Machine bias

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- Software used across the country
- Used to predict criminals
- Biased against blacks
- scores= risk assessments
- Determines defendants freedom
- Inform decisions on who should be set free
- rating a defendants risk of future crime often done in conjunction with an evaluation of a defendants rehabilitation needs
- Justice department now recommends usage of this tool
- May undermine efforts to ensure individualized and equal justice
- May exacerbate untalented and unjust disparities that are already far too common
- Score proved unreliable in forecasting violent crimes
- Only 20% of the people predicted to commit a crime did
- When the full range of crimes are taken into account - algorithm was somewhat more accurate than a coin flip
- Racial disparities - algorithms made mistakes with black and white defendants at roughly the same rate
  - Likely to falsely flag black defendants as future criminals - more than twice the rate as white defendants
  - White defendants were mislabeled as low risk more often than black defendants
- Can this disparity be explained by defendants prior crimes or the type of crimes they were arrested for? No
- Even when you remove effects of race and age and gender - black defendants still were 77% more. Likely to be pegged as a higher risk of committing a future violent crime and 45% more likely to be predicted to commit a future crime of any kind
- 137 questions - race is not one of the questions
- The us locks up far more people than any other country - disproportionally black
- before, these decisions were guided by their instincts and personal bias
- Aiming to be more selective and fair
- Politically unacceptable to use race, nationality and skin color in predictions after 1970s
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- As states have struggled to pay for swelling prison and jail populations forecasting criminal risk has made a comeback
- Often the validity of the tools is tested by the same people who developed tee instrument
- Most modern risk tools were originally designed to provide judges with insight into the types of treatment that an individual might need - drug treatment, mental health counseling
    - It tells the judge is that if I put you on probation - Im going to need to give you a lot of service or you're probably going to fail
- Defendants rarely have an opportunity to challenge their assessments
    - Both parties should have the opportunity to investigate the data
- Proponents of risk scores argue they can be used to reduce rates of incarceration
- The score doesn't necessarily reveal whether A person is dangerous or if they should go to prison
- risk factors tell you more about what the probation conditions ought to be
- Quantitative taxonomy - measurement of personality traits such as intelligence, extroversion and introversion
- LSI - level of service inventory - leading risk assessment score - fair amount of weakness
- compas- assesses risk but also "criminogenic needs' that relate to the major theories of criminality
    - Criminal personality, social isolation, substance abuse, residence/stability
- Many places adopt software before testing if it works
- Difficult to construct a rating wont taking race age etc into consideration
- Should take into account prior criminal record, type of crime committed s ties to the community, history of sailing to appear at court proceedings