

2016 Pilot Study Proposal: Perceptions of the Police and Electoral Politics

Key words: perceptions of police; legal cynicism; police efficacy; police mistreatment; police contact

In the past year, significant public attention has been paid to the treatment of African-American suspects by the police, the relationship between the police and the black community, and police practices more generally. This began with the deaths Eric Garner in New York and Michael Brown in Ferguson, Missouri, both at the hands of police officers, and continued through the deaths of Tamir Rice, Freddie Gray, and Sandra Bland, among others. These events have inspired substantial public protests—in Ferguson and St. Louis, in Baltimore, Cleveland, and New York, but also nationally—and fueled the *Black Lives Matter* movement. This movement has already affected the upcoming presidential campaign, prompting both President Obama and several of the candidates (in particular Hillary Clinton and Rand Paul) to make major speeches on the issue. *Black Lives Matter* protesters have disrupted several campaign events, and are sure to continue to force candidates to address this issue directly as the campaigns progress.

However, these issues are neither novel nor transitory in the history of American politics. Tensions between the police and the African-American community have existed since the end of slavery, when the police played prominent roles in organized community violence (including lynchings) and convict leasing practices (e.g. Tolnay and Beck 1995; Blackmon 2008). These tensions have frequently boiled over into mass protests—for instance the 1964 police-abuse inspired protest riots in Harlem, Philadelphia, and Rochester, or the 1992 protest riots in response to the acquittal of the police officers charged with beating Rodney King. These tensions have become particularly pronounced since the advent of deindustrialization and the creation of “concentrations of disadvantage” in urban minority communities (Wilson 1987; Peterson and Krivo 2010), as the police became the front line in attempting to manage the problems arising from entrenched racial inequalities (Parenti 1999; Wacquant 2009). These issues have illuminated deep divides in public opinion among Americans between blacks and whites (see Peffley and Hurwitz 2010): a Pew

Research study (2014) found that a much larger proportion of black than white respondents felt Ferguson raised important questions about race and that the police response had gone too far. However, a divide also exists among whites: in that same study, roughly one third of whites felt the police response had gone too far, one third felt it was about right, and the other third was unsure.

These perceptions of crime and the police are highly relevant to political behavior. Historically, some politicians have used references to crime to signal voters who are uncomfortable with perceived changes in the relative standing of racial groups, most famously as part of the Republican Party's "southern strategy" (e.g., Alexander 2010; Beckett and Sasson 2004; Hagan 2010; Tonry 2011). Recent work suggests this connection persists (Drakulich 2015). Racialized references to crime polarize voters into two camps: those who perceive the police to be fair, impartial protectors of law-abiding citizens, and those who perceive the police (and the broader justice system) to be biased and prone to excessive behavior against racial minorities (Peffley and Hurwitz 2010). Notably, given recent media attention, these views are malleable: exposure to news coverage of police abuses provokes more critical views of the police, even among whites who generally have more positive baseline views of the police (e.g. Weitzer and Tuch 2004a, 2004b).

Based on this and following current research on perceptions of the police, we propose four sets of questions for the 2016 American National Election Studies (ANES) Pilot Survey that we expect will be related to political behavior. The first tap into perceptions of police mistreatment, misbehavior, and bias. The second set tap into perceptions of police efficacy. These questions can be combined with the third set of questions on attitudes toward laws to create a measure of *legal cynicism*, which recent work has linked to a number of important outcomes. Finally, the fourth set of questions addresses contact with the police, which prior work has identified as particularly important to explaining differences in attitudes toward the legal system. These questions are designed to work independently but also in concert with one another.

Perceptions of the police

People may hold several distinct types of perceptions of the police that may be relevant to political behavior—prior research has identified at least three. The simplest involve basic assessments of the police’s ability to address local crime problems (e.g. Sampson and Bartusch 1998; Huebner et al. 2004). The second dimension involves perceptions of bias on the part of police towards specific groups (see Hagan and Albonetti 1982; Wortley et al. 1997; Hagan et al. 2005; Gau and Brunson 2010). Finally, the third dimension involves perceptions of police conduct and treatment within police interactions (Tyler 1990; Tyler and Waslak 2004; Weitzer and Tuch 2004b).

Prior research suggests such perceptions of the police are highly stratified by race, ethnicity, and class (e.g., Hagan and Albonetti 1982; Hagan, Shedd, and Payne 2005) as well as by the racial composition and other characteristics of the area where one lives (e.g. Drakulich 2013; Drakulich and Crutchfield 2013). This is not surprising given evidence that the police behave differently based on the race and class of the neighborhood: those in poor minority communities disproportionately experience mistreatment and bias (e.g. Smith 1986; Fagan and Davies 2000; Kane 2002). Such negative direct experiences with the police, in turn, drive negative evaluations of the police (e.g. Weitzer and Tuch 2004b; Tyler and Waslak 2004; Hagan et al. 2005; Gau and Brunson 2010). Additionally, negative evaluations of the police are influenced by media depictions of police abuse (Weitzer and Tuch 2004a; 2004b)—something of particular relevance given the substantial recent media attention to police treatment of African-Americans.

In turn, perceptions of the police bias, mistreatment, or misbehavior are related to a variety of outcomes that are relevant to political behavior. A lack of faith in the police colors people’s perceptions of crime and influences their willingness to engage in collective action against crime (Drakulich 2013; Drakulich and Crutchfield 2013)—such perceptions also shape support and opposition to policies designed to address crime but also economic inequalities (Matsueda and

Drakulich 2009). The police may be the most salient point of contact with government institutions for some sections of the population, and perceptions of their legitimacy are likely to color a larger sense of political legitimacy and thus affect voting and other political behavior (see Weaver and Lerman 2010; Matsueda et al. 2012). A loss of legitimacy on the part of the police—one of the most visible representatives of the government—can have profound consequences for communities, inspiring a broader loss of faith in civic institutions (e.g. Anderson 1999) and a decline in the legitimacy of the law itself (Kirk and Papachristos 2011; Kirk and Matsuda 2011). The questions proposed in the following sections address distinct but related dimensions of perceptions of the police that are likely to be relevant to political behavior.

Proposed questions: Perceptions of police treatment / misconduct

The first four questions proposed below are adapted from a 2002 survey designed to be representative of residents of large US cities (see description in Weitzer and Tuch 2004a; 2004b).¹ Each taps into a different dimension of perceived police misconduct and mistreatment: unjustified stops, mistreatment within those stops, excessive force, and corruption. The last two questions capture perceptions of police bias, both in general and toward blacks specifically.

- A1. How often do you think police officers stop people on the street without good reason? (never, on occasion, somewhat often, fairly often, or very often)
- A2. How often do you think police officers, when talking or questioning people, use insulting language against them? (never, on occasion, somewhat often, fairly often, or very often)
- A3. How often do you think police officers use excessive force (in other words, more force than is necessary under the circumstances) against people? (never, on occasion, somewhat often, fairly often, or very often)
- A4. How common do you think corruption (such as taking bribes, involvement in the drug trade) is in police departments? (not at all common, not very common, somewhat common, fairly common, or very common)
- A5. How often do you think police officers treat people differently because of their race or ethnicity? (never, on occasion, somewhat often, fairly often, or very often)

¹ An index of similar items in Weitzer and Tuch (2004a) had an alpha reliability coefficient of .80.

A6. How often do you think police officers treat black people worse than white people? (never, on occasion, somewhat often, fairly often, or very often)

Proposed questions: Perceptions of police efficacy

The first four questions proposed below are adapted from the Project on Human Development in Chicago Neighborhoods Community Survey (e.g. Sampson and Bartusch 1998). They reflect basic perceptions of the effectiveness of police efforts to respond to problems and residents' concerns, maintain order, and control crime.² These questions, unlike the previous set, are not concerned with biases or problematic behavior, but instead simply with police effectiveness in addressing community concerns and preventing crime. The final two questions build on this same theme while explicitly invoking notions of safety and protection, correlates of a broader notion of security (Hagan et al. forthcoming).

Please tell me how much you agree or disagree with the following statements (choices: strongly agree, agree, neither agree or disagree, disagree, strongly disagree).

- B1. The police in this neighborhood are responsive to local issues.
- B2. The police are doing a good job in dealing with the problems that really concern people in this neighborhood.
- B3. The police are not doing a good job in preventing crime in this neighborhood.
- B4. The police are not able to maintain order on the streets and sidewalks in the neighborhood.
- B5. The police do a good job protecting residents of this neighborhood from becoming victims.
- B6. The police are not keeping residents of this neighborhood safe from crime.

Proposed questions: Legal Cynicism

A relatively new measure—though one drawing on a long history of related ideas (Cloward and Ohlin 1960; Matza 1964; Hagan and Albonetti 1982; Tyler 1990; Sampson and Bartusch 1998; Anderson 1999)—combines perceptions of the police with attitudes toward the legal system to

² Prior work has reported an alpha reliability coefficient of .78 for these items (Silver and Miller 2004)—further discussion of the measurement properties can be found in Sampson and Bartusch 1998.

create a measure of *legal cynicism* (Kirk and Papachristos 2011; Kirk and Matsuda 2011). Legal cynicism is a cultural frame that emerges in part from systemic negative experiences with the police in impoverished communities, as well as the general sense of isolation and lack of hope for the future that exists in these contexts (e.g. Sampson and Bartusch 1998; Anderson 1999; Carr et al. 2007). A widespread sense of legal cynicism, in turn, has serious consequences. Prior work has connected it to violence—in the context of US cities (Kirk and Papachristos 2011) and even in Sunni insurgent violence in Iraq (Hagan et al. forthcoming)—to cooperation with justice efforts (Kirk and Matsuda 2011), as well as to a lack of faith and participation in collective efforts to solve local problems (Kirk and Matsuda 2011; Drakulich and Crutchfield 2013).

Thus, in addition to the questions above, we propose six questions tapping into attitudes toward the law and the situations under which people feel bound to follow it. Specifically, we include three questions capturing normative perspectives on the law (C1-3) and three questions reflecting instrumental concerns: that rule-following is contingent on police evaluations (C4-6).³

I am going to read you some statements people sometimes make. For each, please tell me whether you strongly agree, agree, disagree, or strongly disagree.

C1. Laws are made to be broken.

C2. It is important to follow laws even when you disagree with them.

C3. It is all right to break the law if you can get away with it.

C4. Because the legal system does not treat all groups fairly, following the law is less important.

C5. Because the police cannot be relied upon, it is sometimes necessary to break the law to resolve problems oneself.

C6. Because the police cannot be trusted to help, people should do whatever they have to in order to

³ Recent work has employed a measure consisting of only three questions: B3, B4, and C1 (Kirk and Papachristos 2011; Kirk and Matsuda 2011). Given the lack of discussion of the measurement properties of this scale in this work, we felt an expansion of the measure would be beneficial, as would an exploration of the connection between legal cynicism and perceptions of police bias and mistreatment—both likely key sources of a lack of legitimacy. Johnson et al. (2014) discuss the importance of distinguishing instrumental from normative legal views.

resolve problems on their own.

Proposed questions: Police Contact

Finally, while a wide variety of people may have opinions on police efficacy and behavior—formed, for instance, by watching media reports on police abuses (e.g. Weitzer and Tuch 2004a, 2004b, 2005)—direct contact with the police is highly stratified by race and class. This contact has profound consequences for the perspective of those exposed to it. Negative encounters with the police (Hagan et al. 2005), in particular encounters characterized by a lack of respect or which appear biased (e.g. Weitzer and Tuch 2004a, 2004b; Tyler and Waslak 2004) are among the most significant determinants of overall evaluations of the police. The “stop and frisk” technique commonly associated with order-maintenance policing appears to be particularly damaging to perceptions of police legitimacy (Gau and Brunson 2010), perhaps in part because of the large number of searches which do not produce contraband (Silverman and Della-Giustina 2001), and the disproportionate presence of such searches in disadvantaged and minority communities (Fagan and Davies 2000). Such a lack of faith in the police may engender broader questions of the legitimacy of other civic institutions (e.g. Anderson 1999). Additionally, this geographic concentration of aggressive policing practices means that many citizens will be substantially distanced from them, geographically and in their social experience. This distance may have significant consequences for public opinion—aggressive practices may seem more acceptable if they are primarily applied against others or in other kinds of neighborhoods (Harcourt 2001).

The first three questions below are designed to tap into stratified experiences with police contact, asking about personal experiences, vicarious experiences through family and friends, as well as geographic exposure to contact with the police and stop and frisk practices. The final two questions address emotional responses to the prospect of contact with the police. Research on fear and anger about the prospect of criminal victimization have suggested the two share distinct

relationships with support for public policies designed to address crime versus racial economic inequalities (Johnson 2009; Drakulich and Baranauskas 2014). Fear or anger about police contact provides a potentially interesting reaction to a reciprocal experience that is also likely to be relevant to political behavior. Like actual contact with the police, fear and anger about the prospect of contact is also likely to be highly stratified by race and class. These adopt the style of prior ANES questions (e.g. in the 2008-2009 Panel Study) which ask about emotional responses to the prospect of events including losing one's job or home or being the victim of a crime.

D1. Have you been stopped or questioned by a police officer or officers within the past 12 months? (yes, no, I don't know)

D2. Have any of your family members or friends been stopped or questioned by a police officer within the past 12 months? (yes, no, I don't know)

D3. How frequently do you see police officers stopping and questioning or frisking people in your neighborhood? (never, on occasion, somewhat often, fairly often, or very often)

D4. Overall, how fearful are you about the possibility of being stopped and questioned by the police? (very fearful, somewhat fearful, neutral, not too fearful, not at all fearful)

D5. Overall, how angry are you about the possibility of being stopped and questioned by the police? (very angry, somewhat angry, neutral, not too angry, not at all angry)

Conclusion:

Each of these substantive topics are rooted in fundamental theoretical questions about the functioning of civic society, including the role of inter-group dynamics and competition, the use of the police and the criminal justice system to manage inter-group conflict, the managing of the social marginality that develops out of extreme economic inequality, and the balance between providing for security and safety versus addressing inequities and ensuring universal civil rights. As such, these questions should be of widespread interest to researchers interested in a diverse set of questions.

The questions will also benefit from being asked alongside other types of questions that have historically appeared in ANES surveys. The ANES, for instance, has a long history of asking robust questions about racial attitudes. Perceptions of the police are also likely to be connected to broader

questions about trust in society, its institutions, and its political representatives. Finally, as noted above, evaluations of the police are likely to be connected to news consumption—especially given the recent focus in the news on police behavior. For all these reasons, we believe it would be valuable to include these measures in the 2016 ANES Pilot Study.

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