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AFJAGS Podcast: Episode 59

Unconscious Bias with Colonel Jerime Reid – Part 2

Host: Captain Charlton Hedden, USAF

Guest: Colonel Jerime Reid, USAF

Part 2 of the conversation with Colonel Jerime Reid on why disparities exist and how we can take action and move forward and address these biases.

Captain Charlton Hedden:

Hi. Welcome back to The Air Force Judge Advocate General's School Podcast. Today, we continue our conversation with Colonel Jerime Reid about racial disparity inside the military justice system. Thanks. We hope you enjoy it. Here's episode 59.

[Music: Band playing a section of the Air Force Song]

Racial Disparity & Unconscious Bias

Some of the other things that I did want to pick your brain on, I guess, on a more finite scale. Wanted to just kind of, in no particular order, talk to you about these things. And the first one is about the fact that these reports, that we mentioned at the top, about racial disparity in our military justice system in particular, kind of showed that the widest disparity tend to be minor

offenses where there's a lot of command discretion, like our failure to go and dereliction of duty kind of offenses where there's no prescribed punishment, and it's a lot up to the commander or even lower level supervisors to mete out the justice, the punishment in those.

I'd love to get your thoughts on that and, you know, maybe why you think it's a coincidence or not? Or whether, you know, whether it gives you pause or concerns you at all?

Colonel Jerime Reid:

It concerns me. I would be remiss if I say that didn't. As to the *whys*, I think it goes back to the conversation we just had about unconscious bias. I think bias drives that conversation, a lot. I can tell you from my experiences, things that I've been told—and I'll get to some of that—

also as being in this person, right? Of what my physical stature is and all those things. I'm not a little guy, I'm about six foot tall, weigh about 230 pounds. I used to be pretty muscular. Now I'm getting old and flabby. But, I have a booming voice, as I've been told. And somewhat intimidating, right?

Most people who know me know me, know I'm a big teddy bear, and I got jokes, right? But those who don't know me, just see the outward picture and frame, and it intimidates people. And I've been told they've been intimidated. I've been told that they were scared or scared for their life. And I'm like, really? So what am I going to do? [laughing]

I'm an officer in the United States Air Force. What am I going to do? I'm not going to attack you. I'm not, you know, but in those conversations, when you have it with people, people are telling you their biases, right?

Capt Hedden:

Yeah.

Col Reid:

And the thing is, so when you look at, on some of these, right? I've always said—you know—do we—so by the time an airman, because the demographic we really are talking about when we start talking about disparity and punishment are our junior airmen. We're talking, and correct me to 100 percent, but we are talking E-1 to roughly E-4, E-5. That's where we see most of the disparity and then it kind of smooths out and normalizes after that, right?

Capt Hedden:

Right. Right, or at least it tapers after that.

Col Reid:

It tapers. Right.

So—first of all, that's—most of the supervisors in that environment are junior themselves. Right? And we're

still disciplining them on how to be Air Force Airmen, if that makes sense. Because I made this analogy last time I was with you all in person, is the Air Force is like religion almost, right?

If you prescribe to the Christian faith, right, you make a public pledge that you're accepting that particular deity. But when you do that, the church and the congregation just doesn't say, "okay, you're finished—deal." Now, you go through discipleship, right? You come to service; you hear the word; you then understand more about the decision that you made and how you should carry yourself; and what it means to be a disciple of Christ and, all those things, right? So when you join the Air Force, it's similar. When you go to a recruiting office—you're making that walk to the altar. But there is a, there is a whole bunch of stuff from flash to bang to get you to be Airman Whoever at Base X past tech school.

Well, if you think about it, depending on the career field, we have a lot of young folks that are making staff sergeant. Senior airman—two years at a senior airman, three years senior airman, making staff sergeant four, five years of being in the Air Force.

So they're the front line supervisor and they're still in their discipleship, process, right? So, have they really gotten to the point where we've inculcated a culture of being a servant leader? They're sophisticated enough to make those, you know, ask those introspective questions of, "Why am I doing this?" And all those things. I would argue probably not, because we're talking about a 22-year-old, 23-year-old—sometimes a 21-year-old. So we're still talking about young people leading young people.

So my question always when we start—and we'll get to this and so I might jump ahead on you—is we talk about progressive discipline, right?

Capt Hedden:

Yes sir.

Col Reid:

And I always ask, "So where does the progressive discipline begin?" Did it start at counseling, mentoring? You know, you know, feedback, all those things? Or do we just start with LOC, LOR the first time they made a mistake?

So part of it is duality, right?

And so, if you just look at the numbers, the majority of the supervisors of African-American males will be a white male in the Air Force, just by demographics. I'm not saying anything earth-shattering or racist or anything along those lines. It is what it is.

And so then, when you have bias, and you are 22-years-old, your bias may reflect in how you deal with that individual—that you may have grown up in Iowa or somewhere in Montana and never been exposed to people of color or a person of African descent in America—so you may hold some biases. Look, I'm not saying that you're a bad human being or you need to be removed from the Air Force. What I'm saying is, okay, let's deal with that—*let's deal with that*.

But it shouldn't be at the cost of a career of another Airman. And by the time it gets to a commander, all of that—there's a lot of stuff that happens before it gets to a commander for that Article 15 and/or courts-martial and/or discharge—but where did the progressive discipline start? Did it start with all the front-end stuff, all the hard work, or is it the knee-jerk?

And I told this story in front of the class—you may have been at the last one—is I often ask my peers this when I was a squadron commander, when they would give an Airman another opportunity, right? And most of my peers, you know, only 5% of officers in the Air Force are black. That's just what it is.

So, the majority of my peers are white males. So I would ask them, I would say, "Hey, so in status of discipline" or at the status of discipline, "Hey, when you decided

to maybe not go as far as you could and discipline that Airman, what was in your mind?" And usually and this is a common response I get is, "Well, when that young man or lady was in front of my desk, I saw my son or daughter."

Then, my challenge question to that is "If that Airman looked like me, do you still see your son or daughter?"

Capt Hedden:

Hmm.

Col Reid:

And, if you don't, you may have some biases.

So even that, even when they say—so to me, that's a biased-bent response—"When I see that young Airman, I see my son or daughter"—that means there's something that they have a connection to, an affinity to. And, I would assume it's probably their appearance.

Capt Hedden:

Yeah, that's interesting.

Getting to the Whys

Col Reid:

So back to why I'm concerned is these are the deep questions and the things we really need to get after in these crucial conversations that we have, is what is your motivation and what sparks you to make the decisions that you make?

The other part of it is, is getting to the actual *whys*.

You know, I had to, I was mentoring, I was out on the road, I was at McConnell Air Force Base, *young*, you know, lieutenant, we were in a mentoring session—she was talking to my chief. And she was prior enlisted and she was now a second lieutenant—and she was going over how, you know, kind of just kind of gloating on how she was hard on airmen—and, I stepped in and I said, "I'm going to challenge you, young lady."

Being a leader doesn't mean being hard. Being a leader means being fair and just. Being a leader means building confidence when folks don't have confidence. Being a leader means giving people the tools and resources to be able to be successful in their professional and personal lives. Being a leader means being involved with them to the point that when they have issues in their life, you are aware of it and you are attacking the issues and challenges versus the who—the person.

That's why I talk about the whys.... Why is this Airman always late—do you know? Or you're just trying to correct the late behavior, not understanding the sub-layers and sub-text to why they're late.

Maybe they're a single mom—maybe they have two kids. Maybe one child has to be dropped off at the CDC and the other one has to be dropped off at school. Then at times, the line to drop kids off at school is pretty long, and by the time they get back to the office, or get to your office, they're 15 minutes late. And all the things in the Air Force, is some Marine going to lose a leg, is some soldier going to lose an arm, or lose their life because this airman was 15 minutes late? Now I get it. There's good order and discipline—but what's the why—do you know the why?

And, if you can't answer that question, to me, we're going to have a conversation about the discipline. Because a lot of times we, when things go wrong in organizations, leaders typically ask the wrong question. They ask *who*—instead of *why*?

And, if it's somebody that we *think* or have a predisposition to think that they are a poor performer, and we ask the who and we hear their names, we, we drown out everything else that was said. It's like Charlie Brown, womp, womp, womp, womp ... womp, womp.

Then, we're on a road to going after and punishing the *who* instead of asking the *why*. And then when we find out the why—it's too late.

Capt Hedden:

Yeah, that's a great point. I recall when I spent a couple of years as an area defense counsel having a number of cases where my clients were served disciplinary paperwork without ever having a conversation with the commander who had signed it. Just

Col Reid:

Right.

Capt Hedden:

They had been given a folder and it had everything they needed in it to make a decision. And they just stamped something and handed it, and had a first sergeant be the go-between. There was no opportunity for the why to even be considered really.

Col Reid:

Right.

Capt Hedden:

It sounds like you'd be an advocate of adjusting that leadership style a little bit.

Col Reid:

100%. That *is* my leadership style. I ask why?

"Why is this here?"

Capt Hedden: Yeah.

Col Reid:

Bring the supervisor in. Did we talk to the supervisor?

... What? ... Why? [laughing]

Because I think it's important. It's not just discipline. It's people's *lives*, that we're affecting.

Capt Hedden:

Yeah, that's interesting. I'm hearing a lot of parallels between this and a conversation I recently had with a,

actually with an Air Force clinical psychologist talking about some of the best treatment and preventative for depression, anxiety, even post-traumatic stress symptoms is actually that personal connection. You know, hopefully you have people around you who understand what's going on, who are asking you, and who you can talk to.

And sounds like there's a lot of parallels between good leadership when it comes to justice and discipline, and good leadership when it comes to even mental health issues within your organization.

Best and Brightest

Col Reid:

And as we started this conversation, remember, I started this conversation saying this is a leadership challenge. It's a leadership issue—it all intertwines.

We extrapolate and want to put—we want to label things based on what we perceive in the environment and in what we label people as.

And, you've heard me say this, the Air Force boasts the best and brightest of this country. It takes *a lot* to get this uniform on and wear it. And I've talked about this. You got to score high on the ASVAB if you want to join the Air Force. We're the most selective service when it comes to our enlisted corps. You got to be able to run a mile and a half under, if you're male, 13 minutes and for a lady, about 14 and a half minutes, at the age of 18 through 22 or 24. Not many Americans can do that. Not many Americans can take a drug test and pass it.

Not many Americans go, from the officer perspective, go to a top tier university and get a bachelor's degree, and then do all those other things. And on top of that, take an Air Force Officer Qualifying Test that's pretty stringent and tough to get through also. Those Airmen, those officers are coming from institutions all over this country, from Harvard. A third of those folks are coming from the Air Force Academy.

Every year, I look at *U.S. News and World Report*, and look at the top academic institutions in the United States, and the service academies are always in the top 15. All three of them. So a third of your competition as an officer are a top tier from an educational perspective.

And then you throw in all the folks that went to ROTC in Boston and Yale, Harvard—places like where I went to school, University of Texas, which boasts a pretty good academic reputation—and Texas A&M, Ohio State, and University of Southern California, UCLA, Oregon, all these places—Florida, University of Georgia, these are top tier universities in this nation and this is what makes up your officer corps.

It is hard to get in the United States Air Force. It is not easy.

So we're going to require you to do more. We're going to put more and more on your plate as leaders. Now our Airmen aren't, at least my going in, and my point there is—my going in position is our Airmen aren't dirtbags. They may be people experiencing challenges or may not be in the right fit for their life, but overall, they're not dirtbags, until they prove otherwise.

Capt Hedden:

Do you think that there is maybe a competing mindset among some leaders at all ranks and stripes that maybe they're going in position is more like, I think I'm in charge of a bunch of dirtbags and it's going to be my job to beat it out of them?

Col Reid:

I don't see it to that extreme, but I've heard leaders say this person doesn't belong in *my* Air Force.

Capt Hedden:

Yeah.

Col Reid:

Who made you, who made you Chief of Staff for the Air Force for the day? [laughing]

Capt Hedden:

Yeah.

Col Reid:

You know, **MY** Air Force? It's **OUR** Air Force.

So part of that conversation is what does the collective have to say? And I'm not saying, I'm not saying everybody is worthy of wearing a uniform once they've gone through basic and technical school. I'm not saying that. What I'm saying is I give them the benefit of the doubt on the first until they prove me otherwise.

But I believe that there are some that have a leadership bent, that believe that some or most of the folks that they lead have to be somehow—I guess, aggressively, assimilated into the Air Force.

Now I'm picking my words so I don't curse. [both laughing]

Capt Hedden:

We appreciate that. Yeah.

George Floyd

I mentioned early on that one of the catalysts for all of these conversations was those reports that came out.

Another one of the catalysts a little more recently was the murder of George Floyd last year. Wanted to talk to you about that. Kind of, from your perspective, what was some of the fallout from that, that you were privy to? How did the conversations go among command teams, command and legal teams, and other things you were a part of when that occurred and it started having ripples out through the nation?

Col Reid:

Well, I'll tell you, from the command team that I was a part of at the time there at Maxwell. We did a lot of listening, right? And it goes back to a couple of the themes we've already talked about; was what is actual bias? Then asking the question of our leaders, understanding what bias is. After we kind of work through that conversation; do you employ bias when you're making decisions and do you recognize it in yourself? And that goes back to that introspective piece of doing that soul searching, right?

So a lot of that came out of those conversations. But at the same time, I think some people at a point were fatigued of having the conversation. And, that's understandable, especially when it's uncomfortable, especially when it challenges you, and is intellectually something you have to wrap your head around and think about. And it's not easy.

So I saw some of that too. I saw some fatigue about a month or two later of the conversation, right? And why do we have to talk about this and why is it so important? I got better things to do than talk about this. I've heard some leaders that wear stars [generals] say that, and eagles [colonels].

But it's important to understand the people you lead, especially when, in society, and we're going to take it outside the Air Force bent, right? We talk about George Floyd and that thing. So being a black male, I have always been aware of the police. Not that I *fear* the police per se, but I understood that I had to carry myself in interactions with police officers differently than my friends that were Caucasian. We would say all the time, you can get away with stuff that I can't. I can't cuss a police officer. I can't get irate about this ticket. "Yes, sir. Yes, ma'am. Thank you. Have a nice day." Don't make any sudden moves. I've taught my sons to put their registration above the visor.

You know why I do that?

Capt Hedden:

Yeah, so they don't have to be reaching into any compartments.

Col Reid:

Down, dark, anything. Their hands can be seen at all times.

I do the same thing.

And, I am a colonel in the United States Air Force. I have had interactions with police where they knew I was an officer in the United States Air Force. And they told me, "Son, that don't mean squat here." Now I'm cleaning up the language.

To be a grown man and call a son, or boy—you've deployed and fought in Iraq and Prince Sultan Air Base and Manas and Iraq again. For some, I'm still a boy.

So the conversation is necessary because we live in an America where our Airmen, when they go out of the gate, are confronted with that. We have a lot of bases in the Air Force that are in communities where that behavior occurs. So, just from a force protection perspective, we have to be aware as leaders.

So to me, that was the conversation: the listening; what is bias? But outside of what we do inside of the Air Force, you still have Airmen that live in America and live in societies where that behavior still occurs. And we have to do our best to protect them.

But is it incumbent on the *Airman* of color or from another nationality or creed or religion?

We often put it on the Airman: "Well, you had no business being there" or, "You know they don't like you there, so why were you there?"

Well, we have to do a better job of engaging with communities also in which our bases and installations are, and make sure that our Airmen are safe and also looked upon. Because when they're out of uniform, they're out of uniform, but they're still our Airmen. So there needs to be a categorical change across the entire community, not just our Airmen, in order to ensure their safety and that they're not engaged in such a way.

So that's what leaders like me do. And we engage with city councils and we engage with mayors, and we engage with the communities in which our installations are. Can we change the mentality of the folks that are at the, you know, just at the at the level of residents and in neighborhoods? Probably not. But we got to do our best.

Capt Hedden:

Yeah, there's a lot of important work left to do. It's kind of crazy to think about the things that people live through, people live with, and the realities that exist still. And we're not talking about Jim Crow South in the 40s and 50s.

Col Reid:

No. That's what I meant early in the beginning of this conversation, is we still have a lot of work to do.

JAGs

Capt Hedden:

I got a few kind of very JAG focused questions for you. Starting with, you've had the opportunity now at different levels of leadership to work with several members of my esteemed career field. And I would love to know when it comes to this kind of issues. I know we're working hand-in-hand a lot on this stuff in the last couple of years, but what are some of the things, the education and communication efforts between JAGs and commanders that you've seen done well? The second part of that is what do you see are barriers to that working better?

Col Reid:

So it starts with the principal, right? Whoever that leader is, that the judge advocate is advising, they have to open the door for open, honest conversation that is not punitive—and I think that rolls right into the second part of it is, is the barriers, right?

So, but I want to go back and make sure I unpack the leader piece. Leaders have to be comfortable with hearing perspectives that are not aligning with their initial posture or attitude about something, right? And be open to those conversations and at the same time open to pragmatism.

I think you get the best out of your judge advocates when you can kind of get in a room and behind closed doors kind of debate it out sometimes and understand, because I'm just a leader that I'd like a good healthy debate. I like a good passionate discussion. I think I get the best out of people that way. I get all the ideas on the table, but you have to empower people to do that. So that's the leader part of it.

The barrier is just that, right? JAGs often are working for a principal that is in their direct chain of command and can affect their career, if they don't line up with the commander's attitude and or prescribed thoughts about whatever it may be. Does that make sense?

Capt Hedden:

Yeah.

Col Reid:

I almost think the JAG Corps should have a separate rating chain of command just as OSI does. [Air Force Office of Special Investigations] I have often thought about that.

Capt Hedden:

Yeah, because we have employed that in a couple of areas, notably area defense counsel and special victim's counsel. We intentionally separate those chains of command. But you're right, most SJAs are advising the

person who is, who can impact their career possibly the most.

Col Reid:

So that limits your advice, right, on a lot of scales. It limits your advice, because you don't want to go, when you think the boss is 100% off course, you don't say that, you say, "Hey, sir or ma'am, have you thought about this or this or this." That didn't really get at the point that you think that they from a legal perspective are 180 degrees pointed in the wrong direction—and, you're the legal expert. Now commanders assume risk, you advise on risk; totally understandable. But JAs who have the ability to tell it like it is, at least from their perspective, I think are more effective. And, that either happens organically through empowerment from the principal or through the system by having a separate chain of command.

Final Thoughts

Capt Hedden:

Yeah that's a cool thought I hadn't spent much time pondering.

Well, sir, we've reached about the end of the prepared questions I had and with some more thrown in there as the conversation dictated. But love to give you a chance to address or discuss anything that I didn't think to include or ask about.

Col Reid:

No, but if you like for me to put a bow on it, I'll put a bow on it. [laughing]

Capt Hedden:

Yeah, please do. Bring us home, sir.

Col Reid:

All right. So, I'm going to end where I started. Although when we look at disparity and we look at those numbers and who keeps the data, it's in the Judge Advocate's lane. However, this is leader work; this is commander's work. And so your part of it is to inform and assist commanders make the right decisions as we go through and we look

at justice, disparity in that justice in the military justice system, and also how are we punishing Airmen, and what are we punishing the Airmen for?

And also keep an open mind when it comes to these discussions about bias and the things that come along with it. We *all* carry unconscious bias. None of us are inoculated from that. We all carry some sort of unconscious bias. The key is to do the self-reflection, the introspection, to look inside and say:

What are my biases, and how do I check them and ensure that I stay objective as a leader and also be inclusive to those individuals who may not have the same things in common with you: the same affinities, the same likes, the same hobbies, but are phenomenal Airmen coming to work every day, doing their best and leading the charge?

You got to assess them based on their performance, not how you feel for them on a personal level as a friend or someone that you have a relationship with in that way. You have to look at the performance and look at it objectively, and there are some barriers you have to get through from a cognitive perspective on how do I get after that and how does that make me a better leader? And if you do that and you challenge yourself, I guarantee you, you will be a better leader in that endeavor.

And so, that's what I'll leave you with. Continue to strive to be the best technical expert you can, but your core competency in the Air Force, number one is leadership, leading Airmen and their families and ensuring their success, and ensuring the Air Force's success through those avenues.

I want to thank you all for the opportunity. It has been a phenomenal talk. Actually said some things that I had some notes written down and we kind of got off script. Great questions. And I just appreciate you guys so

much for giving me the opportunity. I'm always honored when you ask me to have these talks and hopefully I'm making some headway and moving the needle in some of you, some of you all's lives. I'm not going to touch everybody. I'm not going to affect everybody. I know that. But hopefully I may change some of you and help you see better ways of going about things and being more effective and efficient as leaders in the United States Air Force.

Captain Hedden, thank you so much for the opportunity. It's been phenomenal.

Capt Hedden:

Sir, the pleasure and the honor has been all ours. We've enjoyed this immensely ourselves. Thank you so much for taking the time. And more importantly, thank you for jumping out into this cause with both feet and really just doing what you can to lead this Air Force in a better direction. So thanks. Thanks for that. Thanks for your wisdom and input and you being willing to help bring us along.

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[Music: Band playing ending of the Air Force Song]

Websites

- [AFJAGS Podcast](#)
- [Air Force Diversity & Inclusion](#)
- [Civil Rights Trail](#)

Glossary

- **AFJAGS:** Air Force Judge Advocate General's School
- **ASVAB:** Armed Services Vocational Aptitude Battery
- **CDC:** Child Development Center
- **JA:** Judge Advocate
- **JAG:** judge advocate general
- **LOC:** Letter of Counseling
- **LOR:** Letter of Reprimand
- **OSI:** Office of Special Investigations
- **ROTC:** Reserve Officer Training Corps
- **SJA:** Staff Judge Advocate

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