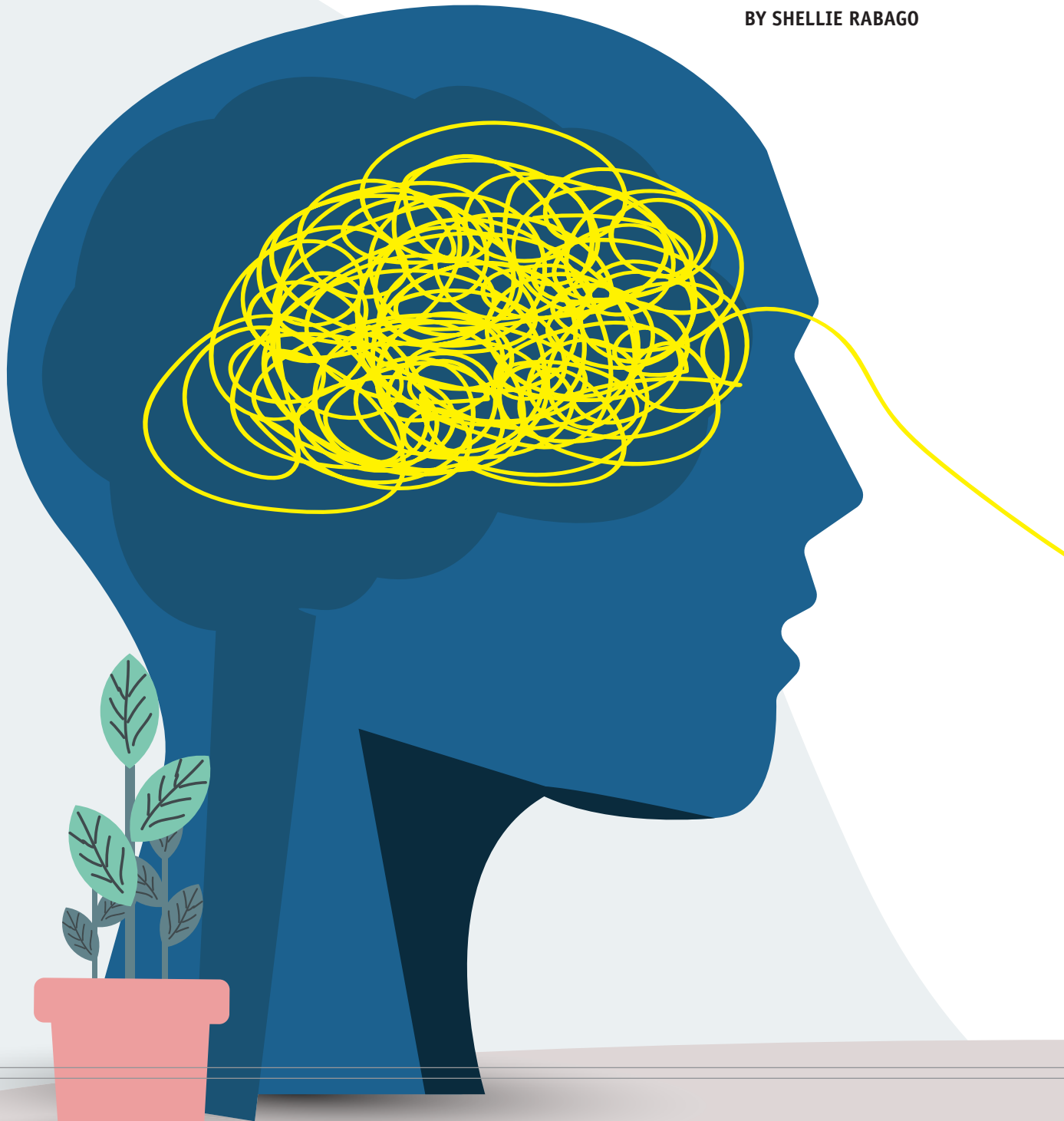


Navigating Unconscious Bias

The halo effect and hidden preconceptions

BY SHELLIE RABAGO



In an industry steeped in tradition, technical expertise and objective criteria, the International Right of Way Association (IRWA) and its professionals have long prided themselves in maintaining ethical and equitable standards. However, even within the right of way industry, unconscious biases can creep in, subtly influencing decisions, interactions and negotiations. Understanding these biases is essential for right of way professionals.

What is unconscious bias?

Unconscious bias, often referred to as implicit bias, embodies the unintentional development of negative social preconceptions directed toward specific groups and individuals. These prejudices can stem from a person's ethnicity, gender, age, socioeconomic status or even extend to the perceived worth of their property and its historical relevance. In the process of ROW acquisition, these biases can manifest from initial judgments about property owners and their motives to how agents may behave during a face-to-face meeting (Yacovelli, 2020).

Various forms of unconscious bias are frequently observed, such as the halo effect, affinity bias, perception bias and confirmation bias. According to an article in the journal *Frontiers in Psychology*, Gabrieli et al. notes that the halo effect, a phenomenon that has been studied for more than 100 years, refers to a cognitive bias that influences our perception of individuals or things based on a single positive trait or characteristic, leading us to make overall judgments that are disproportionately positive. The halo effect indicates the inclination to perceive all actions of an individual favorably due to how much a person is liked. Perception bias entails the formation of stereotypes regarding certain groups, which subsequently influences the perceptions of individuals within those groups. Lastly, confirmation bias pertains to the inclination to actively seek out information that aligns with pre-existing beliefs.



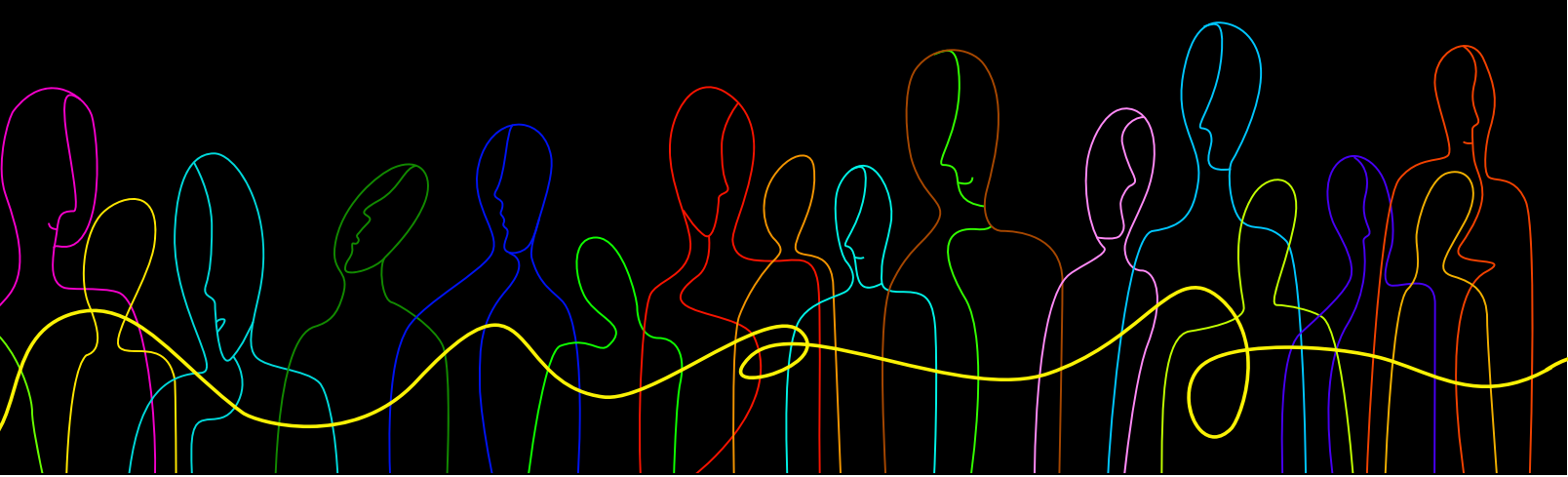
Psychological Aspects of Unconscious Bias

- 1. Cognitive Shortcuts:** The brain constantly receives a massive amount of information, and it uses shortcuts to process this data quickly. These shortcuts, known as heuristics, allow for effective function, but they also mean humans rely on patterns and stereotypes, which can lead to bias. (Ruhl, 2023).
- 2. Memory and Association:** Implicit biases are often rooted in memories. The brain forms connections between certain traits or characteristics and past experiences or knowledge. These associations can be positive or negative and might not necessarily be based on firsthand experience.
- 3. Social and Cultural Conditioning:** From a young age, people are exposed to societal norms, values and stereotypes. This exposure comes from various sources, including family, peers, the media and education. Over time, these repeated messages can become deeply ingrained, leading to unconscious beliefs about different groups of people. (Abrams et al, 2010).
- 4. Confirmation Bias:** Once an individual holds certain beliefs, they tend to seek out and focus on information that confirms these beliefs while ignoring or discounting conflicting information. This further reinforces biases (Ruhl, 2023).
- 5. Group Dynamics and In-Group Bias:** Humans have a natural tendency to categorize people into groups and show favoritism to their in-group (those they identify with) over out-groups (those they see as "other"). This is a protective mechanism rooted in our evolutionary history that can lead to bias in modern contexts. (Abrams et al, 2010).

The Halo Effect in Right of Way Negotiations

Imagine a scenario where a right of way agent and a landowner sit across the table, negotiating terms. Unbeknownst to both, shared characteristics, like a hometown connection or mutual hobby, cast an invisible veil over the proceedings.

As the negotiation unfolds, the halo effect quietly orchestrates its performance. The agent, subconsciously influenced by the perceived commonalities, might find themselves more empathetic, more open to compromise and even more adept at finding common ground. The landowner, on the receiving end of this unconscious bias, may unknowingly sense the favorable treatment but be unaware of the underlying reasons.



Yet the flip side reveals a stark reality. Landowners with less in common may find it difficult to establish common ground. As a result, the negotiation may be more challenging, concessions may be more difficult to get, and the whole experience may be less harmonious since neither party feels a strong connection.

It has become evident that there are unconscious tendencies within me — an inclination to extend special treatment to landowners with whom I share the halo effect. I've noticed that in these situations, I behave more favorably toward these landowners by giving them more of my time, being more patient with them and generally being more positive about the acquisition process.

The shared attributes, experiences, or backgrounds seemed to unconsciously create camaradery and a sense of familiarity that influenced my demeanor and responses.

Once I grasped the intricate threads of bias that had subtly woven their way into my professional interactions, I wondered what would happen if I approached all my negotiations the same way? By establishing common ground and nurturing a positive outlook on all my negotiations, the shared footing has set the stage for more constructive and harmonious discussions. Even in the face of challenging negotiations involving irate and antagonistic landowners, the principles of establishing common ground and nurturing a positive attitude hold immense value. Identifying even the smallest areas of commonality can help defuse hostility and open a channel for more productive dialogue. Since implementing this mindset, my percentage of signed deeds has soared.

Perception Bias in Right of Way Acquisition

Most of us have been in situations of face-to-face negotiations with landowners from different ethnic backgrounds. In the concealed undercurrents of these interactions, unspoken biases, steeped in the nuances of ethnicity, exert their silent yet undeniable influence. In such situations, a complex dual narrative comes to light. For landowners whose ethnicity differs from that of the agent, the journey can take on an added layer of complexity. Unseen biases rise like the unexpected barriers of culture and language.

Miscommunications become potential pitfalls, and the negotiation path seems to subtly tilt, introducing unexpected variations in the process.

In such scenarios, a right of way agent might understandably find themselves less patient and empathetic without even realizing it. Unknowingly, the gap of cultural difference between the landowner and the agent can cause subliminal undercurrents of unfamiliarity to breed discomfort on both sides. Communication might falter, misunderstandings might arise and responses might inadvertently become curt or rushed.

This bias also affects empathy. Empathy often thrives on shared experiences or cultural commonalities. When such connections are lacking due to their differences, the agent might unintentionally struggle to fully understand the landowner's concerns or needs. This can lead to a communication gap that hinders effective negotiation and understanding.

These effects can cascade into a less productive negotiation process. The landowner might sense or mistake the agent's frustration as impatience and lack of empathy, creating an environment of distrust or unease. Unconscious biases can continue to drive this cycle, resulting in less-than-ideal outcomes for both parties.

Cultural sensitivity training can play a pivotal role in equipping agents with tools to navigate cross-cultural interactions with patience and empathy, ensuring that negotiations remain constructive and that landowners receive fair and respectful treatment, regardless of their ethnic background.

According to an article in the Harvard Business review published October 2021, effective unconscious bias (UB) training equips individuals with practical instruments to modify their conduct, fostering a deeper comprehension of others' perspectives and enhancing their motivation to promote inclusivity.

Recently, the real estate industry has witnessed states, such as California and New York, mandating real estate professionals undergo implicit or unconscious bias training courses as part of their pre-licensing or continuing education requirements.

Tests for Unconscious Bias

The most renowned tool to measure implicit bias is the **Implicit Association Test (IAT)**, developed by researchers at the University of Washington, Yale University and Harvard University. The IAT measures the strength of a person's automatic association between mental representations of objects in memory.

- 1. Race IAT:** This version of the test assesses an individual's automatic preference for one racial group over another.
- 2. Gender-Career IAT:** This test explores associations between gender and career attributes, often revealing biases about men's and women's roles in professions.
- 3. Age IAT:** This test focuses on biases related to age, such as prejudices and stereotypes about older or younger people.
- 4. Weight IAT:** This test can reveal biases towards thin or overweight individuals.

Individuals interested in assessing their implicit biases can take the IAT online for free through Harvard University's Project Implicit at <https://implicit.harvard.edu/implicit/takeatest.html>.

"Biased: Uncovering the Hidden Prejudice That Shapes What We See, Think, and Do" is a recommended reading and a thought-provoking book authored by Jennifer L. Eberhardt, PhD. Deemed groundbreaking, Eberhardt delves into the intricate and often subconscious world of bias that influences our perceptions, thoughts, and actions. Drawing upon her expertise in psychology, Eberhardt sheds light on the implicit biases that impact our decision-making processes, interactions and societal structures. Through real-world examples, psychological research and personal anecdotes, the book challenges readers to confront their own biases and consider the far-reaching implications of these hidden prejudices.

Closing Thoughts

Unconscious bias, characterized by its multifaceted nature, exerts a pervasive influence across the spectrum of human experience, extending its presence even into the domain of right of way projects. In acknowledging the intricate psychology that underpins bias, right of way professionals gain a unique vantage point from which to navigate this complex terrain well. To effectively counteract the influence of biases, it's imperative to invest in comprehensive training programs that equip right of way professionals with the tools to manage their biases, modify their behavior and monitor their progress.

With conscious effort, we have the ability, with each negotiation, interaction and decision made, to create a new narrative of impartiality, empathy and equitable progress. By embarking on a journey of self-discovery and change, right of way professionals can contribute not only to the evolution of their industry, but to a broader societal shift towards a more just and inclusive future. By embracing ongoing education and training, right of way professionals can continuously refine their skills and deepen their understanding of bias and its impact. This commitment to personal growth not only benefits their own professional development but also enables them to better serve diverse communities and promote fairness in decision-making processes. Ultimately, by taking responsibility for their biases and actively working to overcome them, right of way professionals can play a vital role in fostering a more equitable society for all. 🌱

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Shellie lives in beautiful east Tennessee and enjoys experiencing all the seasons and the different wildlife that abounds her property. She has worked for Universal Field Services since 2014. When not working, she enjoys writing short articles and poetry — she is currently working on a compilation of her poetry for publication.