

The Neuroscience of Decision-Making Curriculum

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11 Tools

Strategies for Increasing Fairness and Eliminating Unconscious/Implicit Association in Decision-Making

1. **Receive Effective Education throughout the Process of Implementing the Tools:** Education that creates awareness, motivates individuals and institutions to change and instructs on meaningful strategies for change. Receive initial courses then take continued focused courses that allow the participants to implement tools and learn additional information in small portions over an extended period of time.

2. **Take the Tests:** Individual self-assessment of implicit biases and preferences. (Taking the Race IAT, Gender-Career IAT and 2 additional IAT's of your choice).

Tool: <https://implicit.harvard.edu/implicit/demo/takeatest.html>

3. **Perform the Study Individually:** Perform a self-analysis of past decision-making patterns. (A personalized "regression analysis" of specific types of decisions that you make on a regular basis). **Tool: Decision-Making Matrix ©.**

4. **Perform the Study Systemically:** Perform a system self-analysis of past decision-making patterns in the organization. (A system-wide "regression analysis" of specific types of decisions that are made in the organization on a regular basis).

Tool: Decision-Making Matrix ©.

5. **Follow the Rules:** Create adherence tools by listing valid factors upon which a decision should be based and referring to the list while making the decision. This should be done even if the decision-maker believes that they are well-versed in the factors. For instance listing:

All of the factors in a particular code section or in case law;

All of the objective and subjective requirements that would be found in the best candidate for a job; or

All of the requirements listed in a policy before the next step in a process can be taken.

6. **Copy the Symphony Example:** Remove initial identifying factors whenever possible when making decisions.

7. **Change the Images:** Bring to mind counter-stereotypic images before making decisions. This may reduce amygdala activation.

8. **Bob and Jim Effect:** Find similarities between yourself and the other person. This may increase the activation of the ventral medial prefrontal cortex when judging them.

9. **Pain Empathy:** Increase empathy by altering appearance perception. Imagining cortical spinal inhibition (physical pain empathy) reactions with a hand that has an alternate skin color may change implicit bias levels. Likewise, equalizing empathy for psychological pain will increase fairness in decision-making.

10. **Go in for the Check-Up for the System:** Periodically take a random sample every fiscal quarter of the decisions that the court makes and determine if there is a pattern. Redact the names of the decision-makers so that the accountability is system-wide. Form a group to review the periodic assessments. This group must address any problematic patterns by increasing education, making policy changes and determining whether or not to perform more focused analysis. For example a court could take a random sample of 10% of all felony cases where a sentence was given after a jury trial. If the sampling showed that men were receiving different sentences than women for the same crime then policies would be created to address this disparity. **Tool: Decision-Making Matrix ©.**

11. **Go in for the Check-Up for the Individual:** Periodically take a random sample of the decisions that you make regularly to determine if there is a pattern. For example, a decision-maker could pull 20 similar cases every quarter involving assault and battery, unlawful detainer claims or requests for fee waivers. The individual could determine if gender, income, race or age made a difference in the decision. **Tool: Decision-Making Matrix ©.**