and Gender Identity, Justice Center and the Diversity Center. The grant supports *Achieving an Impartial Jury* (AIJ), a project intended to improve jury impartiality by focusing attention on dismantling implicit bias—that is, bias or unconscious preferences that we may hold based on a stereotype or attitude that operates without intention that may influence our actions and decisions.

AIJ builds on work of the recipient entities and others such as the National Center for State Courts excellent *Helping Courts Address Implicit Bias: Resources for Education*. Professor Sarah Redfield and CJS Staff Attorney Sarina Cox are leading the project. An AIJ Advisory Group, which includes staff from each co-sponsoring entity together with key leaders from the bench, bar, and academia provides project oversight and direction. Also part of the AIJ Advisory Group, are three leading social scientists working on issues of implicit bias and debiasing. The expertise and contributions of all Advisory Group Members has already proven extraordinary and critical to the project’s success.

AIJ is working to produce a Toolbox with practical materials that can help courts to increase awareness of implicit bias and to offer effective techniques to lessen the impact of such bias on the jury and its deliberations. AIJ has defined its learning objectives to address the situations of both short-term jurors and longer-term judges and court personnel: “Jurors will be more mindful about considering court participants as individuals (i.e., avoiding or dismantling implicit bias and group dynamics). Judges will understand the basics of implicit bias and debiasing and become more active bringing this learning to their courtrooms.” To these ends, AIJ is developing recommendations on instructions and voir dire, training materials, checklists, and other Toolbox items. The input of the social scientists is helping to assure that each item is crafted to achieve the most impact possible in a given setting.

Recognizing the demands on judges and jurors, all aspects of the Toolbox are being designed to be highly user friendly.

AIJ will be vetting its toolbox informally over the spring and summer and will then test the materials at three diverse field sites that involve federal and state courts as well as rural and urban jurisdictions. Feedback from the field sites will contribute to a final version of the Toolbox, which will be ready for wide circulation at the beginning of 2014. The project includes efforts to evaluate the work as it goes along and to track adoption.

*Anyone interested in reviewing the instruction or voir dire recommendations, please contact the Project Director Sarina Cox, sarina.cox@americanbar.org or the Lead Consultant, Professor Redfield, sarah.redfield@gmail.com.*

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