



E-ISSN 2332-886X

Available online at

<https://scholasticahq.com/criminology-criminal-justice-law-society/>

Of Course the Cops Are Racist:
Procedural Justice, the Perception of Racial Profiling,
and Citizen Satisfaction with Law Enforcement

Jason Lee

University of Wisconsin – Oshkosh

ABSTRACT AND ARTICLE INFORMATION

Racial profiling is typically treated in the academic literature as just one more null hypothesis to be tested. An area that has potentially greater impact, and that has been relatively neglected in the literature, is the perception among citizens that individual police officers engage in racial profiling. Using two waves of statewide survey data from 2003 and 2007, the current study examines the impact that the perception of racial profiling and attributions of procedural fairness and justice have upon citizen satisfaction with individual police officers. Binary logistic regression analysis revealed that the perception of racial profiling and broad attributions of procedural justice had a significant impact upon citizen perceptions of individual law enforcement officers, while more traditional indicators such as race, gender, and educational attainment failed to achieve statistical significance.

Article History:

Received 05 September 2014

Received in revised form 05 May 2016

Accepted 18 July 2016

Keywords:

racial profiling, police-citizen interactions, procedural justice, legitimacy, police officers, perceptions

The current study examines the impact that racial profiling has upon citizen satisfaction with individual law enforcement officers. Scholars tend to treat racial profiling in a relatively straightforward and legalistic manner. Legal scholars are inclined to debate whether or not the use of demographic indicators such as race should be permitted for certain purposes or be forbidden entirely (Harris, 1999; Kadish, 1997; Knowles & Persico, 2001; Meeks, 2000; Thompson, 1999). In contrast, criminologists tend to focus on whether or not racial profiling occurs in a particular police agency and if criminal profiling ultimately leads to racially biased policing. Indeed, in most cases racial profiling becomes little more than another research null hypothesis to be tested with pertinent data (Fridell, Lunney, Diamond, & Kubu, 2001; Lamberth, 1998; Rudovsky, 2001). While these are certainly worthy subjects of inquiry, fewer studies have examined a potentially more prevalent and far-reaching aspect of racial profiling –namely, the consequences associated with the mere perception of its frequent occurrence among the general public (for some notable exceptions to this observation see Lee, Pratt, Gaffney, Pickerill, & Mosher, 2007; Tyler & Wakslak, 2004). Almost nothing is known about how the perception of racial profiling influences citizen perceptions of individual officers. This paper will explore the influence of the perception of racial profiling upon citizen attributions of satisfaction with individual police officers.

The perception of racial profiling among U.S. citizens represents a significant threat toward citizen perceptions of law enforcement. Survey research has found that many Americans believe racial profiling to be a significant problem afflicting U.S. police agencies. A Gallup Poll conducted in 1999 revealed that over half of the Americans polled on the subject believe police actively engage in racial profiling, and 81% of the people surveyed indicated that they strongly disapprove of the practice. A significant number of adults in the sample, 59% percent, believe the practice of racial profiling by police to be widespread. The numbers are even more revealing when broken down by race, with 59% of white respondents and 77% of black respondents expressing the belief that racial profiling is a pervasive problem among U.S. police departments. Other studies have reported similar findings (Tyler & Wakslak, 2004; Weitzer & Tuch, 2002).

Indirect experiences with law enforcement might play a key role in determining citizen satisfaction with the quality of police service. These would include reports on police abuse and misconduct from the news media as well as anecdotal evidence provided by

family, friends, and acquaintances. Additional research on indirect experiences of citizens with law enforcement, of which the perception of racial profiling would also measure, is highly suggestive. Rosenbaum et al. (2005) conducted a study-measuring citizen attitudes toward law enforcement at both the direct and indirect level. The researchers discovered that, with the notable exception of the quality of police contact (e.g., attributions of officer fairness, temperament, etc.), direct experiences with the police did little to influence citizen attitudes toward the police. Vicarious experiences, such as stories from friends or the news media, were much more powerful in shaping citizen perceptions of the police when compared to direct experiences. This finding has some support in previous studies, especially in regards to the influence of the news media on citizen attitudes toward the police (Weitzer & Tuch, 2002). These findings lead to the following research question: are outcome-based assessments made by citizens more significant than procedurally based ones in determining citizen satisfaction of individual police officers?

The current study hypothesizes that distributive justice (outcome-based assessment) is less important to citizens than are attributions of procedural fairness and justice in determining satisfaction with the police. While citizens are certainly concerned about the manifest outcome of any encounter with a law enforcement officer (e.g., whether the encounter is as minor as receiving a fine or as potentially life-altering as getting arrested and booked into jail), they tend to be more accepting of those outcomes if the officer in question treated them fairly or is perceived to have done so. Police officers would be wise to place a high level of importance on how they treat citizens in their myriad interactions. A citizen may be judging a police officer before they take a single step out of their patrol car in a traffic stop setting, for example. Not only is this true at the direct experiences level, but is also true of the indirect experience level as well. If citizens perceive from either media reports or stories from friends, acquaintances, and family that their local police treat citizens in a procedurally unfair manner, through such practices as racial profiling, they could tend to view all officers within that agency as being likely to act improperly. Hence, the officers would be undeserving of their trust. It is likely then that citizen attributions of procedural justice could profoundly affect the direction of police-citizen encounters. If citizens perceive their police agencies as being procedurally fair in their dealings with the people with whom they have contact, they are likely to be cooperative with them when they have dealings with

law enforcement agents. However, if they believe that their local police agency is unfair and untrustworthy, they are less likely to be compliant, and a situation bringing the police into direct contact with people could escalate from a benign traffic stop, for example, to a heated encounter with potentially tragic consequences for the citizen and police officers involved.

Literature Review

Citizen satisfaction with police has been a long standing concern of law enforcement (Miller, 1977). Numerous studies have found that due to changes in policing styles (from the legalistic model of the early to mid twentieth century to the service oriented model of community policing in the latter half of the twentieth century) that the general public does tend to view the police in a favorable manner (Benedict, 2000; Cullen et al., 1996; Kaminski & Jefferis, 1998; Reisig & Giacomazzi, 1998; Reisig & Parks, 2000; Tuch & Weitzer, 1997). A look deeper into the data suggests that satisfaction with the police is not consistent. Some of the explanations offered include age (Hader and Snortum, 1975; Walker et al. 1972), neighborhood culture and context (Jacobs, 1971; Reisig and Parks, 2000), concentrated disadvantage (Sampson & Bartush, 1997), and the quality of police services (Sarat, 1977) and have all been shown to have an impact upon citizen satisfaction with law enforcement. The citizen satisfaction literature has suggested that the most powerful predictor in assessing citizen satisfaction with the police is race. Minorities, particularly African Americans and Non-White Hispanics, have increased negative views of the police in comparison to Caucasians (Brunson & Miller, 2005; Carter, 1985; Correia, Reisig, & Lovrich, 1996; Decker, 1981; Flanagan & Vaughn, 1996; Garcia & Cao, 2005; Holmes, 1998; Reisig & Parks, 2000; Skogan, 2006a; Weitzer & Tuch, 2005; Worrall, 1999). A growing literature suggests that procedural justice, rather than race, is a more powerful predictor of citizen satisfaction with law enforcement (Cheurprakobkit & Bartsch, 2001; Reisig & Chandek, 2001; Tyler, 1990; Tyler, 1998; Tyler & Wakslak, 2004).

Theoretical Framework: The Importance of Procedural Justice

A growing literature suggests that the attribution of adherence to procedural justice has great potential for generating and sustaining citizen satisfaction with the police (Cheurprakobkit & Bartsch, 2001; Reisig & Chandek, 2001; Tyler, 1990, 1998; Tyler & Wakslak, 2004), enhancing police legitimacy (Skogan, 1994;

Strang, 1996; Tyler, 1990; Wycoff, Pate, Skogan, & Sherman, 1985) and bringing about crime control benefits (Paternoster, Brayme, Bachman, & Sherman, 1997; Skogan, 1996; Tyler, 1990). A recent study by Lee et. al (2007) found that the perception of racial profiling could mitigate the influence of race in determining levels of public satisfaction with the police. This would suggest that procedural justice – in the form of the perception of racial profiling – has a potentially more powerful effect on citizen satisfaction with law enforcement than distributive justice.

Much of the research conducted on direct experiences with the police tend to suggest that citizens who feel that the patrol officer was discourteous, unprofessional, unhelpful, or treated them unfairly are more likely to express dissatisfaction with police officers and hold negative attitudes toward law enforcement than those who reported being treated fairly and with proper respect (Cheurprakobkit & Bartsch, 2001; Rosenbaum, Schuck, Costello, Hawkins, & Ring, 2005; Tyler, 1990; Tyler & Huo, 2002; Wortley, Hagan, & Macmillan, 1997). These attitudes, coupled with the insights drawn from the procedural justice literature, suggest that the officer's demeanor and whether officers treated individuals in a procedurally fair and evenhanded manner will have a significant effect on shaping citizen perceptions of satisfaction with individual officers.

The promotion of procedural, rather than distributive justice, has enormous potential to improve citizen satisfaction with law enforcement. Citizen satisfaction has been a concern that has long bedeviled law enforcement agencies. The civil unrest and turmoil of the 1960s and the highly critical attitudes expressed by minority populations toward police departments constituted the impetus underlying major reform efforts, such as team policing, problem-solving policing, and community oriented policing, and other systematic efforts aimed at repairing these badly frayed relationships. Yet even after nearly three decades of the implementation of these reforms, researchers still find that minorities tend to view their municipal, county, and state police agencies with skepticism compared to their non-minority counterparts. The current study has found evidence that race is related to attitudes toward police in a rather complex way, however. The results reported in this study strongly indicate that what is most important in determining citizen satisfaction with law enforcement is not necessarily race, but rather something much more universal and basic – namely, the perception that police agencies are fundamentally fair and just in their discretionary dealings with citizens. Procedural justice concerns the degree to which people perceive the police as exercising legitimate authority in a fair manner. Under this framework, citizen satisfaction

will be influenced by citizen judgments about the fundamental fairness of police practices. The initial research into this area was developed by Thibaut and Walker (1975) in their study of courtroom dispute resolution processes. Thibaut and Walker (1975) found two principal aspects of courtroom procedure that was capable of affecting citizen satisfaction – namely, the outcome of the trial (distributive justice) and the manner in which the trial was conducted (procedural justice). Their research focused on the latter aspect, which they termed procedural justice. They found rather convincing evidence that citizen satisfaction with the court was less a function of distributive justice (the favorability of outcomes) than the result of the manner in which the trial was conducted.

Tyler (1990) argued that procedural fairness can be used to examine three issues surrounding the meaning of what constitutes fairness in a legal procedure:

the importance of different criteria of fairness to the assessment of the justice of a procedure; the relationship of these criteria of procedural fairness to one another; and the universality of the importance ratings given to criteria of procedural fairness from one type of experience to another, and from one type of person to another (p. 119).

This last point has profound implications for studying the relationship between race and satisfaction with the police. The literature has suggested that race and procedural justice may be mitigating factors in determining levels of public satisfaction with the police and the criminal justice system as a whole. This raises two important questions: (1) Does race or procedural justice alone mitigate satisfaction with the police? or –alternatively– (2) Do race and procedural justice work through one another as interacting conditioning variables to affect public satisfaction?

Tyler (2004) proposed a set of criteria to evaluate the key components of procedural justice. First, participation operates as a key ingredient of procedural justice. Citizens express greater satisfaction with rules and authorities when they are able to explain their situations and communicate their views about them to authorities. This could be one reason why community oriented policing has been shown to have such a significant impact on influencing citizen satisfaction with the police. It suggests to citizens that the authorities are taking their input into proper account before they make a decision that affects their level of public safety. People essentially want their input to have been solicited and conscientiously considered by decision makers (Conley & O’Barr, 1990).

The second key component of procedural justice is neutrality. If citizens believe their police are acting in a biased manner, as is the case with racial profiling, they are less likely to accept their decisions as legitimate, depending on how citizens perceive profiling as a necessity. Police officers should base their decisions not on their own personal views but rather should be even-handed and objective in their dealings with citizens. Tyler (2004) contends that since citizens often do not know what a correct or reasonable outcome is, they will focus on evidence that the decision-making process was fair and unbiased. This provides a level of transparency that allows them to make an informed judgment about the legitimacy of police decisions since they are able to see that police officers are acting in an unbiased manner and are basing their decisions on facts as opposed to personal preference or arbitrary judgment. This ascription of neutrality leads to the belief that the criminal justice system is procedurally just and likely to issue fair outcomes to persons affected by its operations.

Third, citizens place a high premium upon being treated with dignity and respect by authorities. People essentially value being treated with basic politeness and having their constitutional rights dutifully acknowledged by authorities. Once again, this is highly critical in regards to the perception of racial profiling. If citizens believe that police are inclined to act in an arbitrary and discriminatory manner, they are much more likely to view authorities as acting illegitimately. This highlights why citizen satisfaction with law enforcement and trust in government is so essential. If there is an essential failure on the part of authorities in regards to basic communication and interpersonal skills, citizen treatment by figures of authority can profoundly affect a citizen’s sense of social status, self-worth, and self-respect. A lack of respect by authorities toward citizens can be viewed as an assault on their personal character and an insult to their standing in the community. This is a particularly delicate situation featuring events that can —demean status, such as crime victimization or being publicly stopped and questioned by the police (Tyler, 2004, p. 95). When citizens believe that they or others have been the victim of racial profiling by authorities, they then view the actions of legal authorities as being not only illegitimate but a personal affront to them as a person. It is likely, given this line of reasoning that citizens who suspect that their police force engages in racial profiling will view not only law enforcement authorities with suspicion, but will view all related governmental authorities with some degree of suspicion.

The final component of procedural justice is that people trust the motives of authorities when they

believe they are acting in a fair manner. If citizens believe their local police department or government cares about them and is responsive to their needs, they are much more likely to view their procedures as fair and proper. As Tyler (2004) notes, “authorities can encourage people to view them as trustworthy by explaining their decisions and justifying and accounting for their conduct in ways that make clear their concern about giving attention to people’s needs” (p. 96). For example, when police agencies are participating in racial profiling, they are clearly not explaining their motives to citizens lest they admit to engaging in illegal behavior. Consequently, if citizens suspect that racial profiling is occurring in a police agency they are much more likely to believe that officers are hiding other important facts from them as well.

Scholarly work in the procedural justice literature has shown a strong connection between police discourtesy and unfavorable perceptions of the police, particularly among members of minority racial and ethnic groups. Tyler (1990, 1998) has conducted more than a decade’s worth of research on the subject and found that when police treat citizens in a fair manner (i.e., taking time to explain their decisions and listening to citizens with respect and empathy) they receive high ratings of perceived fairness, even if they arrest or ticket the citizen in question. However, when police fail to hear citizens out and treat them in a matter-of-fact or disrespectful manner, they tend to get low ratings for fairness – regardless of whether they choose to arrest or ticket the citizen (Engel, 2005). Research has found that race tends to structure citizens’ views of police racial bias and perceived unfairness (Weitzer & Tuch, 2005). Weitzer and Tuch (2005) found that African Americans were more likely than Hispanics to believe that Hispanic neighborhoods were being discriminated against (as compared to white neighborhoods) and to believe that the police were racially profiling Hispanic drivers.

Tyler (2004) has argued that procedural justice is maintained across ethnicity, gender, income, education, age, ideology, and political party. Subsequent research has confirmed this finding (Rosenbaum et al., 2005; Tyler & Wakslak, 2005). Indeed, studies conducted on this topic have reported rather compelling evidence that while the quality of the encounter (include issues of procedural justice) does influence attitudes toward the police (at least in citizen-initiated contacts), the race and ethnicity of the citizen does not. Subsequent research by Tyler and Wakslak (2004) has confirmed this observation. They found that race played a relatively small role in shaping levels of public satisfaction. Tyler and Wakslak (2004) discovered—that people’s inferences about the motives underlying police behavior shape

their support for the police. This is true both in personal experiences with and in general evaluations of the police. Other studies have reached similar conclusions. Rosenbaum et al. (2005) studied the effects of direct and indirect experiences with the police on public attitudes among Hispanic, African-American, and white citizens. They found that while the quality of the encounter (which would include issues of procedural justice) does influence attitudes toward the police (at least in citizen initiated contacts), the race and ethnicity of the citizen does not. In Tyler’s (2005) study on procedural justice and satisfaction with the police in New York City, he found that race was less important than was the perception that race was important. This is a very critical distinction. His survey results indicated that—race-based assessments have a stronger influence on judgments about procedural justice (adjusted $R^2 = 50\%$) than they do on judgments about distributive justice (adjusted $R^2 = 26\%$) (p. 330).

These results are particularly important for issues such as racial profiling. If citizens believe the police are engaging in racial profiling or are acting in a discriminatory manner towards minorities, they tend to view the police as being less procedurally and distributively fair. Tyler (2005) found this to be true of both whites and minorities (except for Hispanics, who showed little difference). The literature reviewed here on procedural justice perceptions suggests that race may play less of a role in shaping citizen support for the police than previously thought.

Research suggests that an outcome-based view of police legitimacy and citizen satisfaction is woefully inadequate. The risk of increased sanctions has been found to have little impact on citizen compliance with the law (Nagin, 1998). For example, Macouun (1993) reviewed the extensive literature on deterrence and drug use. He found that deterrence-based arguments only accounted for a small percentage, perhaps five percent, of the total variance in drug-related behavior. This finding is consistent with other researchers who’ve found that the certainty of punishment plays little to no role in explaining criminal behavior (Paternoster, 1987). This could do with the fundamental flaw of deterrence theory. The vast majority of crime goes unreported in American society. If a criminal is to perform a cost benefit analysis, it is more likely that they would come to the conclusion that the costs of getting caught and punished are exceedingly low. This is the case at least in part because of the many procedural safeguards of due process built into our democracy framed within the principle of the rule of law. The U.S. criminal justice system essentially hinders the swiftness of any punishment inflicted upon a criminal, *by design*. Of the three conditions required for effective deterrence

(certainty, celerity, and severity), the criminal justice system can essentially only inflict one – the severity of the punishment. Consequently, it is little surprise that the concept of general deterrence and its rational choice view of citizen compliance with the law enjoy relatively little theoretical and empirical support. A more promising theoretical approach to citizen compliance and acceptance of police legitimacy is that of procedural justice.

The legitimacy of decisions made by governmental authorities, whether they are a police officer, a postal clerk or a public school teacher, is not entirely determined by the formal powers wielded by these public authorities. Another component that is just as critical is a citizen’s sense of personal obligation to obey legitimate authorities. In a classic study, Selznick (1969) studied the use of authority in industrial settings. He found that

there is a demand that rules be legitimate, not only in emanating from established authority, but also in the manner of their formulation, in the way they are applied, and in their fidelity to agreed-upon institutional purposes . . . [The] obligation to obey has some relation to the quality of the rules and the integrity of their administration (Selznick 1969, p. 29).

This now classic piece of social science research suggests that for police and the government generally to be viewed as legitimate by the citizens they serve, they must be perceived as being fundamentally fair – one of the hallmarks of the procedural justice argument. The results of the literature review lead to the following two hypotheses.

Hypotheses

H₁: Assessments based on procedural fairness have a greater impact on citizen satisfaction with individual police officers than outcome based ones.

H₂: Citizen perceptions of a police agency’s lack of procedural fairness diminish satisfaction with individual police officers.

Methodology

Data

The current study utilizes two separate waves of survey data in order to gain a deeper understanding of the relationship between citizen satisfaction with the police, the perception of racial profiling, and procedural justice. The data set is composed of merged samples from the 2003 and the 2007 Washington State Citizen Survey of Public Attitudes toward the Washington State Patrol (WSP). These datasets were part of a larger series of periodic public mail surveys conducted by Washington State University’s Division of Governmental Studies and Services (DGSS) that sought to gauge citizen perceptions of WSP agency and officer performance. In 2003, DGSS was commissioned by the WSP to conduct a study on the extent to which racial profiling was occurring among its officers. In addition to an analysis of traffic stop data, a key component of this study was the citizen survey conducted by DGSS. In addition to seeking to determine the extent of differential stopping, issuance of citations and searches of persons and vehicles across racial and ethnic groups, the WSP also wanted to know if the citizens of Washington State perceived the existence of such a problem. Demographic characteristics of the sample can be found in Table 1.

Table 1: Demographic Characteristics of Merged 2003 and 2007 Survey Respondents

Demographic Variables	
Male	62.7%
Female	34.3%
Minority	10.5%
White	85.4%
College Educated	41.2%
Age (Mean)	54.46

Measures

Dependent variable. *Positive impressions of Individual WSP Troopers* asked survey respondents to rate the performance of their most recent contact with a WSP Trooper. It was transformed from a Likert-type five-point scale with responses ranging from “Very Unfavorable” to “Very Favorable” to a dummy variable coded 1=Favorable and 0=Neutral or Unfavorable.

Independent variables. *The perception of racial profiling* is a variable that measures whether citizens believe the WSP engages in racial profiling (a dichotomous variable). The included racial profiling measure taps into citizen feelings of procedural justice and fairness. As Tyler's (1990) work demonstrates, when citizens believe police are treating them in a fair and evenhanded manner they are more likely to report higher levels of satisfaction with law enforcement. It follows, therefore, that if citizens perceive that WSP troopers engage in a practice as fundamentally unfair and corrupt as racial profiling then they should be less likely to report high levels of satisfaction toward the WSP than people who do not share that perception.

The next procedural justice variable examined general attributions of procedural justice. *Officer fairness* was coded as a dummy variable that asked respondents who had received a ticket from the WSP if they were treated fairly by the ticketing officer, with 1 = Yes, treated fairly and 0 = No, not treated fairly.

Respondent race is typically thought of as one of the primary factors in determining citizen satisfaction with law enforcement. The variable *Non-White* was dummy coded (1=yes, 0=no) and measured if respondents were White or a member of a racial or ethnic minority group (Latino, African American, Asian, Native American, Pacific Islander, East Indian, and an ethnic “other” category.) As noted previously, members of racial and ethnic minorities have long reported more unfavorable views of the police than do whites, and they are more likely to report experiencing wrongdoing at the hands of police officers than are whites (Brunson & Miller,

2005; Carter, 1985; Correia, Reisig, & Lovrich, 1996; Decker, 1981; Flanagan & Vaughn, 1996; Garcia & Cao, 2005; Holmes, 1998; Reisig & Parks, 2000; Skogan, 2006a; Weitzer & Tuch, 2005). Race has long been thought to be the most important variable in ascertaining levels of public satisfaction with police services.

The remaining variables consist of a variety of contextual, demographic, and attitudinal measures. Contextual and outcome based variables include *miles driven per week* and the *total numbers of tickets* respondents have received within the last two years. Demographic variables include respondent *age*, *gender* (1=Male, 0=Female) and whether respondents were college educated. The final variable is attitudinal in nature. *Generalized trust* consists of a five-item Rosenberg-like scale (1956,1957) that asks respondents the following: —In the area of general outlook on life, please place yourself on the following five-point scale - TRUSTING OTHERS with 1 = Most people can be trusted and 5 = Can't be too careful in dealing with people.

Results

The results from prior studies' analyses have suggested that the primary determinant in shaping citizen perceptions of police agency performance is procedural justice, both generally and specifically in the form of the perception of racial profiling (Lee et al., 2007). While this finding is significant for police agencies as a whole, it is still unclear as to how procedural justice might influence citizen perceptions of individual officers. Officers could be judged by citizens prior to the officer even stepping out of the patrol car. This could have profound consequences for officers in terms of how they conduct themselves during otherwise routine traffic stop encounters with citizens. It was determined that the most appropriate way to test this potential relationship was through binary logistic regression. Results are summarized in Table 2.

Table 2: Estimated odds ratio of logistic regression analysis predicting dissatisfaction with individual highway patrol officer (1=Dissatisfied, 0=Satisfied)

	Model 1	Model 2	Model 3	Model 4	Model 5
Gender	.873	.777**	.779**	.907	.999
Race	1.667***	1.383**	1.390**	.873	.958
Age		.974***	.978***	.998**	.998***
College Educated		1.054	1.107	1.110	1.134
Tickets Received			2.783***	1.442	1.350
Miles Driven			1.000	1.000	1.000
Perception of Racial Profiling				1.542***	1.637***
Officer Fairness					
Officer Fairness (1)				6.811***	6.858***
Officer Fairness (2)				.551***	.551***
Officer Explained Ticket					
Explanation (1)				6.079***	5.936***
Explanation (2)				2.170***	2.159***
General Trust					
Trust (1)					.943
Trust (2)					.763
Trust (3)					.841
Trust (4)					.820
Pseudo R²	.007	.034	.234	.314	.313
Number of Observations	4457	4426	4211	3730	3730

Logistic Regression Analyses

Table 2 shows the exponentiated beta coefficients (β) that resulted from the five separate logistic regression models that were used to predict citizen satisfaction with individual highway troopers. The coefficients show the odds ratio calculated by the binary logistic regression. The first two models show the influence of socio-demographic variables on citizen satisfaction with law enforcement officers. These models explained very little of the variation in the dependent variable. Model 1 accounted for less than .7% (Nagelkerke $R^2 = .007$) of the variation while

Model 2 explained 3.4% (Nagelkerke $R^2 = .034$) of the variation in the dependent variable. Model 3, which included the contextual and outcome based variables, accounted for 23.4% (Nagelkerke $R^2 = .234$) of the variation of the dependent variable. The remaining two models, which included the procedural justice and attitudinal variables, accounted for 31.4% (Nagelkerke $R^2 = .314$) and 31.3% (Nagelkerke $R^2 = .313$) of the variation, respectively.

Models 1 and 2 measured the influence of socio-demographic factors upon citizen dissatisfaction with law enforcement. The first two variables to be included in the equations were respondent gender and

race. Gender failed to attain statistical significance. However, race did have a sizable impact upon the model with Non-White Minorities being 1.7% more likely than Non-Minorities to express dissatisfaction with a highway patrol officer. ($\beta = 1.667, p < .001$). The importance of race was expected as it does tend to be one of the more powerful predictors of citizen satisfaction with law enforcement. Model 2 included the additional variables of age and college education. In the second model, all of the variables attained statistical significance with the exception of college educational attainment. Race continued to have the largest effect in the model, with 1.39% of non-white minorities being more likely to express dissatisfaction with state troopers ($\beta=1.383, p<.01$). Age had the next highest effect, with older citizens being .98% more likely to express dissatisfaction with officers ($\beta=.974, p>.001$). Unlike the first model, gender did attain statistical significance with .78% of men being more likely to express dissatisfaction with law enforcement officers ($\beta=.777, p<.01$).

Model 3 tested the influence of distributive justice (outcome-based) in predicting citizen dissatisfaction with state highway troopers. It added the situational and outcome based variables to the equation. Once again, gender, race, and age were statistically significant predictors of citizen dissatisfaction. The outcome based variable, the amount of tickets received, had the largest impact on the model. Citizens who received tickets were 2.78% more likely to express citizen dissatisfaction with police officers ($\beta=2.783, p<.001$). Race had the second highest effect, with 1.39% of non-white minorities being more likely to express dissatisfaction with law enforcement. These results strongly suggest that distributive justice is the primary determinant of citizen dissatisfaction compared to socio-demographic factors. In other words, once citizens receive a ticket they are much more likely to have a negative view of police officers than those who did not.

The remaining models tested the two hypotheses. Model 4 added the three procedural justice variables into the equation while Model 5 added the attitudinal variable of generalized trust. The logistic regressions showed that procedural justice variables had the largest effect, while race and distributive justice failed to attain statistical significance. In Model 4, citizens who believe that highway patrol officers engage in biased policing are 1.5% more likely to express dissatisfaction ($\beta=1.542, p<.001$). The results are similar in Model 5, with 1.6% of citizens who believe that police engage in racial profiling more likely to be dissatisfied with officers ($\beta=1.637, p>.001$). These results strongly suggest that when citizens believe police officers are racist they are much more likely to have a negative view of individual police officers.

Additionally, those who felt they were not treated fairly and who did not receive an explanation of why they received a ticket were 6.8% ($\beta=6.811, p<.001$) and 6.1% ($\beta=6.079, p<.001$) respectively more likely to be dissatisfied with law enforcement. The results are nearly identical in Model 5 with the perception of officer fairness and receiving an explanation for why the citizen received a ticket 6.9% ($\beta=6.858, p<.001$) and 5.9% ($\beta=5.936, p<.001$) more likely to have negative perceptions of individual officers.

Models 4 and 5 reveal that the hypotheses of the study are supported by the data. The analyses suggest that not only are procedurally based variables more important than distributively based ones in predicting citizen satisfaction but that procedurally based indicators influence citizen perceptions of officer satisfaction as well.

These findings suggest that citizen attributions of procedural justice are potentially among one of the more powerful measures in shaping the public's perceptions of law enforcement performance even at the level of the lone police officer. This is highly important, as it means that officer misconduct (or even reports of officer misconduct) can not only be highly damaging to law enforcement agencies, but if a citizen perceives they have been treated in a less than fair manner by an officer or has heard stories (either from the news media or other people) of unfair treatment by police agencies, they are much less likely to view their police force as favorable or be responsive to their concerns. If this unfavorable attitude formation happens, citizens would be much less likely to not only follow officer's instructions in a routine traffic stop but would be less likely to obey the law generally (Tyler, 1990).

Discussion and Conclusions

While reforms such as citizen satisfaction efforts like community policing appear to work best in neighborhoods that need it the least (Skogan, 2006), the results of the current study suggest that the perception of procedural justice could be the true culprit behind these failures. If citizens have a preconceived notion that their police tend to act undemocratically, such as whether they engage in racial profiling, they would be less likely to trust police officers no matter how many neighborhood meetings were conducted or how often the police got out of their patrol cars to meet and greet community residents. This line of reasoning would suggest that for reform efforts, such as community policing to work, local police departments should engage in a coordinated and targeted effort to let citizens know that they will be treated fairly and that practices such as racial profiling are not tolerated by the police agencies serving them.

Police administrators and law enforcement officers alike should not just be concerned with the quantity of their partnerships and non-enforcement contacts with citizens, but they should pay attention to the quality of those partnerships and contacts as well. Officers should be aware that citizens are judging them before they even get out of their patrol car, and how they present themselves to citizens can irrevocably alter a citizen's perception of their local police department.

The current study also highlights the importance of increased targeted training and more discerning selection criteria for law enforcement officers and for the promotion of officers up the ranks. Police officers commonly are extremely well trained, as they should be, in use of force – whether it's the principles behind the ladder of force, techniques for disarming a combative suspect, or the proper use of a Taser or a firearm. Law enforcement officers should be just as well versed in the initiation and sustaining of interpersonal relations and the use of good communication skills. This training should begin at the police academy, carry on through the FTO/PTO probationary phase, and continue periodically throughout an officer's professional career. Such training should not be relegated to a seminar of a few hours duration which police cadets use to catch up on their sleep while they wait for the more hands-on and interesting training, such as instruction on self-defense and use of force techniques.

One of the direct policy implications brought up in this study are issues of police reform programs, and more specifically the importance of improved training and selection for future and current police officers. Future studies should test whether or not a procedural justice component in either a COP program or police academy program makes any significant difference in citizen perceptions of agency and officer performance. Such a procedural justice component would entail a wide variety of activities. These would include but not be limited to: greater public outreach with minority citizens (including door-to-door visits and the practice of handing out business cards during traffic stops), the use of role-playing groups during training sessions, holding informal group discussions about neighborhood problems (such as racial profiling) among officers and developing a procedural justice —template that officers could use to guide their day-to-day interactions with citizens. By initiating a strong procedural justice component into the everyday activities of police officers, future studies could also examine such questions as whether use of force incidents logged increase/decrease/stay constant and the nature of police-citizen interactions during traffic stops (e.g., are citizens more or less antagonistic/defiant toward officers, more trusting, etc.).

Also, future research should examine how rank-and-file officers feel about these changes in their training. Do they feel that this focus on procedural justice is little more than empty rhetoric, or does a procedural justice theme in training serve to improve their job satisfaction? They could also be asked their views concerning what ways this training could be improved. The investigation of all of these questions would constitute valuable fields of inquiry for future research endeavors.

One of the key advantages of utilizing indicators regarding the perception of racial profiling for modeling procedural justice is its relative specificity. Typically, procedural justice is measured quite broadly with a single question asking citizens if they were treated fairly by a criminal justice agency. Officers and police administrators have rather little material to work with when they are informed that they need to treat citizens fairly (procedurally) and even-handedly. Indeed, many officers would argue that is essentially their goal and that they do that already. They are inclined to maintain that they do not intend to treat citizens in a biased manner, despite citizen claims to the contrary. However, something such as the perception of racial profiling does provide law enforcement agencies and their personnel with something particular that they could utilize in their day-to-day activities unlike more general attributions of procedural justice.

Future studies should develop this line of research and look at other specific components of procedural justice that could prove advantageous to police agencies in their multitude of dealings with citizens. These could include perceptions of excessive use of force, not listening with interest to citizens, refusing to provide badge information, engaging in corrupt activities, etc. One of the chief advantages to be derived from this line of research would be the development of a new knowledge base that could focus targeted and precise future interventions into the area of police- citizen relations. It would also help provide items for a procedural justice scale to determine what particular components make generalized procedural justice such a powerful mechanism in determining citizen attributions of police legitimacy.

The problem of racial profiling has occupied a prominent place in media coverage of the police throughout a good portion of the past few decades. However, police agencies should not only be concerned with whether their officers are engaging in this decidedly undemocratic practice; they also need to be aware of whether or not the public believes they engage in it - even if there is reliable empirical evidence to the contrary. This study presents evidence that challenges one of the fundamental assertions of

the citizen satisfaction literature - namely, that racial and ethnic minorities tend to view the police less favorably compared to their white counterparts. It is argued here that the most important variable affecting citizen satisfaction is not racial and ethnic background and socio-economic status, but rather some fundamental perceptions of fairness and justice. When police act in a manner seen as profoundly undemocratic, citizen trust in the police and in their governmental institutions is seriously eroded.

References

- Anderson, E. (1990). *Code of the street*. New York: W.W. Norton & Co.
- Bailey, D. (1986). The tactical choices of police patrol officers. *Journal of Criminal Justice*, 14, 329-348. doi:10.1016/0047-2352(86)90126-1
- Benedict, W. R., Brown, B., & Bower, D. J. (2000). Perceptions of the police and fear of crime in a rural setting: Utility of a geographically focused survey of police services, planning, and assessment. *Criminal Justice Policy Review*, 11, 275– 298. doi: 10.1177/0887403400011004001
- Brunson, R. K., & Miller, J. (2005). Young black men and urban policing in the united states. *British Journal of Criminology*, 46(4), 613-640. doi:10.1093/bjc/ azi093
- Carter, D. (1983). Hispanic interaction with the criminal justice system in Texas: Experiences, attitudes, and perceptions. *Journal of Criminal Justice*, 11, 213-227. doi: 10.1016/0047-2352(83)90115-0
- Carter, D. (1985). Hispanic perception of police performance: An empirical assessment. *Journal of Criminal Justice*, 13, 487-500. doi:10.1016/0047-2352(85)90078-9
- Cheurprakobkit, S., & Bartsch, R. A. (2001). Police performance: A model for assessing citizens' satisfaction and the importance of police attributes. *Police Quarterly*, 4, 449-468. doi:10.1177/109861101129197941
- Correia, M. E., Reisig, M. P., & Lovrich, N. P. (1996). Public perceptions of state police: an analysis of individual-level and contextual variables. *Journal of Criminal Justice*, 24, 17-28. doi:10.1016/0047-2352(95)00049-6
- Decker, S. H. (1981). Citizen attitudes toward the police: A review of past findings and suggestions for future policy. *Journal of Police Science and Administration*, 9, 80-87.
- Easton, D. (1975). A Reassessment of the Concept of Political Support. *British Journal of Political Science*, 5, 435-437. doi:10.1017/S0007123400008309
- Flanagan, T., & Vaughn, M. (1996). Public Opinion About Police Use of Force. In W. G. & H. Toch (Eds.), *Police violence* (pp. 113-128). New Haven, CT: Yale University Press.
- Fridell, L., Lunney, R., Diamond, D., & Kubu, B. (2001). *Racially biased policing: A principled response*. Washington, D.C.: Police Executive Research Forum.
- Garcia, V., & Cao, L. (2005). Race and satisfaction with the police in a small city. *Journal of Criminal Justice*, 33(2), 191-199. doi:10.1016/j.jcrimjus.2004.12.010
- Hadar, I., & Snortum, J. R. (1975). The eye of the beholder: Differential perceptions of police by the police and the public. *Correctional Psychologist*, 2(1), 37-54. doi: 10.1177/009385487500200103
- Harris, D. A. (1999). *Driving while black: Racial profiling on our nation's highways*. New York: American Civil Liberties Union.
- Holmes, M. (1998). Perceptions of abusive police practices in a U.S.-Mexico border community. *The Social Science Journal*, 35, 107-118. doi:10.1016/ S0362-3319(98)90063-5
- Jacob, H. (1971). Black and white perceptions of justice in the city. *Law & Society Review*, 5, 69-89. doi: 10.2307/3052913
- Kadish, M. J. (1997). The drug courier profile: In planes, trains, and automobiles; and now in the jury box. *American University Law Review*, 46, 747-791.
- Kelling, G., & Wilson, J. Q. (1982). The police and neighborhood safety: Broken windows. *Atlantic Monthly*, March, 29-38.

- Knowles, J., & Persico, N. (2001). Racial bias in motor vehicles: Theory and evidence. *Journal of Political Economy*, 109, 203-229. doi:10.1086/318603
- Lamberth, J. (1998, August 16). Driving while black: A statistician proves that prejudice still rules the road. *The Washington Post*, C01.
- Lee, J., Pratt, T. C., Gaffney, M. J., Pickerill, J. M., & Mosher, C. (2007). *Race and citizen satisfaction with the police: Assessing the mediating impact of the perception of racial profiling*. Proceedings from annual meeting of the Academy of Criminal Justice Sciences, Seattle, WA.
- Leventhal, G. S. (1980). What should be done with equity theory? In K. J. Gergen, M. S. Greenberg, & R. H. Weiss (Eds.), *Social exchange: Advances in theory and research* (pp. 27-55). New York: Plenum.
- McCluskey, J., Mastrofski, S., & Parks, R. (1999). To acquiesce or rebel: Predicting citizen compliance with police requests. *Police Quarterly*, 2, 389-416. doi:10.1177/109861119900200401
- Meares, T. L. (2000). Norms, legitimacy, and law enforcement. *Oregon Law Review*, 79, 391-415.
- Meeks, K. (2000). *Driving while black: What to do if you are a victim of racial profiling*. New York: Broadway Books.
- Nagin, D. S. (1998). Criminal deterrence research at the outset of the twenty-first century. In M. Tonry (Ed.), *Crime and justice: A review of research*, vol. 23 (pp. 1-42). Chicago, IL: University of Chicago Press.
- Parsons, T. (1967). *Sociological theory and modern society*. New York: Free Press.
- Paternoster, R., Brayme, B., Bachman, R., & Sherman, L. W. (1997). Do fair procedures matter? The effect of procedural justice on spouse assault. *Law & Society Review*, 31, 163-204. doi:10.2307/3054098
- Reisig, M., & Chandek, M. (2001). The effects of expectancy disconfirmation on outcome satisfaction in police-citizen encounters. *Journal of Police Strategies & Management*, 24, 88-99. doi:10.1108/13639510110382278
- Reisig, M., & Parks, R. (2000). Experience, quality of life, and neighborhood context: A hierarchical analysis of satisfaction with police. *Justice Quarterly*, 17(3), 607-630. doi:10.1080/07418820000094681
- Reiss, A. (1967). *The police and the public*. New Haven, CT: Yale University Press.
- Rosenbaum, D. P., Schuck, A. M., Costello, S., Hawkins, D., & Ring, M. (2005). Attitudes toward the police: The effects of direct and vicarious experience. *Police Quarterly*, 8(3), 343-365. doi:10.1177/1098611104271085
- Rosenberg, M. (1956). Misanthropy and political ideology. *American Sociological Review*, 21, 690-695. doi:10.2307/2088419
- Rosenberg, M. (1957). Misanthropy and attitudes towards international affairs. *Journal of Conflict Resolution*, 1, 340-345. doi:10.1177/002200275700100403
- Rudovsky, D. (2001). Law enforcement by stereotypes and serendipity: racial profiling and stops and searches without cause. *University of Pennsylvania Journal of Constitutional Law*, 3, 296-349.
- Sarat, A. (1977). Studying American legal culture. *Law & Society Review*, 11, 427-488. doi:10.2307/3053128
- Selznick, P. (1969). *Law, society, and industrial justice*. New York: Russell Sage Foundation.
- Skogan, W. G. (1990). *Disorder and decline*. New York: Free Press.
- Skogan, W. G. (1994). The impact of community policing on neighborhood residents: A cross-site analysis. In D. Rosenbaum (Ed.), *The challenge of community policing: Testing the promises* (pp. 167-181). Thousand Oaks, CA: Sage Publications.
- Skogan, W. G. (1996). *Community policing in Chicago: year three*. Chicago, IL: Criminal Justice Information Authority.

- Strang, H. (1996). *Shaming conferences: Community policing and the victim's perspective*. Proceedings from 48th Annual Meeting of the American Society of Criminology, Chicago, IL.
- Sykes, R., & Brent, E. (1983). *Policing: A social behaviorist perspective*. New Brunswick, NJ: Rutgers University Press.
- Thibaut, J., & Walker, L. (1975). *Procedural justice: A psychological analysis*. Hillsdale, NJ.
- Thompson, A. C. (1999). Stopping the usual suspects: race and the fourth amendment. *NYU Law Review*, October, 957-1015.
- Tyler, T. (2004). Enhancing police legitimacy. *Annals of the American Academy of Political and Social Science*, 593(1), 84-99. doi:10.1177/0002716203262627
- Tyler, T., & Huo, Y. (2002). *Trust in the law*. New York: Russell Sage Foundation.
- Tyler, T., & Wakslak, C. (2004). Profiling and police legitimacy: Procedural justice, attributions of motive, and acceptance of police authority. *Criminology*, 42(2), 253-282. doi:10.1111/crim.2004.42.issue-2
- Tyler, T. (1990). *Why people obey the law*. New Haven, CT: Yale University Press.
- Walker, D., Richardson, R., Williams, O., Denyer, T., and McGaughey, S. (1972). Contact and support: An empirical assessment of public attitudes toward the police and the courts. *North Carolina Law Review* 51: 43-79.
- Weitzer, R., & Tuch, S. A. (2002). Perceptions of racial profiling: race, class, and personal experience. *Criminology*, 40(2), 435-456. doi:10.1111/crim.2002.40.issue-2
- Weitzer, R. J., & Tuch, S. A. (2005). Racially biased policing: Determinants of citizen perceptions. *Social Forces*, 83(3), 1009-1030. doi:10.1353/sof.2005.0050
- Wortley, S., Hagan, J., & Macmillan, R. (1997). Just deserts? The racial polarization of perceptions of criminal injustice. *Law & Society Review*, 31, 637-676. doi:10.2307/3053983
- Wycoff, M. A., Pate, A. M., Skogan, W., & Sherman, L. (1985). *Citizen contact patrol in Houston: Executive summary*. Washington, D.C.: Police Foundation.

About the Author

It is with deep sadness that we share news of the unexpected death of **Dr. Jason Vaughn Lee**, professor of Criminal Justice, on Tuesday, January 17, 2017 at his home in Oshkosh. Dr. Vaughn Lee joined the UW Oshkosh faculty in fall 2014, coming to Wisconsin from the University of Wyoming. A specialist on policing and police administration, he taught a wide range of classes in criminology, crime causation, and policing. His scholarship included research on the potential consequences of racially-biased policing as well as policy-oriented studies of citizen perceptions of law enforcement and homeland security. (The comments above were released in an e-mail sent on the behalf of Dean John Koker at the UW Oshkosh.)