

### Skit for Implicit Bias lecture

Defendant is a male Hispanic teenager charged with Gang Assault in the 2<sup>nd</sup> Degree. He is alleged to have acted with 3 other male Hispanic teens to beat an African American teen who was leaving a deli in his neighborhood at 3:00 am.

§ 120.06 Gang assault in the second degree.

A person is guilty of gang assault in the second degree when, with intent to cause physical injury to another person and when aided by two or more other persons actually present, he causes serious physical injury to such person or to a third person

There was no evidence of affiliation with any actual gang

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Deliberations:

Male Juror 9: That kid has got to be an illegal. We should just ship them back to El Salvador

Female Juror 6: How do you know he's illegal? Or even from El Salvador?

Male Juror 9: Does it matter where they are from? They bring their kids to this country who commit crimes and then we need to pay for them when they're in jail.

Male Juror 7: When my family came here from Ireland we worked hard and didn't steal.

Female Juror 2: He's not charged with stealing. What does any of this have to do with the case?

Male Juror 7: Sorry honey I'm just trying to make a point about these types of people. Don't get emotional.

Female Juror 2: Emotional? Who is emotional because I'm trying to get you to focus on issues?

Male Juror 1: What do you mean these types of people? I'm a Haitian immigrant am I those types of people? I understand the frustration of these kids. I don't believe in committing violence but sometimes these kids just get no breaks.

Female juror 6: What about the kid who was injured – he looked a little sketchy to me

Male Juror 1: Why because he is African American?

Female Juror 6: I'm just saying he's coming out of a deli at 3:00 am – who goes to a deli at 3:00?

Male Juror 1: Maybe he works the night shift,

Male Juror 7: He probably doesn't even work. He's just hanging around.

Female juror 2: Can we please follow the Judge's instructions. I say the defendant is definitely a gang member did you see his tattoos?

Female Juror 6: Those weren't the instructions. We have to decide if he was acting with other kids to assault the victim not if he was part of an actual gang

Male Juror 9: Haven't you been reading Newsday lately – they are all part of gangs like MS13.