

White Privilege May Influence Forensic Assessment and Jury Decision-Making

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Abstract

Despite laws equalizing American citizens, White supremacy remains, and White privilege is dismissed by those it benefits. These aspects of society continuously oppress minorities and may be influential to forensic assessments, jury decision-making, and societal reactions to wrongful deaths.

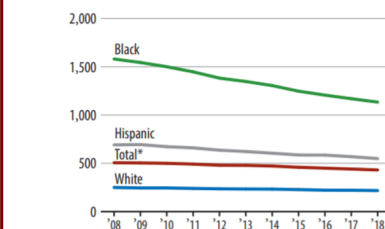
Supremacy and Privilege

- White supremacy is defined as a social system rooted in the practice of White people controlling politics, economics, resources, and societal growth while exhibiting superiority over races that remain socially, politically, and economically suppressed (Walsdorf et al., 2020).
- Because White supremacy is typically associated with active involvement in hate groups, such as the Ku Klux Klan, some people may inaccurately abstain from White supremacist labels. However, all people who support the suppression of people of color (POC) for the benefit of Whites are considered White supremacists (Walsdorf et al., 2020).
- White privilege is the result of White supremacy. Fundamentally, the systemic advantages afforded to White people generates benefits that favor self-interests while the interests of silenced racial minorities remain inaugural (Bennett et al., 2017; Conway et al., 2017; Ostrove & Brown, 2018; Walsdorf et al., 2020).
- One example of White privilege is the ability to ignore the racial injustice that POC are forced to confront daily (Schroeder et al., 2005).
- Critical race theory explains that racism is rooted in White supremacy; therefore, racism thrives in modern societies structured with White supremacy, despite existing laws against racial discrimination (Christian et al., 2019).
- Further, critical race theory claims that White experiences are perceived as the standard, so those experiences are assumed to be shared by POC. This contributes to White ignorance and ultimately perpetuates systemic oppression (Bennett et al., 2017).

Colorblind Ideology

- Colorblind idealism perpetuates racial inequality under a mask of fairness, thus promoting societal ignorance that allows Whites to claim they are not racist without assuming anti-racism ideologies (Bennett et al., 2017; Jayakumar & Adamian, 2017; Mueller, 2017).
- In fact, colorblindness is associated with less awareness of both White privilege and the extent of prejudice against POC (Davis, 2019).
- Institutionalized, covert racism is practiced as “business as usual” through a shield of non-racist language (e.g., war on drugs, stop and frisk) (Mueller, 2017).
- Whites are privileged in their ability to ignore their privilege, so assuming colorblind ideology allows them to actively dismiss racial disparities (Spanierman et al., 2017).

Combined state and federal imprisonment rate per 100,000 U.S. residents of a given race or ethnicity, 2008-2018



U.S. Department of Justice Office of Justice Programs Bureau of Justice Statistics (2020)

White Fragility

- Discussing White privilege often triggers an emotional defense reaction from White people, hindering social change due to the belief that it is “not their problem” (Conway et al., 2017; Langrehr & Blackmon, 2016; Walsdorf et al., 2020).
- These dismissive beliefs are especially present when POC raise issues of White privilege (Brooms & Brice, 2017).
- Defense mechanisms of deflection, disengagement, silence, avoidance, system justification, and overstating of their personal hardships with the intention of dismissing racial disparity are often used by White people to protect their emotions and self-identity, thus excusing themselves from promoting equality (Conway et al., 2017; Murdoch & McAloney-Kocaman, 2019; Small, 2019).
- White people may also confuse class privilege with racial privilege to dismiss its existence (Brooms & Brice, 2017).
- The concept of herd invisibility is also used to dismiss White privilege.
- Under colorblind ideology, White people may claim that POC are absolutely equal to them, thus negating any claimed benefits of being White (Phillips & Lowery, 2018).
- White privilege is then presented as neither beneficial nor unearned, so opposing White privilege is considered discriminatory and is ultimately dismissed.
- When White people strictly conform to their in-group standards, they may experience racial apathy, which perpetuates a defensive reaction when POC out-group activities are not inclusive or centered upon Whiteness (Cooley et al., 2019; Jayakumar & Adamian, 2017).
- These processes then further oppress minorities and enhance White supremacy (Phillips & Lowery, 2018).

Forensic Implications

- Forensic psychologists must include the evaluation of race and ethnicity in clinical and legal evaluations (Hicks, 2004). Though ethically required to maintain objectivity, psychologists may have an innate understanding of normalcy that is based upon Whiteness.
- This understanding is specifically notable in forensic psychology as POC may be assessed on their differentiation from the systemic, historical White standard by White professionals. Any differentiation may be unjustly and possibly implicitly attributed to racist assumptions and ideologies.
- The presented research may also be essential in considering the influence of White privilege on jury decision-making in criminal trials. While courts attempt to exclude racism and prejudice in jury trials, jurors may be influenced by internalized biases which are rooted in the historically structured White supremacy of modern America.
- Colorblind ideology, White fragility, and herd invisibility may also contribute to society’s reactions to wrongful deaths of POC by police.

