

1.2 Scope of Chapter

This chapter is intended to provide a foundation for the discussion that follows, and addresses key concepts, such as: What is bias? What are its potential sources? What factors other than bias may contribute to racial disparities in the criminal justice system? What role does a defense lawyer have with regard to raising bias and these other factors during the course of representation? Many scholarly works examine the existence and causes of racial disparities in the criminal justice system, and some of these works are in conflict. This chapter is not intended to resolve those debates, but instead to distill major principles from the scholarly work and to provide a context, working vocabulary, and framework for considering issues of race in the criminal justice system.