

14-101B. Implicit bias instruction.¹

As jurors, you are charged with considering the evidence impartially and without bias. Throughout the trial, you and your fellow jurors must strive to be impartial and unbiased in considering the evidence and in reaching a verdict.

This is not an easy task because as humans, we all have biases. Biases may be based on assumptions or feelings we have about people of a particular type, class, or background and can affect what we think about other people, how we view information we receive from them, how we remember that information, and how we develop opinions and make decisions. We may not always be aware that these biases exist, which is why we call them “implicit” or “unconscious” biases.

For this reason, as you participate in this trial, I encourage you to consider these guidelines:

1. Avoid forming a fixed view of a party, a witness, or the evidence based on your initial impressions without carefully examining the basis for that view.
2. Ask yourself whether you would have a different view of a party, or would find a witness to be more or less believable, if they had certain characteristics, for example, if they were richer or poorer, more or less educated, did not have a particular disability, or were of a different race, nationality, gender, gender identity, sexual orientation, or religion [or _____ (*insert other form of bias*)]².
3. Take the time you need to reflect carefully and consciously about the evidence, and keep these considerations in mind.
4. Focus on individual facts. Do not jump to conclusions that may be influenced by unintended stereotypes or associations.

USE NOTES

1. The Committee recommends that this instruction be given after opening statements and before UJI 14-102 NMRA. This will ensure that jurors keep the information in the instruction in mind as they hear and consider the evidence in the case. The Committee has also added language to UJI 14-6006 NMRA and UJI 14-6008 NMRA to remind the jurors of their obligation before deliberations.

2. If the parties agree, they can use this alternative to name a particular bias of concern or issue in the case.

[Adopted by Supreme Court Order No. S-1-RCR-2023-00041, effective for all cases pending or filed on or after December 31, 2025.]