EXPERT BIAS:

EXPLORING BIAS AND THE BIAS BLIND SPOT AMONG EXPERT WITNESSES IN A SIMULATED CHILD ABUSE CASE

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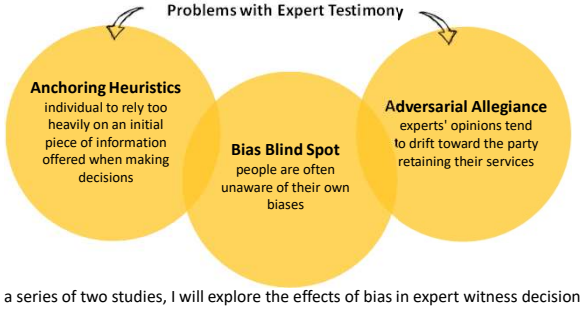
INTRODUCTION

Why do abused children end up in the custody of their abusers? Unfortunately, the answers are unclear. Child abuse and neglect cases often lack conclusive and corroborative evidence, leading judges and attorney to seek out professional opinions from expert witnesses.[1] Expert witnesses often to serve to credit or discredit allegations of abuse and neglect which inevitably has serious, life-long consequence for the child, making the role of expert witnesses particularly important.[1]



Through a series of two studies, I will explore the effects of bias in expert witness decision making in a child custodial context involving allegations of abuse, explore the size of the bias blind spot among experts in these cases, and explore the potential for blinding procedures to protect experts from biases. I will share my workflow and preregister my hypotheses on the Open Science Framework.

STUDY 1

Goal:

uncover people's assumptions about experts' biases and bias blindness.

Participants:

forensic social workers, forensic psychologists, and non-experts.

Methods:

Participants will complete a series of surveys to measure perceptions of their own and others' bias blind spots. Participants will complete the Bias Blindspot Questionnaire which assesses cognitive and social biases,[6,7] as well as a series of surveys assessing perceptions of expert's level of expertise, bias (ex: expert's motivation to be unbiased), and perceptions of blinding procedures (ex: the effect of blinding procedures on an expert's credibility).

Hypotheses:

In line with bias blind spot research,[6] I expect that forensic experts will see themselves as less biased than others in their field, less biased in their own area of expertise than in other areas, and that nonexperts will see experts as relatively free from bias.

STUDY 2

Goal:

Examine moderators of the expert bias blind spot and the consequences of this blind spot in willingness to use bias reduction techniques. We will examine several factors that have the potential to predict increased bias, factors that predict expert's denial of their biases, and potential moderators of experts' bias blind spot. We will use the Truth and Bias Model of Judgment to formalize and test our hypotheses.[8]

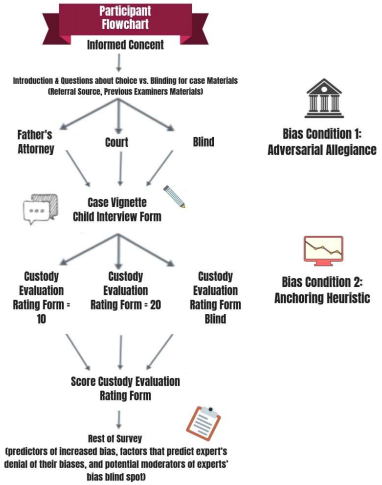
Participants:

Forensic social workers and forensic psychologists

Methods:

Participants will view a custody case involving allegations of child abuse and provide a second opinion. The case will depict a father fighting the state for custody of his 7-year-old child and will include unsubstantiated allegations of child sexual abuse against him. Participants will receive a completed Child Interview form[10] assessing the father's parenting abilities, purportedly filled out by the child with the initial custody evaluator.

Participants will then complete a Custody Evaluation Rating Form assessing parenting strengths and weaknesses, the child's needs, the parent-child fit, and risk of harm to the child. Participants will be randomly assigned to one adversarial allegiance and one anchoring bias condition. For adversarial allegiance, participants will be randomly assigned to either the father's attorney, the court, or they will be blinded to the hiring party. For anchoring bias, participants will be randomly assigned to either receive the previous examiner's completed Custody Evaluation Rating Form with favorable ratings for the father, the completed rating form with unfavorable ratings for the father, or they will be blinded to the previous examiner's ratings and opinion. All participants will be asked whether they would want to hear from the hiring party and whether they would want to see the previous evaluator's material.



T&B Model Term	Formal Notation	T&B Definition (West & Kenny, 2011)	Social Work Decision Task
Judgment	*J*	A rating or decision made by a human.	Participants' custody evaluations
Truth Value	*T*	The value on the truth criterion toward which a judgment is attracted.	Parent's actual fitness for custody operationally defined as average score ratings on the child custody evaluations in expert control condition
Truth Force	*t*	Extent to which judgments are attracted toward the truth value.	Strength of the effect of the parent's actual fitness for custody on participants' custody evaluations
Bias Variable	*B*	Attractor variables that lead to a particular value on the judgment scale.	Previous examiner's custody evaluations of the parent
Bias Force	*b*	Extent to which judgments are attracted toward the bias value.	Strength of the effect of the previous examiner's custody evaluation on participant's custody evaluation
Directional Bias	b_o	Extent to which judgments are attracted toward a particular end of the judgment scale.	Degree to which participants are biased to perceive the parent as more fit for custody than it is
Moderator Variables	*M*	A variable that influence the strength of the truth and the bias forces.	Participant's expertise (Years of experience; Self-rating of level of expertise) Perception of the degree to which knowledge protects them from bias Strength of motivation to be unbiased in each domain Confidence in ability to be unbiased domain Individual differences (Cognitive reflection, scientific reasoning, need for cognition) Perceived need for blinding procedures to reduce exposure to biasing information Perceived threat to each professions' credibility by the proposed blinding procedure
Moderator Force	*m*	Extent to which moderator variable affects directional bias.	The overall effect of participant's expertise on his/her ratings of the parent's fitness for custody

Equation 2
(Expanded to Include a Moderator)
$J = (b_o + mM) + (tT + tTM) + (bB + bBM) + E$

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(Expanded to Include a Moderator)
$J = (b_o + mM) + (tT + tTM) + (bB + bBM) + E$

Hypotheses:

I expect that forensic experts will underestimate the effectiveness of blinding procedures in reducing their own and other forensic experts' biases. I expect this will be mediated by overconfidence and the bias blind spot.

IMPLICATIONS

This study will be conducted in conjunction with a larger NSF funded study examining the bias blind spot among a forensic psychologists and friction ridge examiners. Our research will provide the foundation for developing a theoretical model which could explain how bias and blindness to bias affect expert decision making and behavior. This research has the potential to transform our limited understanding of the effectiveness of bias reduction techniques as well as contribute to general understanding of biases in a legal context – a context that has the potential to transform thousands of lives. Additionally, this research will lay the foundation for improving the use of expert testimony in child abuse case s facilitating child dependency court outcomes that best serve the needs of children.

Resources: **1**. Stern (1997) *Preparing and presenting expert testimony in child abuse litigation: A guide for expert witnesses and attorneys.* **2.** Murrie & Boccaccini (2015) *ARLSS.* **3**. Chapman & Bornstein (1996) *ACP.* **4**. Kukucka, Kassin, Zapf, & Dror (2017) *JARMC.* **5**. Stevenage & Bennett (2017) *FSI.* **6**. Pronin, Lin, & Ross (2002) *PSPB.* **7**.West, Meserve, & Stanovich (2012) *JPSP.* **8**.West & Kenny (2011) *PR.* **9**. Meyer, McWey, McKendrick, & Henderson, (2010) *CYSR.* **10**. Moran, J. A., & Weinstock (2011) *JCC.* **11**. Fuhrmann & Zibbel (2011) *Evaluation for child custody.*