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UNITED STATES DISTRICT COURT

**WESTERN DISTRICT OF WASHINGTON
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LORI LANDIS
Chief Deputy Clerk

MEMORANDUM

Date: April 16, 2019

To: Judge John C. Coughenour

From: Jeff Humenik – Jury Administrator JH

RE: Summary Report – Implicit Bias Questionnaire for Jurors

Please see the following summary of responses from the Implicit Bias Questionnaire completed by jurors who served in this court. We received **125** responses. Please let me know if you have any questions or need additional information. Thanks.

SUMMARY REPORT – IMPLICIT BIAS QUESTIONNAIRE FOR JURORS

1. Prior to your jury service, had you ever heard the term “implicit bias?”

75 – Yes **51** – No

Notable comments: “I’m familiar with concept; I might not have heard of it referred to by that term.”

2. Prior to watching the implicit bias video, how familiar were you with the concept of implicit bias?

38 – Not at all familiar
49 – Somewhat familiar
41 – Very familiar

Notable comments: “My company has provided a lot of training on this topic to their leadership team.”

3. Do you think the video effectively explained the concept of implicit bias?

123 – Yes **2** – No

Notable comments: “This concept needs concrete visual examples for a lot of people to understand.”; “Well explained but a bit dull.”; “Yes, could be better.”

4. Did you find any component of the video to be offensive?

3 – Yes **119** – No

Notable comments: “Not really, it was slanted in its point.”; “Naming the African American gentleman as ‘Mr. Brown.’”; No, besides the grey text on white background being too hard to read.”; “When showing the jury the person of color commented her hardship and the response was curt and short when it seemed to be a language barrier and could’ve been explained.”; “No, but I think other factors besides age, color, gender, should be included.”

5. Do you feel that the video influenced how you answered the questions of the judge and lawyers during jury selection?

48 – Yes **73** – No **4** – Maybe

Notable comments: “It helped me understand that as long as I was aware of the bias, I could overcome it.”; “I delayed making judgments until most of the evidence had been presented.”; “Yes, good refresher.”; “It put the idea of implicit bias in my mind and made me think of it in the case.”; “Yes, reminded me to dismiss any internal reactions/feelings.”; “Yes, I kept it in mind and evaluated my initial responses.”; “Yes, more conscious of my biases.”

6. Without discussing the substance of your deliberations, do you feel that the video influenced how you considered the testimony and evidence during your deliberation?

64 – Yes **55** – No **6** – Maybe

Notable comments: “Opens your mind to hearing the facts.”; “In the end, no. The testimony and the evidence considered as a whole led the way.”; “I think the judge’s instructions were what I relied upon most.”; “Maintained open mind to all testimony and evidence.”; Yes, I gave everything a second thought.”; “Mostly during the week and how I was listening to the presentation of facts.”

7. Did you find the video educational on the concept of implicit bias regardless of whether it affected how you viewed the evidence or deliberated?

113 – Yes **8** – No **2** – Maybe

Notable comments: “I found the video weak. As an African American woman, I experience this every day.”; “Yes, always good to be reminded to be aware of it.”; “Yes, it summarized the concepts effectively.”

8. Do you think how you considered the evidence or deliberated would have been different if you had not seen the implicit bias video?

27 – Yes **80** – No **15** – Maybe

Notable comments: “Not very different, if at all – other instructions to weigh the evidence would have encouraged similar consideration.”

9. Having gone through the trial process, do you believe the implicit bias video should be shown to jurors before trial?

120 – Yes **2** – No **1** – Maybe

Notable comments: “Yes – but very improved to help jurors understand their own biases”; “Not – Judge says the necessary same message during introduction”; “It spoke to us as educated people, and set a high bar.”