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0521616913 - Race and Policing in America: Conflict and Reform

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## CHAPTER ONE

## Police-Minority Relations in America

Americans are ambivalent about the police. We are fascinated by them, as evident in the popularity and proliferation of police shows on television – from dramas such as *NYPD Blue* and *Law and Order* to reality programs such as *COPS*. These shows typically present the police in a sympathetic light, even when they act aggressively or improperly against citizens. Programs such as *COPS* appear to present the “reality” of everyday patrolling, but with a camera crew present the featured officers are obviously on their best behavior.

On the negative side, Americans’ opinions of the police are periodically shaken by revelations in the media of serious incidents of police misconduct (such as brutality) or more entrenched and ongoing problems (such as corruption). Most people were appalled at the gratuitous beating of Rodney King in Los Angeles, as reflected in the massive drop in public approval of the Los Angeles Police Department (LAPD) in the wake of the beating. Just two weeks after the beating, black and Hispanic confidence in the LAPD fell a whopping 50 percentage points – from 80 to 31 percent among Hispanics and from 64 to 14 percent among blacks – according to a *Los Angeles Times* poll on March 20, 1991. Approval among whites also fell, but less dramatically (from 74 to 41 percent). The killing of Amadou Diallo in February 1999 – after New York City cops fired 41 bullets at him – created a furor in the city, with daily protests outside police headquarters. Corruption scandals take place with some frequency. In 1999, for instance, the Rampart Division of the LAPD was engulfed in a major crisis. Rampart officers were accused of a litany of abuses – including falsifying police reports, stealing drugs from suspects, framing people, lying in court testimony,

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and shooting unarmed suspects without cause. More than 200 lawsuits and claims were filed against the city by people who claimed that they were victimized by officers, over 100 tainted criminal convictions have been overturned, and eight officers were convicted of corruption-related crimes. Of the 214 lawsuits, 179 resulted in settlements totaling \$70 million (Glover and Lait 2005).

When asked in opinion polls about their general impressions of the police, most Americans appear to hold favorable views. The majority say they are “satisfied” with, have “confidence” in, or “trust” the police. For instance, when asked in 1997 about the level of trust people have in their local police department, 46 percent said they trusted the department “a lot,” 32 percent said “some,” 12 percent “only a little,” and 8 percent “not at all” (Pew 1997). Although the meaning of such general attitudes is not entirely clear, they do seem to reflect basic approval or even the legitimacy of the police as an institution.

These general, overarching attitudes tell only part of the story, however. When studying citizen views of the police, it is equally important to examine perceptions about specific issues and police practices. Studies that do so consistently find that people harbor some fairly critical views of the police, and this is especially true for minority group members. For example, when asked about the scope of police “racism against blacks,” 4 out of 10 blacks said it was very common and another 30 percent believed it was fairly common (Gallup 1995). Moreover, a fair number of blacks and Hispanics report that they have been the victims of some kind of mistreatment by a police officer, whether it is verbal abuse, excessive force, or an improper stop.

Negative perceptions and adverse personal experiences with police officers can alienate citizens from the police. Such poor relations may contribute to altercations on the street, lower officer morale, make citizens reluctant to report crimes and come forward as witnesses, increase the danger of police work, and hamper recruitment of new officers. Distrust of the police also can increase anxiety among citizens. A recent poll, for example, reveals that a substantial number of blacks and Hispanics were “sometimes afraid that the police will stop and arrest you when you are completely innocent”: 4 out of 10 Hispanics and blacks but only one-sixth of whites expressed such fear (Harris 2002).

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No one doubts that there is room for improvement in the ways police officers relate to citizens, but because citizens have rarely been questioned about specific kinds of reforms, we know little about which changes are most strongly supported. Still, it is likely that a fairly large segment of the American public would support changes in the way the police operate. In addition to examining several serious problems with police treatment of citizens, and particularly minority citizens, this book also examines the prospects for reforms that might improve police-citizen relations.

Before turning to the issue of how Americans view and experience the police, we briefly describe some aspects of police work that illuminate how officers perceive the public.

### THE NATURE OF POLICE WORK

Key features of police work shape how officers perceive and treat citizens. Included here are the low visibility of police work, officers' immense discretionary authority, the problems they face on a daily basis, and the values and beliefs ingrained in the police subculture. The *low visibility* of police work means that the behavior of patrol officers is largely hidden from the public (most officers work alone) and is not systematically monitored by supervisors (Goldstein 1960). This autonomy affords cops great *discretion* in deciding how to handle problems, improvise solutions, and enforce the law. Police are asked to "maintain order," but this fairly vague mandate is open to interpretation and discretionary action. Regarding law enforcement, it is simply impossible for officers to enforce the law in all cases that come to their attention. One study found that police made arrests on only about half of the occasions in which they had legal grounds to do so (Black 1971). Selective enforcement is the norm, particularly with respect to minor offenses (Goldstein 1963). This is just one area that lends itself to friction between officers and the public. Some citizens press officers not to enforce the law against them and become angry when their appeal is ignored, whereas others (e.g., victims and other complainants) become incensed when an officer decides not to take action against an offender.

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Police work has been called “dirty work.” Officers routinely confront *problem citizens*, who are difficult to handle – including victims who are emotional or traumatized, suspects who are unruly or violent, bystanders who attempt to interfere with police actions, and motorists who behave in an uncivil manner toward an officer. Some citizens construe police intervention as harassment or as an infringement of rights, prompting a belligerent response from the recipient. Other citizens interpret officers’ curt and authoritarian demeanor, which is standard practice among officers, as a personal affront or as racial animus (Sykes and Clark 1975). Police claim that they have good reasons for being brusque and withholding information from citizens. For example, an officer typically is “reluctant to reveal his reasons for stopping people because he sees his cues as private knowledge which, if it were generally known, would aid criminals and make his work even harder than it is” (Rubenstein 1973:264). Such unresponsiveness is unsettling to many citizens.

For their part, police frequently complain that citizens not only fail to understand police work, but also do not respect them or defer to their authority (Baker 1985). In Chicago, for instance, half the officers surveyed in one study believed that most people do not respect the police, and two-thirds felt that citizens do not understand the problems police face (Skogan and Hartnett 1997:79). This, in turn, may influence how officers treat citizens. In a recent Police Foundation survey of 121 police departments across the country, half of the officers interviewed stated that police are likely to arrest someone simply because he or she displays a “bad attitude” toward an officer (Weisburd and Greenspan 2000).

Because street cops deal mostly with problem citizens, not the general population, they develop an “us versus them” orientation toward the public. This adversarial outlook is one ingredient in the *police subculture* – a distinct set of values and beliefs that shape officer behavior. A related part of that subculture is the very mission of the police institution: Officers hold a lofty sense of their mission, seeing themselves as a “thin blue line” between order and chaos (Skolnick and Fyfe 1993:92–93). This high calling, coupled with officers’ social distance from the public, combine to insulate the police and reinforce a third aspect of their subculture: group loyalty and a protective “code

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of silence” that shields cops from scrutiny. As one officer remarked, “It is basically a non-written rule that you do not roll over – tell on – your partner” (Christopher Commission 1991:169). Doing so will lead to ostracism. The Police Foundation survey found that fully two-thirds of cops agreed with the statement: “An officer who reports another officer’s misconduct is likely to be given the cold shoulder by his or her fellow officers” (Weisburd and Greenspan 2000).

The police subculture influences how officers treat citizens. On the job, officers learn to trust only fellow officers and to distrust members of the public, to deal forcefully with people who question their actions, to skirt at least some legal restrictions on their behavior, and to administer summary “street justice” to suspicious or troublesome people (Baker 1985; Skolnick and Fyfe 1993). These practices depend in part on fellow officers’ tacit support and silence and are made possible by the low visibility and high discretion characterizing police work. In short, *the aspects of police work described here have the net effect of driving a wedge between police officers and many of the citizens they encounter*. If officers regard citizens as antagonists, the insular police subculture only reinforces this us-versus-them mentality. Some see all citizens in this light, whereas others believe that minority group members are cops’ main adversaries.<sup>1</sup>

## RACE, POLICING, AND PUBLIC OPINION

Despite decades of research, much remains to be known about police-citizen relations. We do know that race plays a major role in shaping citizens’ attitudes and experiences with the police in the United States and other multiracial societies. Whites and blacks tend to perceive the criminal justice system in America in strikingly different terms. Indeed, race is one of the strongest predictors of attitudes toward the courts and police. Blacks are more inclined than whites to believe that the police abuse citizens, treat minorities more harshly than whites, and are not held accountable for misconduct. At the same time, large numbers of

<sup>1</sup> Of course, not all officers are equally influenced by the police subculture. Officers differ, at least to some extent, in the degree to which subcultural values are internalized. Our brief discussion of the subculture outlines its general features, without assuming that it is universally salient.

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blacks, particularly those living in communities with high crime rates, believe their neighborhoods receive inadequate law enforcement and demand an intensification of police protection and services. Whites are, on the whole, much more satisfied with the police than other groups. Little is known about Hispanics' and Asians' relations with the police.

Most studies that highlight the importance of race and ethnicity in shaping police-citizen relations fail to analyze different groups separately. Analyses of pooled samples may mask important race-specific determinants of perceptions. Thus, we know that race matters, but much less is known about the *factors that shape each racial group's outlook* on the police. It is possible, for example, that some factors influence whites, blacks, and Hispanics equally, whereas others are salient for one or two groups only. Minorities seem to have more contentious face-to-face encounters with the police than is true for whites, and minority neighborhoods tend to have more serious crime problems than white neighborhoods – both of which may be important predictors of relations with the police for blacks and Hispanics but less so for whites. Our comparative examination of the three groups will help address an important question in the literature on police-minority relations – the relative orientations, and perhaps distinctive concerns, of Hispanics, blacks, and whites.

The lack of information on Hispanics is particularly acute in light of their growing presence in many American cities, and they make up the majority in some cities. Some of the literature is overly anecdotal and makes unsubstantiated assertions (Mirande 1987; Escobar 1999). In other work, the number of Hispanics studied is often too small for statistical analysis, while some polls are limited by focusing on Hispanics alone (Mirande 1981; Carter 1985), by comparing them only to whites (Holmes 1998), or by lumping Hispanics and blacks together into a “nonwhite” category. Few studies systematically compare blacks, whites, and Hispanics (e.g., Webb and Marshall 1995; Tuch and Weitzer 1997; Reitzel, Rice, and Piquero 2004), and this literature is too sparse to draw definitive conclusions.

Anecdotal evidence suggests that Hispanics, and particularly immigrants, may face some unique obstacles when interacting with the police: namely, language and cultural barriers, fear of deportation among illegal immigrants, and an ingrained suspicion of police

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imported from immigrants' home countries, where police are often thoroughly corrupt or a paramilitary arm of an oppressive regime. But, again, scholars have not explored the degree to which Hispanics hold distinctive perceptions, experiences, or concerns that set them apart from other groups. If Hispanics and blacks differ in their opinions and experiences, this finding would run counter to the commonly held assumption that minorities are treated similarly by the police and that they are monolithic in their evaluations of police. There are four possible patterns:

- The conventional wisdom holds that Hispanics and blacks share a "minority-group perspective" toward the police that is distinct from a white "majority-group perspective";
- Hispanics might be closer in their perceptions to whites than to blacks;
- Hispanics may take an intermediate or a unique position – so that group perceptions are organized in a white–Hispanic–African American "racial hierarchy"; or
- the Hispanic-black pattern may be issue-specific: On some issues most Hispanics and blacks may be in agreement, whereas on other issues, most members of the two groups may disagree.<sup>2</sup>

## THEORETICAL ISSUES

We do not fully understand *why* racial differences exist in citizen perceptions and experiences of the police. What accounts for these differences? The conventional wisdom holds that members of each group are treated differently by the police and, consequently, view police differently. But this may be only part of the explanation and, by itself, is atheoretical. Unfortunately, most of the research on police-minority relations is not grounded within any theoretical perspective. The following section addresses this issue.

<sup>2</sup> Even less is known about variations *within* the Hispanic population along the lines of national origin. Do Puerto Ricans, Cubans, Mexicans, and other Hispanic subgroups differ in their relations with the police? Virtually no studies address this question. Although the primary focus of the book is a comparison of whites, blacks, and Hispanics, intra-Hispanic patterns are also examined. However, this part of our analysis is limited by the low sample size of some of the Hispanic nationality groups.

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[More information](#)**The Group-Position Thesis: Interests and Threats**

Our analysis is informed by the *group-position thesis* and the related power-threat thesis in the fields of race relations and criminology. Both theses are derived from conflict theory. The group-position thesis depicts racial attitudes not simply as free-floating positive feelings, stereotypes, or animus but, instead, as a reflection of intergroup competition and conflict over material rewards, power, and status in a multiracial society. In the group-position model, prejudice is rooted in a collective “sense of group position,” and *group interests* are the driving force underlying contentious intergroup relations and racial attitudes. Thus, “racial feelings point to and depend on a positional arrangement of racial groups,” Blumer (1958:4) argued. The interests of the dominant group include proprietary claims to scarce resources, challenges to which may be viewed as a threat to the prevailing racial order. Dominant group attitudes toward other racial groups are therefore positional: shaped by a sense of superiority over minority groups and a need to defend the dominant group against threats to its interests. The subordinate group, on the other hand, is motivated by a sense of unfair and exclusionary treatment at the hands of the dominant group, and by an interest in securing a greater share of advantages. Indeed, the greater the sense of oppression felt by minority group members, the more likely they are to favor change in the racial status quo (Bobo 1999). Most African Americans, for example, approve of programs that might improve their access to higher education and jobs (Sigelman and Welch 1991).

In a nutshell, racial attitudes reflect not merely individuals’ feelings and beliefs but also relations between groups: (1) *perceived threats*: white fears that their racial group is at risk of losing privileges or resources to competing racial groups and (2) *perceived advantages*: minority beliefs that their group interests will be enhanced by challenging the prevailing racial order (Blumer 1958; Quillian 1995; Bobo and Hutchings 1996; Kinder and Sanders 1996; Bobo 1999).

The group-position thesis has been used to explain a particular group’s attitudes toward other groups; we extend it to include *groups’ relations with social institutions*. If the dominant group believes that it is entitled to valuable resources, it follows that the group should have an affinity with the institutions that serve their interests. One

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such institution is the criminal justice system. Coercive crime-control practices may, in the aggregate, benefit the dominant group. More specifically, the “power-threat” thesis (Blalock 1967) holds that the amount of control exercised by the authorities is related to the real or perceived threat posed by minority groups to dominant groups. The growth of Hispanic populations in some cities may be seen as a threat by the dominant group, requiring increased control (Kane 2002), but most power-threat research focuses on African Americans. Cities with higher percentages of black residents, for instance, devote greater resources to law enforcement (i.e., expenditures, number of officers), arguably because blacks represent a perceived threat to order, and to perceived white interests, in such places (Jacobs 1979; Jackson 1989). Similarly, arrest rates are higher in cities with larger black populations and lower levels of racial residential segregation, independent of the city’s crime rate (Liska, Chamlin, and Reed 1985). High numbers of blacks coupled with low segregation, it is argued, present “threats” to the dominant group, which increases pressure on the police to intensify crime control. A smaller black population or greater residential segregation helps to insulate whites from black crime. In addition to greater police resources and higher arrest rates, police killings of civilians also appear to support the power-threat thesis. Such killings increase as the proportion of minority residents in a city increases, which may reflect perceived threats both to whites and to police officers themselves (Liska and Yu 1992; Jacobs and O’Brien 1998).

The power-threat formulation directs attention away from individuals’ attributes and behavior and highlights the ways in which group interests structure both police practices as well as citizen perceptions of the criminal justice system. In other words, policing is not simply a response to individuals or to isolated crimes (the instrumentalist version of conflict theory) but is also responsive in a more subtle and diffuse way to a city’s racial order and the interests of dominant groups (the structuralist version of conflict theory). The latter is closely related to the broader structuralist analysis of the state, whose institutions are theorized as “relatively autonomous” of particular elites or elite factions and instead organized to defend the common, shared interests of dominant classes and racial groups (Poulantzas 1973).

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Minority-group threat and the interests of racial groups help explain both the actual practices of criminal justice institutions and, we argue, group perceptions of those institutions. With regard to dominant groups, our perspective helps to clarify why their support for the police is typically so strong. There is abundant evidence that dominant racial groups see the police as allies in the fight against crime. This is especially apparent in deeply divided societies, such as Northern Ireland and South Africa, where the police are or were actively and consciously involved in defending a sectarian sociopolitical system and where the dominant racial or ethnic group traditionally views the police as an instrument for suppressing subordinate groups (Enloe 1980; Weitzer 1985, 1990, 1995). This mutual affinity between the police and dominant groups is less pronounced in more democratic and less polarized multiracial societies; yet, we argue that even in these societies, the general group-position dynamic is important in structuring group relations with the police.

In the United States, white support for the police has traditionally been strong and widespread. At the same time, whites tend to associate minority groups with crime and violence (Swigert and Farrell 1976; Hurwitz and Peffley 1997). In the 2000 General Social Survey, for instance, nearly half of whites expressed the view that blacks are “violence-prone.” Regarding crime, a national poll reported that blacks were viewed as “more likely to commit crimes” than others in American society by 37 percent of both whites and blacks, whereas whites were seen as more likely to commit crimes by only 5 percent of whites and 12 percent of blacks (Gallup 1993).

It is true that African Americans are disproportionately involved in violent crime, according to both victimization surveys (where victims identify the offender’s race) and self-report surveys (which ask respondents about their own involvement in crime) (Sampson and Lauritsen 1997). This does not mean that blacks are “crime-prone,” but it does mean that they are overrepresented as violent offenders and that their neighborhoods experience more serious crime than other neighborhoods (Liska and Bellair 1995; Logan and Stults 1999). At the same time, many citizens exaggerate the extent of blacks’ involvement in crime. The resulting “racial typification of crime” is a generalization that colors popular thinking and discourse and leads