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# Should We Talk?: Examining Individual and Aggregate Level Predictors of Mediation Selection at the New York City Civilian Complaint Review Board

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SHOULD WE TALK?: EXAMINING INDIVIDUAL AND AGGREGATE LEVEL  
PREDICTORS OF MEDIATION SELECTION AT THE NEW YORK  
CITY CIVILIAN COMPLAINT REVIEW BOARD

by

CYNTHIA-LEE WILLIAMS

A dissertation submitted to the Graduate Faculty in Criminal Justice in partial  
fulfillment of the requirements for the degree of Doctor of Philosophy,  
The City University of New York

2017

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This manuscript has been read and accepted for the Graduate Faculty in Criminal Justice in  
satisfaction of the dissertation requirement for the degree of Doctor of Philosophy.

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## ABSTRACT

Should we talk?: Examining individual and aggregate level predictors of mediation selection at the New York City Civilian Complaint Review Board

by

Cynthia-Lee Williams

Advisor: Dr. Jeremy Porter

Currently, there are few studies that examine mediation programs within civilian complaint review boards. Research that analyzes these programs mainly focus on the degree of citizen satisfaction. This study adds to existing research by examining possible individual and aggregate-level characteristics linked to mediation selection. Specifically, this study considers the long standing tensions shared between the police and certain groups (e.g. minorities, youths, and residents of disadvantaged communities), and attempts to uncover which groups are more or less likely to meet with officers to resolve police complaints. The data (obtained by the CCRB and US Census 2010) allows for the analysis of complainant demographic characteristics, neighborhood characteristics linked to the complainants, and characteristics of the subject officers. Bivariate and multi-variate analysis uncovered group differences in mediation selection. Particularly, the results of the study demonstrate that minorities and persons who reside in disadvantage communities are more likely to select mediation. Furthermore, the study also shows that younger African-Americans and persons who filed complaints against white officers are less likely to mediate. This study uses several theoretical perspectives (integrated threat theory, social disorganization theory, and catharsis theory) to support the findings.

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## **CHAPTER I: INTRODUCTION**

The police play an integral role in maintaining order within our society by engaging in both crime-fighting and order maintenance practices. An essential condition of police work also involves protecting the rights of citizens and upholding the highest ethical standards of conduct. Prior to assuming their roles, police officers take an oath of office, and agree to adhere to codes of conduct. All too frequently, some officers defy these conditions and engage in behaviors that violate the rights of civilians.

Acts of police misconduct have been prevalent since the formation of the police force, but not heavily advertised until the 1960's during the height of the civil rights movement. Brutal encounters between black civilians and the police were being widely reported by the media and were televised nationwide. Media outlets propelled the issue of police brutality into the forefront of America's consciousness (Kapperler, Sluder, & Alpert, 1998).

Stories of police misconduct still receive extensive coverage today. The American public are often confronted with images and narratives of police brutality throughout numerous news mediums. Some of the most publicized stories of police misconduct has led to public outrage, as large groups unite in efforts to draw attention to this dilemma. For instance, the 1981 acquittal of four police officers for the brutal beating and subsequent death of Arthur McDuffie, an African-American male who was stopped for speeding on his motorcycle, ignited the 1980 Miami riots. Over a period of 4 days, from May 17 to May 20, 1980, a series of looting and rioting led to the deaths of 18 individuals, 350 injuries, and about 600 arrests (Porter & Dunn, 1984). Approximately, 10 years later, in 1992, the jury acquittal of 4 white police officers who



beat Rodney King, an African-American male motorist who was stopped by police after a high-speed chase, ignited riots in the city of Los Angeles. From the dates of April 29 to May 4, 1992, there was widespread looting, assaults, arrests, property damage and protests in the streets of Los Angeles. In total, the LA riots resulted in 55 deaths, over 2,000 injuries, and approximately 11,000 arrests (Linder, 2001). More recently, the death of Michael Brown (an 18-year-old African-American male who was fatally shot by a police officer) and Eric Garner (an African-American male who died at the hands of an NYPD officer) were covered nationally; these acts of police brutality led to a series of protests throughout the United States (The Associated Press, 2014).

Often times, narratives of police brutality and corruption overshadow accounts of effective police work. In efforts to counteract the negative social impacts associated with police misconduct and to hold officers accountable for wrongdoings, civilian oversight agencies were established throughout the United States. These agencies provide the public with an opportunity to file complaints against officers who have committed acts of misconduct against civilians. Police actions that are considered “acts of misconduct” are defined by administrative regulations and guidelines, which are, for the most part, universal across police departments (Walker, 1995; Henriquez, 1999; & Walker & Wright, 1995). These regulations often include the following four offenses: excessive use of force, abuse of authority, discourteous behavior, and offensive language (Seron, Pereira, & Kovath, 2003).

The New York City Civilian Complaint Review Board (CCRB) is considered the standard model for citizen review boards in the United States (Soler, 2010). This citizen oversight agency investigates allegations of police misconduct, where citizens have the opportunity to file complaints against officers who, they believe, have committed an offense or

offenses involving one or more of the following violations: excessive force, abuse of authority, discourtesy, and/or offensive language. If a case against a subject officer is substantiated, where evidence suggests that the officer violated one or more of NYPD's Code of Conduct guidelines, the infraction will permanently remain on the officer's record, and administrative penalties are recommended by the agency. It should be noted, however, that disciplinary action is left to the discretion of the police department, whom may or may not choose to accept or execute CCRB's recommendations (Soler, 2010).

Within the agency's protocols, complainants who have allegations that are not considered egregious, can opt to mediate their case rather than partake in the investigation process. In the CCRB's mediation process, civilians have the opportunity to confront officers, who were accused of wrongdoings, in the presence of a neutral mediator. The theoretical framework behind CCRB's mediation process lies in the restorative justice model, which emphasizes the needs of the victims, offenders, and the immediate community (Van Ness & Strong, 2002). In essence, this process is a type of alternative dispute resolution, where the underlying objective lies in mending the relationships between civilians and officers following a displeasing encounter; this, in turn, helps to improve police-community relations.

The mediation process offers a great deal of potential benefits to complainants. Some proponents argue that mediation actually outweighs the benefits of investigations. Historically, a low percentage of CCRB cases are substantiated. For instance, in 2006, only 4% of cases were substantiated. More recently, the number of substantiated cases have increased – 14.4% in 2015 (News, Reports, & Statistics, 2015). If an investigation proves that an officer has committed an act of wrongdoing, there is no guarantee that he or she will receive disciplinary action as the final

decision still remains under the discretion of the police department. The CCRB can only recommend penalties, not enforce them.

Although limited, some research suggests that mediation fulfills the objectivities of complainants more so than traditional investigative practices (Walker et al., 2002). For instance, in a focus group study, participants were asked to respond to a hypothetical situation, in which an officer committed an act of misconduct against a civilian. Many participants expressed that they would prefer an apology or explanation from the offending officer. Very few participants expressed a preference for punitive outcomes, such as termination. (Walker et al., 2002). In another study, conducted by the Alberta Law Enforcement Review Board, they revealed a similar finding where interviewed citizens preferred an apology from the offending officer (Alberta Law Enforcement Review Board, 1997). In sum, a series of studies demonstrate that citizens believe that an officer who had committed an act of misconduct should make efforts to reconcile with their victim.

Research also demonstrates that civilians who mediate their complaints report higher levels of satisfaction compared to those who opt for the traditional process of investigation (Corbett, 1991; Holland, 1996; Walker et al., 2002). For instance, a study conducted in Queensland Australia revealed that approximately one-third of their complainants were "very satisfied" with the mediation process, compared to 16% of complainants who chose to have their cases investigated (Holland, 1996).

Several process evaluations have uncovered another major benefit of mediation within civilian oversight agencies. Evaluations conducted by Corbett (1991) & Holland (1996) demonstrate that complainants felt empowered by the mediation process because they were able

to voice their concerns to the offending officer. Also, since mediation is an optional and voluntary process, it may give complainants the impression that they are regaining the power they lost during their incident; it is their decision to engage in the process, and terminate the process if they are dissatisfied.

Mediation being used as a form of alternative dispute resolution for police complaints may also provide victims with a better understanding of the police and perhaps, may help to eliminate stereotypes that are often associated with officers. Numerous reports from mediation officials have shown that explanations provided by the offending officer gave complainants a better understanding of the circumstances surrounding the incident. Researchers relayed that, quite often, the complainant was able to relate to the officer's circumstance which influenced his or her behavior on the day of their encounter (Walker et al, 2002).

One of the underlying objectives of mediation is to help improve police-community relations. Favorable ratings of the police are essential for several reasons. More than any other criminal justice agency, the police strongly rely on the public to work effectively (Bell, 1979). As the function of police work is both proactive and reactive in nature, public cooperation is needed for the police to perform their duties (Zamble & Annelley, 1987). The public's assistance is particularly important in urban communities, where mobilization and arrests are overwhelmingly predicated on the help provided by citizens. If citizens are confident in the police, ideally, they are more willing to assist law enforcement officers (Bell, 1979).

Secondly, from an administrative perspective, acknowledgement of public opinion and public concerns may lead to policy modifications, the allocation of resources and personnel, as well as the development of new programs (Bell, 1979). For instance, the public turmoil

surrounding police-community relations in the 1960's led to police departments examining their duties and operations. Consequently, government agencies, such as the Law Enforcement Assistance Administration (LEAA), were established to improve policing strategies and practices. Funding provided by LEAA led to police departments creating professional models, where they improved training programs, and encouraged post-secondary-level education. Moreover, under these new models, officers were taught to respond to civilian conflicts in a more humane manner (Goldstein, 1977).

Currently, studies that examine the process of mediation as well as its outcomes are quite scarce. The few studies that do analyze mediation have a keen focus on civilian satisfaction. This emphasis on civilian satisfaction is much needed as it provides insight into the effectiveness of mediation; however, studies have yet to identify factors or characteristics that are linked to accepting and rejecting mediation. The purpose of my study is to add to limited research, by determining which individual level and aggregate level characteristics are linked to citizens who reject or accept mediation participation at the CCRB.

To provide some insight into mediation selection, this study proposes that mediation selection may be tied to civilian opinions of the police. To make this connection, this study turns to an evaluation of victim-offender mediation programs (a mediation process that has similar underlying principles to that of the CCRB). Drawing on his experience of providing training to victim-offender mediation programs in more than 30 cities, Umbreit (1988) revealed the emotional turmoil victims face in choosing mediation. He expresses that due to the heightened fear of re-victimization and a lack of trust in the potential actions of the offender, outreach to the victims must be dealt with delicately. In his writings, Umbreit connects strong negative attitudes towards the offender as a reason for victim resistance in mediation participation (Umbreit, 1988).

Thus, it can be inferred that the decision to meet with an officer, who is viewed by the civilian as an “offender,” may be influenced by how the civilian views the police in general. As mediation is optional and completely voluntary, it can be assumed that civilians who are comfortable with directly conversing with officers and feel that a resolution may arise through this form of interaction, may be more willing to partake in mediation.

Currently, there are a plethora of studies that examine civilian attitudes towards the police. Overall, empirical research demonstrates that Americans view the police favorably; however, studies do reveal that certain individual and neighborhood characteristics are linked with less favorable opinions of the police (Hurst et al., 2000). For instance, African-Americans, youths, and persons who reside in disadvantage communities have more negatively charged feelings towards police (Hurst et al., 2000; Reisig & Parks, 2000; Weitzer & Brunson 2008). As these factors are often used as determinants in studies that examine civilian attitudes towards police, my research will also use them as possible predictors of mediation selection. Several hypotheses are developed for this study. Integrated threat theory, one of the theoretical frameworks used in this study, posits that four types of threats (*realistic threats, symbolic threats, intergroup anxiety, and negative out-group stereotypes*), cause ingroup members to avoid contact with outgroup members (Stephan et al., 2002). Pulling from integrated threat theory as well as the findings of studies that examine opinions of the police, the following hypotheses are made:

- H1: Minorities (Blacks & Hispanics) are less likely to select mediation.
- H2: Younger people are less likely to select mediation.
- H3: Gender has no effect on mediation selection.

This study will also test interaction variables pertaining to the individual characteristics of the complainants (gender & age; age & ethnicity; and gender & ethnicity) as possible predictors of mediation. Using integrated threat theory as well as the findings of studies that examine opinions of the police, the following hypotheses are made:

- H4: Minority men (Black men & Hispanic men) are less likely to select mediation compared to white men.
- H5: Minority women (Black women & Hispanic women) are less likely to select mediation compared to white women.
- H6: Younger African Americans are less likely to select mediation compared to older African-Americans.
- H7: There is no difference in mediation selection when considering both the gender & age of the complainants.

Social disorganization theory, another theoretical framework utilized in this study, identifies several neighborhood characteristics that are not only linked to crime, but also to social cohesion. Studies show that the greater the degree of social cohesion in a neighborhood, the more likely one chooses to participate in activities or functions that benefit his or her community (Sampson, 1997). Studies show that individuals who reside in disadvantage communities have low degrees of social cohesion and have more negative attitudes towards the police (Reisig & Parks, 2000). Mediation at the CCRB is a voluntary process and serves as a mechanism to improve police-community relations. Based on the components of social disorganization theory, as well as integrated threat theory, the following hypothesis is made:

- H8: Complainants who reside in disadvantage neighborhoods are less likely to mediate.

This study also looks at the characteristics of the subject officers, mainly focusing on the officer's race to test if a racial dynamic exist between the officer and the victim, and if this dynamic influences mediation selection. The gender of the officers and years of police service are also examined as possible determinants. In attempts to provide insight to the aforementioned factors and how they relate to mediation selection, this study analyzes police culture and how it influences police-civilian interactions. Thus, elements of police culture as well as integrated threat theory (which serves as the theoretical framework) is used as the basis for the following hypotheses:

- H9: Complainants who allege misconduct against a white officer will most likely reject mediation.
- H10: Complainants who allege misconduct against male officers are less likely to mediate.
- H11: There is no difference in mediation selection when considering the officer's years of service.

This study also considers several alternative outcomes which are supported by catharsis theory. Catharsis theory is a psychological theory, which states that when one feels hurt by another, his or her anger builds up to the point where there is a need to vent and release pressure in order to have fewer negative emotions. Under this theory it is presumed that several groups, which are believed to experience more frustrations with the police, may be more likely to select mediation.

As noted above, this study will analyze characteristics that are possibly linked to citizens who reject and accept mediation at the CCRB. The study employs quantitative methods to analyze CCRB data (covering the years of 2007-2012). A series of Chi-square tests and



Independent Samples T-tests will be used to examine bivariate relationships. As for aggregate-level data, which are the neighborhood characteristics linked to the complainants, Hierarchical Linear Models will be used to test for significant multi-level clustering and interactions. CCRB case characteristics will also be used as controls in the HLM models. Lastly, this study utilizes ArcsGIS for spatial analysis of both individual and aggregate-level data.

This study is intended to determine which groups are more likely to accept or reject mediation. The overall objective of mediation is to improve police-community relations. Maintaining positive relationships between the police and civilians is essential, as the police require the assistance of civilians for both crime-fighting efforts and order maintenance practices. Therefore, the underlying purpose of this study is to shed light on certain groups who are known to have poor relationships with officers, particularly, to see if these groups are willing to build their relationships with the police if given the opportunity. The outcomes of this study may help authorities apply resources to the proper channels in efforts to strengthen community relations.

This study may also bring more awareness to mediation, as the CCRB is mainly perceived as an agency that investigates allegations of police misconduct. Mediation at the CCRB serves as a tremendous benefit not only to participants and officers, but also to communities within the city of New York. The following chapter introduces a brief history on police brutality and the formation of the CCRB. This will be followed by a chapter on the philosophy and process of mediation.

## **CHAPTER II:**

### **POLICE MISCONDUCT & THE FORMATION OF CIVILIAN OVERSIGHT AGENCIES**

Within the United States, the organized police force has been in existence for over 150 years. Prior to its formation, men patrolled and surveillance their local neighborhoods at night. In 1838, the city of Boston established the first official police force in the United States. Six years later, in 1845, New York City formed their own police force; duties included patrolling the city during both mornings and evenings. Other cities followed suit, and within the next 30 years, every major city had established an official police force (Platt et al., 1982).

Police misconduct has existed since the early formation of law enforcement agencies in the United States. In the nineteenth century, many police departments were heavily influenced by local governments. Officers were mainly employed and promoted solely based on political affiliation and financial payoffs. Often, they were not under any scrutiny. Most acts of police misconduct went unacknowledged, and punishment for committing these acts were virtually non-existent. Consequently, police corruption and police brutality thrived during the 19th and early 20th centuries (Walker, 1992).

In the 1870's and 1880's, early reformers expressed outrage against local politicians who used the police to enforce their own agendas. Committees were soon developed to measure, identify, and investigate police misconduct. For instance, in 1894, the Lexow Committee was created to measure the level of corruption within the New York Police Department. Their investigations uncovered that many police officers, of all ranks, were involved in some form of police corruption. For instance, it was revealed that many officers had become quite wealthy

from accepting bribes from offenders who were involved in prostitution, gambling, and illegal alcohol sales. The findings linked to the Lexow investigation led to the selection of a new police commissioner, Theodore Roosevelt. Unfortunately, his efforts were not successful since police corruption had already become commonplace (Sherman, 1980).

The 1920's ushered in a new perception of the police. No longer were officers identified as being corrupt enforcers, but rather, they were advertised as being honest. This led to more qualified candidates applying for police positions. Consequently, police agencies experienced an exponential growth in numbers. The 1930's brought in the Scientific Management Period, where the Federal Bureau of Investigations began assisting local police departments in maintaining crime statistics and crime reports. Crime-fighting technical advances were also introduced into police departments at this time (e.g. radios, finger prints). Police officers were now officially viewed as "crime fighters" (Geller & Toch, 1995). This period of scientific and technical advances coincided with a heightened interest in holding officers accountable for committing acts of misconduct. President Herbert Hoover established the National Commission on Law Observance and Enforcement, better known as the Wickerham Commission. The outcome of their investigation into police misconduct led to the public exposure of widespread police brutality. For instance, the report revealed that officers used brutal tactics (e.g. physical and mental pain) to extract confessions. The commission called for an increase in police professionalism, improved supervision, and personal standards (Mierczkowski et al., 2005). This led to the formation of oversight committees that examined cases of police misconduct. Prior to the 1960's, there were approximately 6 oversight committees within the United States; however, these committees remained "in-house," and were not independent from their respective police

departments. In other words, the police were "policing themselves." As a result, many officers were still not held accountable for committing acts of misconduct (Mierczkowski et al., 2005).

The 1960's brought upon social and administrative changes in US police departments; these adjustments arose mainly due to major riots that were directly linked to acts of police misconduct (Feagin & Hahn, 1973). The Kerner Commission, formed by Lyndon B Johnson, researched possible factors related to inner-city riots, and found that many African-Americans reported police harassment in almost every city that was surveyed by the commission. Some African-Americans voiced that they felt powerless (Mierczkowski et al, 2005). Victims of police brutality also stated that they were discouraged from filing complaints against police officers. To assist in these matters, the American Civil Liberties Union and the National Association for the Advancement of Colored People held protests in most of the major cities in the United States. Their main objective was to establish independent review boards to investigate police complaints, as current review boards were managed and operated in-house. The reality of police departments policing themselves was troublesome to the public (Mierczkowski, 2005). Over the next 20 years, in response to growing public concerns involving the police, most US cities established some form of civilian oversight agency to regulate police behavior. Currently, there are over 100 police agencies with independent oversight complainant programs in the US. They cover approximately 80% of the largest cities in the United States, and they serve about 1/3 of the overall American population (Perino, 2004).

Citizen oversight is defined as a procedure which the investigation of citizen complaints against the police involve some form of input from civilians who are not sworn officers (Perino, 2004). Proponents of civilian review boards perceive them as inexpensive means to resolve citizen complaints, and that they promote police accountability when an officer commits an act

of wrongdoing. Moreover, proponents argue that the existence of citizen review boards strengthen the public's confidence in the police (Littlejohn, 1981). New York City's Civilian Complaint Review Board is considered the unofficial blueprint for independent citizen oversight agencies. The following section introduces the CCRB, explaining both its history and process.

### *The CCRB: History & Process*

One of the most notable and early civilian review boards, the New York City Civilian Complaint Review Board (CCRB), was established in 1966. The agency's roots can be traced back to the 1950's, when New York residences advocated for a civilian complaint review board to investigate police acts of misconduct. In October of 1950, the Permanent Coordination Committee on Police and Minority Groups, a group consisting of 18 civil liberties communities, met to discuss police-minority relations, primarily involving African-American and Hispanic citizens. The charges from this committee, which uncovered unjust treatment and police misconduct against minority groups, led to the creation of the first Civilian Complaint Review Board in NYC in 1952. At this time, the agency was mainly staffed with police representatives. In 1954, the board's agenda was restructured to address more civil liberties and community concerns; however, civilians were not yet employed at the agency (Cannato, 2001).

The 1960's ushered in heightened concerns regarding police brutality in NYC, particularly police acts of misconduct against African-Americans. For instance, in the summer of 1964, a race riot in Harlem erupted due to the shooting death of an African-American male by a white police officer (Cannato, 2001). In efforts to combat acts of police misconduct, the Mollen commission carried out an investigation, which led to the arrest of police officers. Some officers were charged with offenses including but not limited to extortion, perjury, and narcotics

trafficking. The Mollen Commission recommended that a permanent police oversight agency be established, one that was independent from the police department (Littlejohn, 1981).

Following the election of mayor John Lindsay in 1966, he appointed Commissioner Leary, who amended the oversight board's rules and procedures. On June 4, 1966, a civilian majority-ran CCRB was created. The new board consisted of seven male investigators, four were civilians and three were policemen who were chosen by the Commissioner. The board was also racially diverse, and consisted of three African-American males and one Hispanic male (Cannato, 2001). In 1993, the CCRB underwent a serious revision, as the city council amended the city charter which led to the creation of an all civilian complaint review board, completely independent from the police. This new board consisted of 13 members (Soler, 2010).

Chapter 18-A of the New York City Charter defines the Civilian Complaint Review Board of New York City as, "a body comprised solely of members of the public with the authority to investigate allegations of police misconduct" (Soler, 2010, p.3). NYPD regulations require the police officers of New York City to avoid unnecessary use of force, abuse of authority, discourteous and use of offensive language when interacting with civilians (Seron et al., 2006). In the CCRB's website, force is defined as the following:

"Force: this refers to the use of excessive or unnecessary force; behavior that includes punching, shoving, or choking a civilian, using pepper spray and up to and including the use of deadly force" (About the CCRB, 2013).

Abuse of Authority is defined as the following:

- "Abuse of Authority: this refers to abuse of police powers to intimidate or mistreat a civilian; for example, an officer's refusal to provide name and badge number, an improper strip search

or vehicle stop and search, or an improper "stop, question, and frisk" (About the CCRB, 2013).

Discourtesy is defined as the following:

- "Discourtesy: this refers to cursing and using other foul language or gestures" (About the CCRB, 2013).

And lastly, Offensive Language is defined as the following:

- "Offensive Language: this refers to slurs and derogatory remarks or gestures based upon race, ethnicity, religion, gender, sexual orientation, or physical disability" (About the CCRB, 2013).

Police misconduct in NYC is often referred to as FADO, which is an acronym for force, authority, discourtesy, and offensive language (Seron et al., 2006).

Once a complaint is received by the CCRB, either in writing, telephone, in-person, or a referral, the complaint will either remain with the agency if it falls within the agency's guidelines, or it may be referred to the appropriate department. If the complaint is investigated by the board, an investigator is assigned to the case, and he/she makes the effort to contact the complainant (s), victim (s), and witnesses (if they exist). A phone statement and in-person interview is required from the main complainant. A statement from the witnesses may be obtained through a phone call and/or in-person. The investigator is required to transcribe the interviews which are all recorded on tape. The board may then request written documents, and may use subpoena power if necessary. The investigator also interviews the officer or officers

involved in the complaint. Once compiling the evidence, the investigator makes one of the following recommendations: Substantiated; Unsubstantiated; Exonerated; Unfounded; Complaint Withdrawn; Complainant Unavailable; Victim Unavailable; Victim Uncooperative; and Officer Unidentified (CCRB Investigations, 2013).

The Rules of City of New York, Title 38A, Chapter 1, Case Dispositions, Subchapter 1-33 defines the aforementioned terms as the following:

“(1) Substantiated: the acts alleged did occur and did constitute misconduct.

(2) Unsubstantiated: there was insufficient evidence to establish whether or not there was an act of misconduct.

(3) Exonerated: the acts alleged did occur but did not constitute misconduct.

(4) Unfounded: the acts alleged did not occur.

(5) Complaint Withdrawn: the complainant voluntarily withdrew the complaint.

(6) Complainant Unavailable: the complainant could not be located.

(7) Victim Unavailable: the victim could not be located.

(8) Complainant Uncooperative: the participation of the complainant was insufficient to enable the board to conduct a full investigation.

(9) Victim Uncooperative: the participation of the victim was insufficient to enable the board to conduct a full investigation.

(10) Officer Unidentified: the board was unable to identify the officer who was the subject of the allegation" (Rules of City of New York, Title 38A, Chapter 1, 2013).

If a case is found to be substantiated, it is sent to the NYPD, Department Advocate's Office (DAO). The DAO has several options, which includes taking the case to trial, negotiating a plea agreement, or closing the case without taking any disciplinary action. If an officer is



disciplined, the police commissioner has the discretion to either enforce or not impose the penalty recommended. Punishments for substantiated cases range from no punishment (a warning), loss of vacation time, suspension, and termination. All complaints, regardless of the outcome, remain on the subject officer's record (CCRB Investigations, 2013).

In 2013, the CCRB received 5,410 cases that were within their jurisdiction. The agency currently has about 170 employees. The Force allegation comprised of 53% of the total number of complaints. The Stop, Frisk, and Search allegations, which falls under Abuse of Authority, comprise of about 19% of all allegations. African-Americans make up 62% of alleged victims who were stopped, questioned, and frisked. This number has remained fairly consistent during the years of 2009 to 2013 at 63% (New, Reports & Statistics, 2013).

From the 2,082 complaints that were fully investigated in 2014, 14.4% were substantiated. Approximately 152 officers were disciplined for misconduct based on substantiated CCRB complaints; this makes up about 60% of the total cases that were recommended for disciplinary action. As for the demographic characteristics, African Americans made up the majority of the alleged victims, comprising of 55% of the complainants. As for the racial makeup of the remaining complainants, 9% were white, and 1% were Asian; within NYC, whites make up 34% of the population and Asians make up 12%, thus they represent a disproportionately low number of victims (News, Reports, & Statistics, 2013). As for Hispanics, they make up 29% of the population, and filed 26% of the complaints. The racial composition of CCRB victims has remained fairly consistent within the past 5 years. African-American victims have remained stable at 55%. Hispanic victims have ranged between 24% and 27%, and whites have been between 9% to 27%. As for Asians, they remained steady, making up less than 3% over the past 5 years. During this time, 2% to 3% of the alleged victims were

classified as other (News, Reports, & Statistics, 2013). As for gender, in 2013, males made up the majority of alleged victims, consisting of 71%. When considering the overall population of males in this country, they are over-represented, as males make up 48% of the total US population (News, Reports, & Statistics, 2013).

According to Walker (1997), the agenda of civilian oversight agencies are the following:

a) Providing a thorough review of the police complaint; b) Recommending the appropriate disciplinary action for cases that are substantiated; c) Deterring officers from committing future misconduct; d) Providing a high level of satisfaction to complainants; e) Improving the public's opinion of the police; and f) Enhancing the effectiveness and professionalism of the police department.

As an alternative to punitive measures, the CCRB offers civilians the opportunity to mediate their case, depending on the type of allegation (s) alleged during their encounter with the police. The following chapter will introduce mediation and CCRB's mediation program. The foundations of this program as well as other forms of alternative dispute resolutions will also be discussed.

## **CHAPTER III:**

### **THE PHILOSOPHY AND PROCESS OF MEDIATION**

Mediation within a civilian oversight board is defined as a formal program where the complaining party and the offending officer (s) participate in a face-to-face meeting for the purpose of resolving a complaint. The meeting is facilitated by a neutral mediator and concludes when both parties mutually agree that an acceptable resolution is reached. (Walker & Archbold, 2000; Maguire & Corbett, 1991; & Maxwell, 1994). Mediation is considered a social control mechanism, where emphasis is placed on conflict resolution; thus, punishing the offending officer is not viewed as the end result (Walker & Archibald, 2000). Mediation, which is a voluntary process, emphasizes open dialog between the two conflicted parties. Discussions are held in a safe environment where the parties are able to voice their concerns about the incident (Folberg and Taylor, 1984). The trained mediator who oversees the process does not influence either party to reach an agreement about the dispute. Mediation is a confidential process, in which all statements made by participating members cannot be used in legal proceedings, thus allowing for a more free and open dialog (Walker et al., 2002).

Mediation is deemed as an effective alternative when accounting for time, effectiveness, and expense; it is less costly than other methods of resolution, such as court proceedings (Walker et al., 2002). Research demonstrates that mediation may also provide complainants with a higher degree of satisfaction compared to the traditional complaint process. Studies have also shown that complainants prefer an apology from the offender. Furthermore, research shows that complainants rather voice their concerns to the offending officer than have them receive a harsh penalty (Prenzler & Ronken, 2001).

Walker, one of the premier scholars of mediation, identified several goals of the process. As the complaint process at civilian oversight agencies place emphasis on finding the dispositions of police misconduct allegations, the goal of mediation is based on the following three principals: understanding, problem solving, and reconciliation (Walker et al., 2002). Walker notes that civilian complaints against officers are often based on miscommunication. A recent report on mediation programs explains that the main objective of mediation is to develop an understanding between both parties, rather than to determine culpability or innocence (Umbreit & Greenwood, 2000). As for the second principal, problem solving, mediation can be perceived as a form of problem solving, as the process allows for identifying factors to be uncovered and discussed. These factors may include miscommunication, inappropriate actions, and a misunderstanding between both parties. As for the last principal, reconciliation, mediation participants (civilians and officers) arrive to an agreement through actively listening; therefore, both parties may gain a better understanding of the encounter. This agreement might include a formal apology by either the complainant or the officer (Walker et al., 2002).

The foundation of mediation lies within the framework of Restorative Justice. Braithwaite defines restorative justice as a process where all the parties that have an invested stake in a case come together to resolve a conflict, and subsequently, work together to deal with its aftermath (Braithwaite, 1999). Restorative justice is an approach that has grounded traditions of justice from the ancient Greek, Roman, and Arab civilizations (Van Ness & Strong, 2002). Overall, restorative justice has been the dominant model of criminal justice for most of human history (Van Ness, 1986; Weitekamp, 1999). Early restorative justice programs in the US began with the juvenile justice system, particularly with incidences that involved juveniles who were accused of property crimes and child/family issues (Weitekamp, 1999). The use of restorative

justice models eventually expanded to include adult offenders who were charged with crimes that involved severe violence, property crimes, family dysfunctions, and abuse (Umbreit, Coates, & Bradshaw, 1999).

Mediation, an adaptation of restorative justice, has been widely used in the following situations: small commercial disputes, divorce cases, and employee-employer disputes. Within recent decades, mediation has been increasingly utilized in the criminal justice system. In addition to police complaints, mediation has been used in prison grievances, citizen disputes, community courts, and victim-offender mediation (Walker et al., 2002).

Although the popularity of mediation has increased in the past few decades, it is currently underutilized as a mechanism for resolving police complaints. There are only a few programs in police oversight agencies that offer mediation as an alternative to punitive measures. As of the year 2000, sixteen police complaint mediation programs exist in the United States (Walker & Archbold, 2000). Moreover, these programs sustain a very small percent of complaints within their agencies (Walker & Archbold, 2000).

### *CCRB Mediation Program*

The CCRB mediation program is considered one of the largest mediation programs in the country (Bartels & Silverman, 2003). The CCRB established its mediation program in 1997, under the CCRB ADR division and are in agreement with the New York Police Department. The CCRB mediation program arranges face-to-face meetings between complainant (s) and the subject officer (s), in the presence of a trained neutral mediator, for the purpose of resolving the conflict between the two parties (Bartels & Silverman, 2003). Mediation at the CCRB is

voluntary, and the process is confidential; the statements from both parties cannot be used for future judicial proceedings (Bartels & Silverman, 2005).

One of the general rules concerning CCRB's mediation process is that both the complainant(s) and the subject officer (s) have to agree to partake in the process as it is entirely voluntary. The complainant can choose to withdraw their complaint anytime, and end the mediation process. In accordance with the CCRB board's directives, mediation is offered in all suitable and eligible cases. Once a civilian files a complaint against an officer, based on the nature and allegations attached to the case, the investigator may offer mediation to the complainant. Cases that are considered egregious, such as allegations of excessive force, ones that result in injury or property damage, are not eligible for mediation. Also, cases which allege that the complainant was stop, frisked, and searched by officers are not eligible. Furthermore, officers who have appeared for mediation within the past 9 months and officers who have been named in three civilian complaints in the past 12 months are not able to engage in the process. Mediation meetings take place at the CCRB in the presence of one or two neutral mediators. In efforts to suppress negative perceptions tied to the police, the offending officer comes to the meeting in civilian clothing. Unless a party needs required assistance (e.g. translator, parent), only the civilian, officer, and the mediator are present during the meeting; this is to ensure that the civilian is not intimidated by the mediation process (Berger, 2000).

In 2013, CCRB reported that approximately 90% of mediation cases were successful (News, Reports, & Statistics, 2013). Since the program's inception, more than 4,000 cases were accepted (Soler, 2010). Within the past five years, the rate of civilians accepting mediation was over 50%. More specifically, the acceptance rates for mediation were the following: 53% in 2009; 56% in 2010; 53% in 2001; 56% in 2012; and 54% in 2013. As for the acceptance rates for

officers, they were the following: 74% in 2009; 82% in 2010; 77% in 2011; 74% in 2012; and 83% in 2013. Recent statistics demonstrate that in 2013, 392 mediation cases were closed, a 38% increase from 285 in 2012. Approximately 16% of all CCRB cases were resolved through mediation. Within the past 5 years, the percentages of resolved mediation cases ranged from 7% to 18% (News, Reports, & Statistics, 2013).

### *Studies on Mediation within Civilian Oversight Agencies*

Currently, there are very few studies on mediation programs within police oversight agencies (Smith, 2004; Walker et. al, 2002). The few studies that have examined mediation mainly focus on measuring the level of satisfaction for both complainants and officers. Many of these studies were conducted in the United Kingdom and English-speaking countries outside of the United States. In one such study, Maguire and Corbett (1991) evaluated the opinions of both civilians and the police regarding their views on mediation and its potential outcomes. The study uncovered that 16 of the 30 complainants who were interviewed would be interested in directly meeting with the offending officer in hopes of receiving an apology and an explanation (pertaining to the officer's behavior). It also revealed that the participating officers were less enthusiastic about the concept of mediation when compared to civilians (Maguire & Corbett, 1991).

In another study, by Hill et al. (2003), they evaluated police complaint procedures in the United Kingdom, and analyzed 23 mediation cases. The study demonstrated that complainants were more receptive of the mediation process than the subject officers. Specifically, 83% of the complainants, compared to 72% of the officers believed that direct meetings between civilians & police officers were productive (Hill et al., 2003). Moreover, the research showed that 76% of

the officers, and 42% of the complainants believed that the mediation process helped them understand the opposing party's point of view.

Walker et al. (2002) made significant contributions to research on mediation by compiling data from all current mediation programs in the United States that offered alternative dispute resolutions for citizen complaints against police officers. In total, they examined 16 mediation programs, with respects to the following: the degree of program activity, the structure of each program, and the factors involved in the programs' success and failures. The study revealed that the 16 mediation programs in the United States handled a very small fraction of the complaint cases within their respective agencies (Walker et al., 2002). The study also revealed that the following factors led to mediation program failure: a lack of complainant incentives for participation, police opposition, a lack of understanding the mediation process, and insufficient resources. As for factors that were related to flourishing mediation programs, it was revealed that programs which strongly relied on the support of the police and the community were the most successful (Walker et al., 2002).

Overall, studies that focus on the effectiveness of CCRB's mediation department are extremely scarce. One such study, conducted by Soler (2010), examined the effect of mediation on the offending officer (s) and civilians. Soler also analyzed the effect of mediation on police resentment towards the CCRB. The study used three separate components to measure effectiveness. The first, which analyzed a change in officer behavior, employed chi-square, as well as survival and probability hazards analysis to measure the impact of mediation participation. This evaluation used data from 1997 to 2010, particularly cases where the officer was found guilty of misconduct, and cases where the officers rejected or accepted mediation. The second component consisted of an experimental test, where officers who had high complaint



rates were offered mediation; their outcomes (based on the effects of mediation) were compared to the control group. It is important to note that officers who have high complaint rates are often not eligible for mediation. The third component consisted of a survey that measured the level of civilian and officer satisfaction with the mediation process. The results of the study demonstrate that there is less complaint recidivism for officers who participated in mediation. The findings also show that there was a great deal of satisfaction with the mediation process for both complainants and officers.

### *Alternative Dispute Resolutions & Victim-Offender Mediation*

As there are currently no studies that examine predictors linked to mediation selection involving police complaints, this note turns to defining Alternative Dispute Resolutions (ADR) and other forms of mediation for greater insight.

Alternative dispute resolutions (ADR) is defined as a set of practices that aim to resolve legal disputes outside of courts (Mnookin, 1990). In essence, ADR is a dispute resolution approach that differs from the dispute mechanisms commonly used in litigations (Stone, 2004). Within the past three decades, ADR has been increasingly employed in legal practices as parties seek to resolve their conflicts by using alternative techniques. Different forms of ADR have been used to resolve disputes in fields such as employment law, securities regulation, medical malpractice, and domestic relations (Stone, 2004). One type of ADR is mediation, which was defined earlier as a process where parties use an outside source, referred to as a mediator, to assist in resolving complaints. The goal of a mediator is for the two disputing parties to reach an agreement (Stone, 2004).

Since colonial times, various groups have rejected the use of formal judicial systems and developed their own dispute resolution mechanisms to resolve problems between members. More recently, since the 1970's, there has been an increase in the use of alternative dispute resolutions due to the public's dissatisfaction with the civil justice system, particularly the expense, inflexibility, technicality, and excessive delays. Some also disputed that the legal process dehumanizes participants. After much public widespread disapproval of the legal process, the National Conference on the Causes of Popular Dissatisfaction with the Administration of Justice was held in 1976. Several speakers discussed the issues related to civil systems and proposed an increase in the use of alternative dispute resolution mechanisms to resolve legal disputes. The aftermath of the conference immediately led to three jurisdictions setting up a pilot multifaceted courthouse program that offered different forms of ADR. This soon expanded to over 100 state and federal courthouses using "multi-door" options. In 1990, Congress also enacted the Administrative Dispute Resolution Act, which encourages all federal agencies to consider using ADR in their efforts to settle disputes. ADR has also grown dramatically in private domains. For instance, JAMS, a for-profit ADR provider, which utilizes retired judges to hear arbitration cases, has reviewed over 20,000 cases in 1996 (Umbreit, Coats, VO's, 2004). Walker et al. (2002) attributes the growth of mediation within police departments to the Alternative Dispute Resolution (ADR) movement that has flourished within the past 30 years. Proponents of ADR defend that the practice reduces the transaction costs of dispute resolutions since the process is cheaper and shorter compared to other ordinary judicial proceedings. Moreover, some advocates believe that mediation is better suited to the parties' interests and needs (Mnookin, 1990).

There are multiple forms and uses of mediation, outside of being used to resolve police complaints. One form of mediation, similar to mediation used in police oversight agencies is Victim-offender mediation, which is a process that allows victims to meet with their offender, in a structured setting, with the goal of holding the offender accountable for wrongdoings (Umbreit et al., 2001). Through the assistance of a trained mediator, the victim is able to voice to the offender how the crime affected him or her. They are able to, perhaps, receive answers to their questions, and determine a restitution plan for the offender, so that this person will still be held accountable for his or her crime. In an ideal situation, the offenders will truly understand how they affected their victims, and will attempt to make amends with them. Unlike most forms of ADR, but similar to mediation used for resolving police complaints, victim-offender mediation primarily focuses on the dialogue between the two parties. There is an emphasis on victim healing, offender accountability, and restoring the losses incurred, rather than a focus on restitution agreements (Umbreit, Coats, VO's, 2004). Studies have shown that restitution agreements hold lesser importance to victims, as many prefer to speak with the offender and voice their concerns (Umbreit, Coats, VO's, 2004).

Similar to mediation that is used to resolve police complaints, victim-offender mediation is usually offered when cases are not considered egregious. Often, victims of property crime are given the option to participate in this process. Most studies show that victim participation rates for victim-offender mediation range from 40% to 60%. Currently, there is limited research that examines characteristics linked to accepting victim-offender mediation; those that do examine possible determinants focus on the characteristics related to the case and to the offender. Very few focus on the demographic characteristics of the victim. (Coates, Burns and Umbreit, 2002;

Gehm,1990; Wyrick and Costanzo, 1999). The following paragraphs summarize studies that examined possible determinants of mediation selection for victim-offender mediation.

Some studies suggest that victims consider the race of the offender when they are faced with mediation selection. In his study, Gehm (1990), examined the following characteristics of the offender: e.g. sex, race, age, prior convictions, and prior incarcerations. He collected data from over 500 cases, which derived from six programs within Indiana, Minnesota, Wisconsin, and Oregon. The results of the study found that victims who selected mediation were more likely to have cases that involved white offenders. In another study, Wyrick & Costanzo's (1990) examined factors possibly related to client participation in mediation. The study used a large data set from the Institute for Conflict Management in Orange County, California. In total, the sample used 2,428 records from the period of 1989 to 1997. Logistic regression was employed to examine predictors linked to mediation participation. With regards to the ethnicity of the offender, Whites and Hispanic offenders were involved in cases where complainants were more likely to accept mediation compared to non-Hispanic minority groups (e.g. Asians and blacks). In sum, evidence suggests that victims take the offender's ethnicity into account when they make their decision to partake or reject mediation.

As for other studies that examine characteristics of the victim and mediation selection, Coats et al. (2004) uncovered that older individuals were most likely to reject mediation, specifically 56% chose not to participate. In regards to gender, the study showed that approximately two-thirds of the victims (56%) who chose not to meet with the offender were female. In another study, Gehm (1990) only examined characteristics of the victim in the context of the following two classifications: being identified as an individual or being identified as a

business. The study showed that cases where the victim was classified as a "business entity" rather than an "individual," were more likely to be mediated.

Studies have also shown that several case characteristics are predictors of mediation selection (severity of the allegation & type of allegation). In a study by Coats et al. (2004), through a series of phone calls covering a period of June 2002 to October 2002, researchers spoke to victims regarding their decision to accept or reject mediation. The sample size consisted of 146 adult victims. The study examined if a possible link exists between the seriousness of the offense (felony vs misdemeanor) and selecting mediation. The results of the study show that persons whose cases contained severe allegations were more likely to reject mediation. Specifically, 56% of cases that involved felonies, 26% that involved misdemeanors, and 17% of cases that involved gross misdemeanors were not selected for mediation. Gehm (1990) also found the same outcome in his study, where victims were more likely to participate in mediation when the offense was a misdemeanor compared to a felony.

Some studies also examine the severity of a complaint as a predictor of mediation selection. Niemeyer and Shichor (1996) evaluated a large VORP in California. They uncovered that victims of serious personal crimes (such as assault with a deadly weapon, murder, and battery) were less likely to agree to mediate their complaint than persons who were victims of property crime. Relatedly, a study by Cohn and Neyhart (1991), which used college undergraduates as a sample, demonstrated that persons were more likely to mediate their complaint if their cases involved property disputes rather than interpersonal conflicts (Cohn and Neyhart, 1991). In sum, evidence suggests that victims are more likely to mediate when their cases are "less severe." Thus, it can be inferred that severe offenses elicit more extreme psychological distress, which may cause victims to avoid direct contact with offenders.

Studies on victim offender mediation also demonstrate that victims are influenced by conditional factors, particularly their feelings about their offenders. Research has shown that people who chose not to mediate were afraid of confronting the offender (Coats and Gehm, 1985; Umbreit, 1995). Some other concerns pertained to feeling unsafe, in other words, feeling that they would put themselves in danger if they chose to meet with their offender (Coates, Burns, and Umbreit, 2002). Some victims also expressed that if they met with the offender, the meeting itself would turn contentious/adversarial (Coates & Umbreit, 2003). Other victims discussed the fear of retaliation from the offender (Coates & Umbreit, 2003). These ideas coincide with an evaluation completed by Umbreit (1988), who examined the victim offender mediation process in more than 30 cities. Umbreit (1988) revealed the emotional turmoil victims face in choosing mediation. He expressed that due to the heightened fear of re-victimization, in addition to "reliving" the negative encounter, outreach to victims must be dealt with delicately. In his writings, Umbreit connects strong negative attitudes (particularly fear towards the offender) to resistance in mediation participation (Umbreit, 1988). Thus, it can be inferred, based on Umbreit's assessment of victim-offender mediation selection (a type of mediation that is similar to the CCRB's mediation program) that one's attitude towards the police may have an influence on his or her decision to mediate at the CCRB. As mediation is optional and completely voluntary, it can be assumed that civilians who are comfortable with directly conversing with officers and feel that a resolution may arise through this interaction, may be more willing to partake in mediation. Currently, there are a plethora of studies that examine civilian attitudes towards the police. The next Chapter will showcase several studies that examine this topic. The outcomes of these studies may provide some insight into mediation selection at the CCRB.

## **CHAPTER IV: CIVILIAN ATTITUDES TOWARDS THE POLICE**

### Attitudes

Eiser and Van der Pligt (1988) define "attitudes" as enduring positive or negative feelings pertaining to people, events, issues, or objects. Our "attitudes" gives us the predisposition to behave favorably or unfavorably towards a group, idea, topic, or event (Eagly & Chaiken, 1993; Oskamp, 1977; Portune, 1971). As mentioned in the introduction, positive attitudes towards the police is an essential component of effective police performance. The knowledge gained from studies that examine civilian attitudes towards the police help to only improve police practices (Portune, 1971).

Within these studies, the operationalization of the concept "attitudes" has remained inconsistent. For instance, there is a wide range of terms and definitions used to address the concept of attitudes towards the police (e.g. attitudes towards police, opinions of the police, perceptions of the police, perceptions of officer characteristics, views of police efficacy, views of police services, etc). The referents used to assess how citizens view the police have also varied considerably (e.g. local police, the police as a social institution, officers who have responded to encounters) (Brandl et al., 1994). Overall, some scholars view that examining "support" for the police is a "fuzzy, complicated, and multidimensional concept" based on the inconsistencies of measurement & unified definition (Worrall, 1999, p.62).

In the social sciences, many researchers measure attitudes towards the police through examining the police as one collective entity (Brandl et al., 1994; Decker & Smith, 1980; Jacob, 1971; White & Menke, 1982); however, some studies narrow their focus by asking respondents about their views of local police officers (Peek, Lowe, & Alston, 1981; Apple & O'Brien, 1983;

Percy, 1980; Thomas & Hyman, 1977). Researchers have also assessed opinions of the police by measuring contextual factors, such as examining civilian attitudes when the citizen has direct contact with the police, as well as the possible influence of vicarious police encounters (Dean, 1980; Erez, 1984; Brandl et al., 1994; Scaglione & Condon, 1980).

### *General Studies on Civilian Opinions of the Police*

Interest in public attitudes towards the police truly took shape during the 1960's. Many argue that the social unrest that occurred at this time was the catalyst for an influx of studies that examined the public's view of officers. Some argue that a heightened awareness of police misconduct derived from a combination of civil rights protests and riots within urban communities (Goldstein, 1977). At the time, members of African-American communities and civil rights organizations voiced their objections to police brutality (Decker & Smith, 1980); some contend that this outrage greatly contributed to race riots in Los Angeles, Detroit, Miami, & New York (Erez, 1984). The vocalized outburst which called an end to police brutality increased public awareness, and possibly led to research that examined opinions about the police.

With regards to prior studies that analyze civilian attitudes towards the police, most demonstrate that the American public view law enforcement favorably (Bell, 1979; Hindelang, 1974; Albrecht & Green, 1977; Dean, 1980; Dunham & Alpert, 1997; Huang & Vaughn, 1996; Thomas & Hyman, 1977; Zamble & Annesley, 1987). Moreover, studies have shown that police approval actually scored higher than public approval for the president, local courts, congress, and the supreme court (Corbett, 1981). Research further demonstrates that civilians seem to trust and support the way in which police perform their duties (Bell, 1979).



Police satisfaction and performance are often evaluated in studies that examine civilian opinions of the police. In Brandl et al. (1997), they found that 80% of their sample viewed police favorably. In another study, Frank et al. (1996) also found that approximately 65% of their respondents were at least somewhat satisfied with the police. With regards to police performance, Albrecht and Green (1977) found that 60% of their respondents agreed that the police are doing a "good job," as did 80% of respondents from Reiss' (1971) study. In another study, by Cao et al., (1996), they demonstrated that 82% of their sample believed that the police were successful in protecting them against crime. Dean (1980) also concluded that about 80% of their sample were satisfied with their contact with police. Similar results were found in studies by Brandl & Horvath, 1991; Fustenberg & Wellford, 1973; and Jacob, 1971.

Most studies that examine public attitudes towards the police find that, overall, the American public has a favorable opinion of them; however, research also demonstrates that this perspective is not consistent when civilians are posed with questions regarding specific police practices (e.g. the ability for local police officers to stop the sales of weapons). In these particular cases, the perceptions of the police are less favorable. For instance, in a study by White & Menke (1982), they examined both general and specific perceptions of the police. The sample derived from university students, faculty members, local officers and elected city officials. The results of the study uncovered that citizens held favorable opinions of the police, with regards to general questions pertaining to police performance, police honesty, competence, and fairness. However, when participants were asked specific questions, ones that covered the same issues, the approval rating for the police was significantly lower (White & Menke, 1982). In one case, 82% of the respondents found that the police were honest; though, when asked a specific question, for instance, one pertaining to the degree to which an officer would accept a

bribe, only 30% expressed that the officer would not accept. Furthermore, approximately 39% of respondents said that they were unsure if the officer would take the bribe (White & Menke, 1982). In sum, the study showed that civilian attitudes towards the police is not consistent when considering general and specific questions related to police conduct.

In various studies, scholars have isolated individual, aggregate, and contextual characteristics that may possibly influence how one perceives the police. Research which examine these factors make reasonable assumptions of how certain individuals will react during police encounters (Portune, 1971). Accordingly, understanding variables that are predictors to the public's opinion of the police may help to uncover group differences in mediation selection. The following sections will cover the most common findings of possible determinants linked to civilian views of officers.

#### *Possible Predictors of Attitudes towards the Police*

Prior studies that have examined opinions of the police demonstrate that overall, citizens tend to have positive views towards officers (Schafer, Huebner, & Bynum, 2003; Decker, 1981; Hurst & Frank, 2000; Brown & Benedict, 2002; Rosenbaum et al., 2005; & Reitzel & Piquero, 2006); however, these views are not evenly distributed across demographic groups and other factors. This chapter briefly introduces several studies that have examined age, race, gender, ecological factors, and contextual variables as possible determinants of civilian attitudes towards the police.

*Race:* Race is a commonly studied demographic characteristic used for identifying possible determinants of civilian views towards officers. Most studies that examine race reveal that it is a

strong predictor, and that African-Americans tend to have less favorable views of the police compared to whites (Hurst et al, 2000).

One of the first studies to use race as a possible predictor of civilian attitudes towards the police is from Jacob (1971). In his study, it was hypothesized that African-Americans would have less favorable views of the police, as previous studies have shown that this racial group is more likely to believe that injustice often occurs within the criminal justice system. Data was collected between the months of May & June of 1969 and the sample size of 244 persons included 72 black respondents and 151 white respondents. Participants were asked general questions pertaining to their opinions of the police, in addition to their opinions of what constitutes the "perfect" policemen. The results of the study were that Blacks were more likely to view the police as being corrupt, harsh, more excitable, unjust, less friendly, and more cruel. Overall, the results demonstrated that African-American respondents were unsatisfied with police services (Jacob, 1971).

Two years later, Fustenberg & Wellford (1973) conducted a study that examined police satisfaction ratings according to race. The study utilized a systematic sample of phone call interviews for over a period of a month. All participants had recent contact with the Baltimore Police Department, as they at one time, called for police assistance. Phone interviews were conducted within two weeks following the respondents' calls for police assistance. A sample was drawn from nine districts in Baltimore, and stratified random sampling was used in order to give equal representation to both black and white respondents. Stratification was also used to assure equal representation of both serious and non-serious offenses. The total sample size of the study was 421, in which 213 respondents were white and 208 were black. The researchers compared their results with the civilian phone interviews conducted by ISU, the Inspectional

Services Unit of the Baltimore Police Department. The ISU interviewed approximately 200 citizens from Baltimore who also requested police services. The results of Fustenberg's & Wellford's study demonstrated that, African-Americans were more critical of the police. Specifically, 84% of whites and 76% of blacks who were interviewed by the police were satisfied with their services. As for the civilian-based interviews, 74% of whites, and 55% of blacks reported being satisfied with police services.

Another recent study, by Thomas and Hyman (1977), uncovered a similar finding. For their study, they examined several demographic characteristics of civilians, including ethnicity, to uncover the following: opinions concerning fear of crime, fear of victimization, perceptions of the crime rate, and attitudes towards the police. During the months of November and December in 1973, and in January 1974, questionnaires were randomly sent to 7229 homes in the following areas in Virginia: Cheaspeake, Norfolk, Virginia Beach, Portsmouth. In total, 3334 citizens completed the questionnaire. The survey respondents were more likely to be white, older, and have higher academic degrees. Overall, the study showed that 68% of the respondents felt that the police were doing an acceptable or a very good job. The study also showed that African-Americans had more unfavorable views of the police, particularly, they were more critical of the police compared to other races. And lastly, the study found that ethnicity was the best predictor for evaluating the police (Thomas & Hyman, 1977).

In a similar study by Brown & Coulter (1983), they attempt to uncover citizen evaluations of police services using race as a predictor. Through the use of surveys that were conducted through telephone interviews, from the period of March 25 through April 8, 1981, they obtain a sample of 447 Tuscaloosa residents. Questions that were asked included opinions about police services in their neighborhood, the response time of police, and how police treat

individual people. Multiple regression analysis was used as the analytic technique. The results of the study, particularly with regards to the demographic characteristic, "race," demonstrated that African-Americans were more dissatisfied with police services compared to whites; this included police treatment of civilians and police response time.

In another study, Erez (1984) attempted to provide insight into a possible link between experiences with the police and citizen assessments of officers with the race of the individual being examined as a possible predictor. This research utilized data from the 1945 Delinquency Birth Cohort study. Ten percent of the total cohort of 9,945 males who were born in Philadelphia in 1945 were selected as the sample. The inclusion criteria for the study were males who resided in Philly from at least age ten to eighteen. Arrest records from the Philadelphia Police Department were searched to uncover information pertaining to both criminal and arrest histories. For participants who had criminal records, information on each arrest was noted & documented. Personal interviews were also conducted to obtain additional information pertaining to delinquent and criminal behavior. The questions asked during the interviews included descriptions of experiences with the police as well as other law enforcement/criminal justice agencies. The frequency of police contact was also analyzed, and the study concluded that the frequency of contact did not influence attitudes towards the police. However, the study did uncover that race was linked to assessments of the police; specifically, that African-Americans had less favorable opinions of the police than whites (Erez, 1984).

In another study by Cao et al. (1996), they examined race as a predictor of confidence in the police. The study's sample consisted of 539 randomly selected residences of Cincinnati who were mailed questionnaires in 1992. Approximately, 79% of the respondents identified themselves as white, 18% reported that they were black and about 3% were classified as "other."

Confidence in the police was measured with five items: if the police were responsive, if they cared about neighborhood safety, if they maintained order, and if they protected civilians from crime. The study showed that race had an effect on confidence, in which African-Americans tend to have less confidence in the police even after three crime related variables (*Fear of Crime, Victimization, & Conservation Crime Ideology*) were controlled for in the model.

In a more recent study, Weitzer and Tuch (2004), expanded the study on race and opinions of the police, by analyzing the views of Hispanic civilians (a racial group rarely considered). They also focused on how citizens' view four types of police misconduct: verbal abuse, excessive force, unwarranted stops, and corruption. For this study, researchers used a national survey that was conducted by the Knowledge Networks inc., in October and December 2002. The study consisted of 1,792 White, Hispanic, and African-American civilians who resided in large metropolitan areas. With regards to how perceptions of misconduct were operationalized, participants were asked to assess several factors, that included the following: 1) How often they felt that police officers stopped citizens without justification?; 2) How often do you think that the police used derogatory language to people in your neighborhood/city; 3) When you hear that police officers use force, how often did you think that the use of force was excessive; and 4) how often do you think that corruption occurs in your police department. The findings of the study demonstrated that for each type of misconduct, African-Americans were more likely to have negative views, whites were least likely to share these views, and Hispanics fell in-between both opinions. For instance, 54% of blacks felt that police often stopped persons on the street for unjustified reasons, compared to 16% of whites, and 38% of Hispanics. The study also uncovered that almost half of the African-American respondents in the sample believed that officers engaged in corruption and excessive force.

Very few studies demonstrate that African-Americans have more favorable views of the police. For instance, in a study by Frank et al., (1996), in which they reassess the relationship between race and attitudes towards the police, researchers used telephone interviews to survey 560 residents of Detroit. The study showed that approximately 72% of the African-Americans surveyed, compared to 53% of whites surveyed, were satisfied with police performance. In conclusion, blacks were more likely to view police performance more favorably when compared to whites. A reason for this contradictory finding may be due to the area where the participants resided, Detroit, Michigan. Detroit Michigan had an African-American mayor since 1974, and many of the high ranking police officials and police officers were people of color (Frank et al., 1996).

In another study, Murty et al. (1990) demonstrated that African-Americans had more positive views of the police compared to other racial groups. Murty et al. conducted a study in which they examined attitudes of African-Americans towards the police. Altogether, the sample size consisted of 600 African-American residents from Atlanta. The researchers examined opposing qualities of police images, which included the following: honest/corrupt, intelligent/not intelligent, and strong/softhearted. The results of the study demonstrated that a greater proportion of African-Americans from Atlanta believed that the police were more honest, strong, and intelligent. Specifically, it showed that 65% of the respondents viewed the police favorably, and approximately 35% expressed negative opinions of the police (Murty et al., 1990). As there were only black respondents in the sample, the researchers did not compare the opinions of blacks to other races; however, the study did demonstrate that, overall, African-Americans had more favorable views of the police. It also revealed that older, married, white-collar, highly-educated, and employed respondents had more positive perspectives of the police than their

younger, blue-collar, single, low-educated, and under/unemployed counterparts (Murty et al., 1990).

Very few studies demonstrate that race was either a weak predictor of civilian attitudes towards officers or that it was not a significant factor. For instance, in a study by Peek et al. (1981), they examined nine demographic variables, one which included race, as possible predictors of police satisfaction. The study used a 1973 Gallup national poll, where respondents were asked to score sixteen organizations, which also included their local police department. Multiple regression was utilized as the preferred analytical approach. The study demonstrated that race was a weak predictor of opinions about police, as control variables accounted for much of the variation. Particularly, for African-Americans, socioeconomic status variables (35%) and gender (37%) accounted for most of the explained variance. Age accounted for 7%. As for whites, age had the strongest effect (66%). Socio-economic status accounted for 10% of the variance for whites, and gender explained 2%.

Although few studies have found that race is a weak predictor; overall, studies show that race is indeed a strong factor in determining attitudes towards the police (Albrecht & Green, 1977; Erez, 1984; Scaglione & Condon, 1980). Age has also been frequently cited as a determinant of civilian views towards officers. The next section will briefly cover several studies that examine age as a possible predictor.

*Age:* Much attention has been given to studies that examine adult attitudes towards the police; however, research that has examined the perspectives of youths have been quite limited. Overall, studies identify age as a strong predictor; generally speaking, young people have less favorable views of the police compared to older people (Decker, 1981; & Borrero, 2001).



In a study by Correia, Reisig, and Lovrich (1996), they examine civilian opinions of state police officers. The study uses a random sample that consists of 892 households that are located in Washington. The sample was obtained through a series of mailings and follow-up phone calls during the fall of 1993. For this study, *Age* was transformed into the following four variables: 18-35; 36-50; 51-64; and 65 plus. Log linear analysis and t-test were employed to test for significance. The results showed that all of the age groups (36-50; 51-64; & 65 plus) had higher likelihoods of positive perceptions of the police compared to the reference group, those who are classified as ages 18 to 35. Thus, the results show that younger people are more likely to have negative opinions of the police compared to older people.

In a study by Reisig and Parks (2002), the following three conceptual models are examined to further uncover possible predictors of civilian opinions of the police: the experience with the police; quality of life; and neighborhood context. Data was retrieved from the Project on Policing Neighborhoods (POPEN). Overall, the sample size consisted of 5,361 citizens who resided in 58 neighborhoods located in Indianapolis, Indiana, and St. Petersburg, Florida. The outcome variable, *Satisfaction with the Police*, consisted of the following 3 survey items: if the respondent was satisfied with the quality of police services within their neighborhood; if the police provided the respondent with a service that they preferred; and how the respondent would rate the police's ability to solve local problems. Age was operationalized using the following categories: 18-24; 25-59; and 60 and older. A Bonferroni multiple comparison test uncovered that respondents who were younger (ages 18 to 32) had significantly lower levels of satisfaction towards the police than older persons.

In a similar study, Brown and Coulter (1983) examined the public's perception of the police, with regards to police performance. The scholars examined police service delivery

through using a modified version of the General Model of Satisfaction survey. The measures included the following: satisfaction with police response time, treatment of people, perceived equity of police protection, perceived equity of police response time, and perceived equity of the amount of crime. The study utilized several independent variables, which included age. The information for the surveys used in this research were obtained through telephone interviews. The sample consisted of 447 Tuscaloosa citizens, who were 18 years old or older. Multiple regression analysis was employed as the analytical technique. With regards to age, the results of the study demonstrated that this variable was significantly related to satisfaction with response time and police treatment (Brown & Coulter, 1983). Specifically, the study showed that younger individuals have a less positive image of the police. Furthermore, the study found that as a person ages, they are more likely to have higher satisfactory opinions towards officers.

Some studies that examine age as a possible predictor of civilian views of the police focus on situational characteristics, particularly opinions of youths who are current or former offenders. In a study by Clarke & Wenniger (1964), they examined the views of juveniles towards legal institutions. The following student characteristics were examined: 1) Youths who were from lower-income families; 2) Youths who engaged in illegal acts or who have the potential to participate in criminal activity; and 3) Youths who are maladjusted to school and family authority. In total, 1154 public school students, from grades 6th to 12th grade, were given a self-administered anonymous questionnaire. The dependent variables for the study included one question pertaining to the police, which asked if the respondents believed that the police were honest. The results of the study demonstrated that youths who engaged in illegal behavior and youths who were maladjusted to authority were more likely to hold negative perceptions

towards the police. The other characteristics examined, which pertained to the socio-economic class of students, was not found to be significant (Clark & Wenniger, 1964).

In another study that examined juvenile opinions of the police, Giordano (1976) examined if police contact influenced the perception that juveniles had towards various branches of law enforcement (including police officers). The study utilized two separate samples. One sample consisted of 119 juveniles, who ranged in ages of 14 to 18, and had different levels of contact with the legal system (e.g. juveniles who have been arrested, juveniles who had court hearings, and youths who were placed on probation) (Giordano, 1976). The second sample derived from non-client groups, youths who had no involvement with the legal system. The participants ranged in ages from 14 and 15 years old. The results of the study showed that there was no significant difference between the attitudes of youths who had contact with the legal system and those who had no contact with police authorities. In sum, Giordano found that an increase in contact with the legal system did not create unfavorable views of the police.

In another study, Winfree and Griffiths (1977) examined the attitudes of youths towards the police, particularly, if youths are more likely to have negative interactions with them, and if these contacts affected their view of officers (Winfree and Griffith, 1977). With regards to the dependent variables, both personal and vicarious interactions with police were assessed. The total sample size of this study consisted of 869 adolescents who resided in both rural and urban areas. The results show that police contact was a significant factor in the shaping of juvenile attitudes towards the police. More specifically, juveniles who had negative encounters with the police tend to also hold unsatisfactory views towards them (Winfee & Griffiths, 1977).

Studies that have examined juvenile attitudes towards the police also have paid attention to variations linked to their ethnic and racial backgrounds. The purpose of these studies is to determine if race is a predictor of youth attitudes towards officers.

One of the earliest studies to examine the attitudes of youths towards officers is from W.E.B. Dubois (1904). In his study, titled, "Some notes on Negro crime," Dubois explores a variety of topics surrounding African-American crimes, and the opinions of African-Americans on crime and the criminal justice system. Under the latter, DuBois assessed student perceptions of the police, as well as other criminal justice agencies. Dubois conducted a survey, which was administered to 1,500 youths (ages 9 to 15) from the Atlanta public school system, and 534 students (ages 13 to 21 years old) from various schools throughout the state of Georgia. The responses from the study's questionnaire revealed that youths had a less favorable view of the police. Dubois revealed that 76% of the students felt that the police have never assisted them or protected them. Moreover, 3% stated that the police have actually "wronged them." The study also demonstrated that 33% of students believe that the purpose of the police was to arrest people, while only 20% deemed that the police were there to protect citizens (Dubois, 1904).

Lurigio, Greenleaf, and Flexon (2009) used race as a possible predictor of youth attitudes towards the police. The study compared the opinions of African-American and Latino students. Three situational factors related to the students were also examined. The first factor analyzes the students' commitment to school, and how it may affect their views towards officers. The second factor measures how juveniles endorse conventional beliefs and if more pro-social values translate to favorable views of the officers. The third characteristic measured the degree of contact with officers, and if positive contact with the police led to more favorable opinions (Lurigio, Greenleaf & Flexon, 2009). This study utilized data from 891 students in 18 Chicago

public schools. The first dependent variable measured if students felt that officers had good intentions for their neighborhoods. The second measured the level of respect that the students had for the police. The third dependent variable measured how likely students are to ask for assistance from the police. The independent variables included the following: 1) Attitudes towards school and teachers; 2) Prosocial beliefs; and 3) Experiences with the police. As for control and selection variables, race was used as a selection criterion to compare the differences in variation for African-Americans and Latinos (Lurigio, Greenleaf & Flexon, 2009). The analytical technique used was Ordinary Least Squares (OLS) regression analysis. T-test was also used to examine the differences between African-Americans and Latinos. The results of the study demonstrated that there were some similarities between Latino and African-American students. Both African-Americans and Latinos who were stopped by the police believed that they were disrespected, that the police were less likely to assist them, and they were less likely to believe that the police would care about their neighborhoods. Moreover, students in both racial groups, particularly those who had an attachment to school, were more likely to report that they would assist the police and that they respected officers, when compared to other students who did not have an attachment to school (Lurigio, Greenleaf & Flexon, 2009). In regards to differences between the racial groups, Latinos who disapproved of delinquent acts were more likely to have respect for officers. As for African-Americans, this variable was not statistically significant. However, the study did reveal that African-Americans who believed that delinquent acts were not acceptable, were more likely to assist officers. Similarly, this variable was not statistically significant for Hispanics. As for the variable of being stopped and disrespected, there was no significance when considering Latinos; however, African-Americans who went through this experience had less respect for the police (Lurigio, Greenleaf & Flexon, 2009).

In a study by Hurst, Frank, and Browning (2000), they examined the relationship between race and juvenile attitudes towards the police. The study utilized surveys from 852 high school students from two public schools in Cincinnati, Ohio. The racial composition of the respondents were the following: 62.9% white, 30.3% black, 1.1% Asian, 1% Hispanic, and 4.7% other. The dependent variable measured if youths believed that officers were doing a "good job" at stopping crime. The study also examined if juveniles felt that the police were doing a good job in protecting their neighborhood. Independent variables included race (white and non-white). As for the analytical technique, a series of chi-square tests were employed. The findings uncovered that African-American students had a less positive view of the police compared to whites. As for questions that pertained to police performance of service roles, over half of white teens had a positive assessment, believing that the police would assist those in need (57.4 %). However, less than half of black teens agreed (44.7%). Overall, the study showed that both black and white students did not view the police as being effective in carrying out their duties. African-Americans had a greater lack of confidence in the police compared to whites (23.5% and 15.1% respectively). Furthermore, with regards to police performance, 47.1% of whites compared to 26.5% of blacks felt that the police were doing a good job (Hurst, Frank, & Browning, 2000).

In another study by Taylor et al. (2001), researchers also looked at race as one of the predictors of juvenile attitudes towards the police. Their study contained the following five research questions: 1) Do youths hold more favorable attitudes of the police compared to adults?; 2) Are there any differences with regards to views towards officers across different racial/ethnic groups? 3) Do opinions of the police differ by gender? 4) Does the city where the respondents reside affect his or her opinion of the police? The study collected data from 5,477 eight grade students in eleven US cities. The dependent variable consisted of seven-items which were

measured on a likert scale. Each of the following statements were given to participants: “1. Police officers are honest?; 2 Most police officers are usually rude (reversibly scored); 3. Police officers are hardworking; 4. Most police officers are usually friendly; 5. Police officers are courteous; 6. Police officers are respectful toward people like me; 7. Police officers are prejudiced against minority persons (reversibly scored)” (Taylor et al, 2001, p.299). A series of t-tests and ANOVA tests were employed as the analytical techniques. The result of the study found that juveniles have less favorable attitudes towards the police. With regards to race, the study also found that white students hold the most favorable views of the police, and African-Americans have the least favorable opinions. As for Hispanic attitudes, their views lie between both groups.

As previously indicated, race and age are considered predictors of attitudes towards the police. Gender is also commonly examined as a possible determinant of civilian views of officers. The following section will briefly discuss studies that examine gender as a possible predictor.

*Gender:* Prior studies indicate that gender does not appear to be a strong predictor, although statistics show that men commit more offenses and have more negative interactions with the police when compared to women (Decker, 1981; Campbell & Schuman, 1972; & Hindelang, 1974). Conventional thinking would suggest that men would view the police less favorably; however, this is not the case.

Overall, most studies show that gender is not a determinant of public opinions of the police (Hindelang, 1974; Murty, Roebuck, and Smith, 1990; & Zamble & Annesley, 1987). For instance, in their study, Murty et al. (1990) found that 65% of male respondents held satisfactory

views of the police, compared to 69% of female respondents, although no statistical significance was found.

The few studies that do uncover significant variation between gender & civilian opinions of officers are mixed. For instance, in a study by Thomas & Hyman (1977), they evaluated several variables that are related to perceptions of the police and police performance. The findings of the study showed that women were more critical of the police than men. However, in a study by Preiss & Ehrlich (1958), they uncovered that women tend to hold more idealized perceptions of the police than their counterparts (e.g. views that police officers are quite service orientated). This study is further supported by Brown & Coulter (1983), who examined surveys that asked participants to rank police performance, and concluded that women held more favorable views than men.

Few studies that examine gender differences with regards to opinions of the police also account for intersections that include gender. For instance, in Taylor et al (2001), the study uses data collected from 5,477 respondents in 11 cities to explore several factors, including if police attitudes vary by gender and race. The dependent variable consisted of seven item likert-type scales where students indicated their degree of satisfaction with the police. Respondents were asked to rank their opinions of officers with respects to the following: their degree of honesty, being hardworking, being friendly, being respectful, and being fair. A series of t-test were used as an analytical technique. The results of the study showed that girls held more favorable attitudes towards officers than boys, regardless of race.

Correia, Reising, and Lovrich (1996) also considered both the gender and race of their respondents when examining citizen views towards state police organizations. Data, which was obtained through using repeated mailing and follow-up phone calls, was collected from 892



households within Washington. The dependent variable measured attitudes that individuals hold towards state police. Through employing a series of T-test, the study showed that females had less favorable attitudes compared to males. Furthermore, the study only examined gender differences for non-Caucasian respondents. The results showed that female minorities had lower positive perceptions of the police compared to male minorities. In sum, studies that examine the intersection between gender and race are mixed.

In addition to demographic characteristics, some studies have examined the possible influence of ecological factors on civilian views of police. The following section will highlight several studies that examine this phenomenon.

***Neighborhood Characteristics:*** Research has examined individual-level characteristics as well as ecological characteristics to determine their potential effect on the degree of satisfaction with the police. Examining neighborhood context (at a macro level) differs quite significantly from a micro-level model as the unit of analysis is typically not individuals, and often, it entails neighborhood-level census data, aggregated survey data, as well as crime rates (Sampson & Bartush, 1998).

Currently, there is a small body of research that suggests that neighborhood-related factors have an effect on citizen attitudes towards the police. These factors include, but are not limited to, local crime rates, economic conditions, and demographic compositions. Moreover, many of these studies posit that individuals who reside in the same neighborhoods share similar norms; accordingly, neighborhood residents have a commonality in their opinions about police and police services (Alpert & Roger 1988; Klinger, 1994). Citizens may be predisposed to view the police in a particular light based on their personal and vicarious experiences. As one study

demonstrated, most of their respondents (79%) had no prior contact with the police. The researchers suggested that "vicarious " experiences from close family and associates may have shaped their perceptions of officers (Hurst, Frank, Browning, 2000).

Studies that examine neighborhood characteristics as a possible determinant in citizen attitudes towards the police find that negative police evaluations are more likely to be held by persons who reside in disadvantaged neighborhoods (Parker, Onyekwuluje, & Komanduri, 1995; Reisig & Parks, 2000; Sampson & Jeglum-Bartusch, 1998). Often times, these neighborhoods have high crime rates and are considered home to low income families.

Police presence is also greater in economically distressed, high-crime neighborhoods. Heightened police presence increases the likelihood of recurrent, unwelcome police attention and increases the possibility of conflict between the police and citizens. Scholars have also uncovered that aggressive police strategies are disproportionately concentrated in disadvantaged crime-ridden communities. Consequently, residents of these neighborhoods may have less trust in the police (Kane, 2002; Reisig & Parks, 2000; Fagan and Davies, 2000).

Sampson & Bartusch (1998) examined a possible link between neighborhood-level characteristics and civilian dissatisfaction with the police. Their study hypothesized that the structural characteristics of neighborhoods are responsible for variations in citizen views of the criminal justice system. The data was taken from the Project on Human Development in Chicago Neighborhoods (PHDCN). The sample derived from 8,782 residents from 343 neighborhoods within Chicago. *Neighborhood* was operationalized by combining Chicago's 847 census tracts into 343 Neighborhood Clusters, as these units were internally homogenous. Individual measures of the study included *Satisfaction with the Police*, which consisted of five

variables ranked on a Likert Scale. Respondents were asked to provide their level of agreement for the following five statements: "The police in this neighborhood are responsive to local issues; The police are doing a good job in dealing with problems that really concern people in this neighborhood; The police are not doing a good job in preventing crime in this neighborhood; The police do a good job in responding to people in the neighborhood after they have been victims of crime; and The police are not able to maintain order on the streets and sidewalks in the neighborhood" (Sampson & Bartusch, 1988, p. 787). Through employing a multilevel analytical technique, using hierarchical linear models, the study found that neighborhoods which have higher levels of concentrated disadvantage were more dissatisfied with police, and had higher levels of legal cynicism (Sampson & Bartusch, 1998).

This finding is further supported by Brown and Coulter (1983). In their study, they utilized the following to measure police performance: opinions regarding police response time and arrest rates; and opinions regarding police performance and service. The study found a relationship between income and civilian satisfaction with the police. Specifically, respondents with higher incomes had increased levels of satisfaction. With respect to neighborhood characteristics, citizens from disadvantaged communities were more likely to have unfavorable views of police services (Brown & Coulter, 1983).

Some research suggests that the racial composition of a neighborhood is strongly associated with opinions of the police. It is believed that residents from minority neighborhoods have lower levels of satisfaction based on both direct or vicarious experiences with officers. In their article, Dunham & Alpert (1988) examined citizen attitudes towards police practices, taking into account the opinions of citizens who reside in ethnically distinct neighborhoods in Miami, Florida. The study examined the following 5 neighborhoods: Rolling Oaks (a small community

of upper middle class black professionals); James Scott Housing Project (a lower income African - American community); 1960 Cuban Entrants (a middle & working class Hispanic neighborhood); 1980 Cuban Entrants (a neighborhood populated with Cuban immigrants); and the Kenall Area (a middle and upper class white community). The study used Cluster random sampling, and in total, the sample consisted of 250 Dade County residents and 451 high school students. With regards to measurement, the study utilized 5 scales to measure police practices: *Demeanor*; *Responsibility*; *Discretion*; *Ethnic*; & *Patrol*. The scale *Demeanor* was operationalized by 8 questions which measured the respondents' overall view of the demeanor of the police. The scale *Responsibility* consisted of two questions that pertained to the police being the only entity that can control crime in Dada County. The *Discretion* scale used two questions to measure the level of agreement for how well the police enforced laws. As for the scale *Ethnic*, it consists of three questions which measured if respondents agreed or disagreed with the notion that certain groups need to be more closely watched by the police. And lastly, the scale *Patrol* was operationalized with two questions that measured the degree to which respondents approved of patrol strategies. The results of the study showed that there is a greater degree of support for the use of discretion from 1960 Cuban immigrants compared to other groups. Middle class blacks from Rolling Oaks appeared more skeptical of the police's use of discretion. 1960 Cubans also reported a great deal of support for active patrol strategies. Overall, residence from Rolling Oaks, the Middle-class black community, reported the strongest level of disapproval of the police (Dunham & Alpert, 1988).

As African-Americans are found to have more unfavorable opinions of the police, in their study, Parker et al., (1995) added to existing studies by accounting for neighborhood level characteristics, such as crime rates. The data derived from part of a larger study on race and

crime that was conducted in Atlanta, Georgia and Washington DC. They consisted of 56% of individuals who resided in a high-crime neighborhood. In total, the study included 242 men and 343 women. The composite scale for attitudes towards the police was measured by the following three questions: " As you think about the police in this community, and their behavior, how would you rate them in terms of being smart or dumb?; As you think about the police in this community, and their behavior, how would you rate them in terms of being friendly or unfriendly?; As you think about the police in this community, and their behavior, how would you rate them in terms of being kind or cruel?" (Parker et al., 1995, p.400). A three point Likert scale was used, with the low scores reflecting positive responses and the high scores assigned to negative responses. A series of bivariate correlations were used as the analytical technique employed for this study. The results demonstrated that both men and women residing in areas that have higher rates of crime held more unfavorable opinions of the police compared to their counterparts. Accordingly, both men and women who earned lower incomes also reported higher levels of negative attitudes towards the police (Parker et al., 1995).

Some studies suggest that neighborhood characteristics have a greater effect on civilian opinions of the police than the race of an individual (Sampson& Bartusch, 1998; Reisig and Parks, 2000). In their study, Reisig & Parks (2000) examined neighborhood characteristics to understand the public's degree of satisfaction with the police. Hierarchical linear modeling was used as the analytical technique. The study utilized data from the Project on Policing Neighborhoods (POPEN). The data derives from survey responses of 5,361 citizens, who resided within 58 neighborhoods located in Indianapolis, Indiana and St. Petersburg, Florida. As for the outcome variable, satisfaction with the police, the additive scale contained the three following survey items: "1) How satisfied are you with the quality of police service in your

neighborhoods?; 2) The police provides services that neighborhood residents want; 3) How would you rate the job the police are doing in terms of working with people in your neighborhood to solve local problems? " (Reisig & Parks, 2000, p. 614). The responses were measured on a Likert scale, with the lower scores assign to dissatisfaction, and the higher scores reflecting favorable opinions. The results of the study demonstrated that residents who lived in concentrated disadvantage neighborhoods had lower levels of satisfaction with the police. Furthermore, the inclusion of neighborhood characteristics in the model removed the effect between race and police satisfaction (Reisig & Parks, 2000).

A growing number of qualitative studies examine the opinions of youths towards officers within a neighborhood context. Much research that focus on attitudes towards the police use adults as their unit of analysis; although adolescent and young adults have more involuntary and adversarial contact with officers; this is mostly due to youths having a disproportionate involvement in deviant acts and having more visibility outdoors (Snyder and Sickmund, 1996; Leiber, Nalla, and Farnworth, 1998).

In one such study, Weitzer and Brunson (2008) examine the accounts of young black and white males who reside in one of three disadvantage St. Louis, Missouri neighborhoods – one predominantly white neighborhood, one predominantly black neighborhood, and the last a racially mixed neighborhood. A series of in-depth interviews were conducted to uncover how both race and neighborhood factors influence the views of young males towards officers. The three neighborhoods are similar with regards to socioeconomic indicators: poverty rate (26%); median household income (\$23,000-\$25,000) and unemployment rate (12%-15%). The total sample consisted of 45 male adolescents. The ages of the respondents were between 13 to 19. The results of the study showed that white youths had less troubled relationships with the

officers, compared to Black youths and that police treatment of civilians were more problematic in black neighborhoods compared to white neighborhoods. Black youths were also more likely to report personal and vicarious experiences of police misconduct. Furthermore, they reported that the police were overly aggressive and confrontational. As for the mixed neighborhood, their opinions lied in-between the other neighborhoods.

Some studies have examined contextual factors and their relationships to civilian attitudes towards the police. The following section will showcase studies that examine this phenomenon.

*Direct and Indirect Experiences with Officers:* As noted above, prior studies have indicated that public opinions of the police vary when considering certain demographic and ecological factors. Scholars have also examined contextual factors, such as the effects of having direct or vicarious experiences with police and how it may impact civilian opinions.

During the 20th century, police operations were predominantly reactive (Black, 1980). In other words, encounters with the police were typically initiated by civilians who requested their services (Reiss, 1971; Black & Reiss, 1967). Recent studies show that reactive policing is still prevalent even though innovative proactive strategies have become widely used in police departments nationwide (Mastrofski, Worden, & Snipes, 1995; & Mastrofski et al., 2002). It is important to note that the use of proactive police strategies frequently call for a greater reliance on the public as a means to help in crime-fighting and community orientated maintenance efforts. Often times, police officers initiate civilian contact.

Studies suggests that the type of police-civilian contact influences civilian satisfaction with the police. In a study by Dean (1980), through the use of telephone interviews taken from 12,000 respondents who resided in Florida, New York, and Missouri, the following four types of contact were examined: 1) Police contact that resulted from victimization; 2) Police-civilian contact that resulted from a pedestrian stop or car stop; 3) Police contacts that arrived from calls for information; and 4) Police-civilian contact that derived from calls for police assistance. The results of the study were that individuals who were stopped by officers (pedestrians stop or car stop) gave lower evaluations of police services.

Relatedly, in a study by Koenig (1980), he surveyed 907 persons from British Columbia, to determine the effects of having direct contact with police. The two groups that were examined were people who received criminal sanctions or arrests and people who have been victimized. The findings demonstrated that satisfactory evaluations were lower among respondents who have received a sanction (Koenig, 1980).

Homant, Kennedy, and Fleming (1984) added to this study by examining the relationships between victimization and attitudes towards the police. The study derived from questionnaires that were mailed to 300 Detroit area households, some who were victims of residential burglaries. The results showed that respondents who were victimized were less satisfied with police services compared to non-victims (Homant, Kennedy, and Fleming, 1984).

In a related study, Smith and Hawkins (1973) also looked at the impact of police behavior during civilian-police encounters and how it may shape the civilians' perceptions of officers. Their study, which used a representative sample of citizens within Seattle, examined various types of police-civilian contacts. The researchers assessed how recent victims of criminal acts



felt towards the police. The results showed that victims were more likely to hold negative opinions of the police compared to non-victims. The study also revealed that victims who disapproved of the police were particularly dissatisfied with how police managed victimization reports; this implies that the behavior of officers is directly related to civilian attitudes towards the police. A study by Homant et al. (1984) also found that respondents were dissatisfied with how the police followed up after burglary complaints, which then affected their overall attitude towards the police. Similarly, a study by Percy (1980) uncovered that the police's behavior during interactions with civilians had an impact on how citizens viewed them. Specifically, victims who were provided information from officers and were treated well viewed the police positively (Percy, 1980).

Some empirical research demonstrates that the officer's behavior during police encounters has an impact in how civilians view the police (Parks, 1984; Zamble & Annesley, 1987; Furstenberg & Wellford, 1973; Rusinko et al., 1978; Scaglione & Condon, 1980;). Some studies suggest that negative contact with the police causes individuals to have more unfavorable attitudes towards them (Tyler & Huo, 2002; Tyler, 1990). Thus, when civilians view officers as being unhelpful, unprofessional, rude and unjust, they are more likely to express unfavorable views of them (Tyler, 1990; Chuerprakobkit & Bartsch, 2001; Wortly et al., 1997). Studies also demonstrate that civilians who deemed police encounters as fair and just, are more likely to express satisfactory views of them (Weitzer & Tuch, 1999). It is important to note that several researchers found that direct contact with officers is a greater predictor of civilian attitudes towards the police when also considering other demographic variables (Parks, 1984; Koenig, 1980; & Hurst et al., 2000)

Personal experiences with police are not a necessary condition for police evaluations, as most people do not have frequent contact with officers. Several reports show that Americans rarely interact with the police (Weitzer & Tuch, 2004).

One factor that may influence how an individual views the police is the knowledge of another person's police encounter. This police encounter may be "vicariously experienced" by an individual, particularly through communications with acquaintances, family, and friends. Individuals may also be influenced by larger neighborhood or subcultural beliefs (Jacob, 1971; Harris, 2002). Literature suggest that people who know others who have negative experiences with officers have less positive attitudes towards the police (Hurst et al, 2000; Smith & Hawkins, 1973; Dean, 1980; Koenig, 1980).

In their study, Smith and Hawkins (1973) asked civilians if they have ever witnessed officers committing improper acts (e.g. discourtesy and offensive language); in other words, the acts of police misconduct were not directed towards the respondents. The results of the study demonstrated that observations of police misconduct were related to negative attitudes towards the police (Smith & Hawkins, 1973). Moreover, in a study by Murty et al. (1990), scholars found that respondents who had acquaintances that experienced negative contact with officers held more unsatisfactory opinions of the police. Koenig (1980) uncovered a similar finding, where he found that people who had observed various forms of police misconduct (e.g. discourteous language, unfair treatment while making arrest, physical abuse) held less favorable views of officers (Koenig, 1980).

Very few studies examine differences in the level of police satisfaction when considering both direct and indirect civilian-police contact. In Bordua and Tift (1971), they found that

persons who had indirect contact were more likely to hold less favorable views of the police compared to those who initiated contact by requesting the services of police. Preiss and Ehrlick (1958) also found that persons who never come into contact with the police had more favorable perceptions than those who had limited contact. However, in a study by Carter (1985), he found that there was no difference in the nature of contact when examining the public's degree of satisfaction with the police. In a more recent study by Weitzer and Tuch (2004), the results show that direct experiences were not significantly related to civilian opinions towards the police; however, vicarious experiences were related to significant decreases in police satisfaction.

In a study by Correia, Reisig, and Lovrich (1996), they found that the type of police contact (voluntary & involuntary) did not affect the civilian's perspective of the police; however, there study expanded the use of contextual variables as possible predictors. Some of the contextual variables, in addition to voluntary & involuntary contact, include if the individual received a warning (a sanction) and the number of citations. The dependent variable measured the degree to which an individual approved of the officer, specifically if the officer was doing a good job. This was measured on a 5 point Likert scale. The study used both log linear analysis and T-test as an analytical technique. The results showed an inverse relationship between traffic citations and perceptions of the police, whereas when the number of traffic citations increased, the likelihood of positive views on state police decreased. The study also showed that persons who received one or more citations held more negatively charged feelings towards officers compared to those who did not receive any citations (Correia, Reisig, and Lovrich, 1996).

As indicated above, studies show that the treatment of civilians during a police-civilian encounter may influence how civilians view the police. Some studies have examined the concept of “police personality” and if there are differences in police attitudes and actions based on various factors. Officer treatment of civilians may provide some insight into how civilians may perceive police officers. The following chapter will discuss police culture and if certain demographic, personality, and situational factors influence officer treatment of civilians.

## **CHAPTER V:**

### **POLICE PERSONALITY & ITS EFFECT ON CIVILIAN-POLICE INTERACTIONS**

Police officers have quite a complex role in society; they work diligently to maintain order and provide security for citizens. Many consider police work inherently stressful due to the demands placed on officers, in addition to officers mainly working in hostile environments. Some of the stressors, which are multifaceted, include organizational, task related, external, and contact with different personality types (Bartol & Bartol 2004). There is a popular consensus that both negative and positive aspects of police work shape or influence an officer's personality. The term police personality has been used to identify similar traits belonging to police officers based on their experiences. Kelly (1955) defined personality as “an abstraction of the activity of a person and our subsequent generalization of this abstraction to all matters of his relationship to other persons, known and unknown, as well as to anything else that may seem particularly valuable (p.695).” Furthermore, Kelly (1955) perceives that police personality is shaped or developed by the collective experiences of officers, specifically when they are working. It should be noted that there is a consensus among scholars that the concept of “police personality” is not concrete, as there is much debate over its definition. For instance, studies that have identified negative aspects tied to police personality consider each aspect as a separate entity, rather than combining all traits into a multidimensional phenomenon. There is also very little research that examines the formation of police personality. Moreover, scholars have noted that there is a deficiency in linking measurable personality traits to performance evaluations (Gould, 2000). As for origin, some theorists believe that police personality is shaped by the officer's innate personality type, suggesting that certain individuals seek out the profession; however, other theorists favor the idea that police personality is shaped by the combination of officers

having predisposed traits that would cause them to seek out this profession, in addition to their police experience. Ideally, these factors shape police attitudes and approaches to police work, as well as the type of interactions they have with civilians (Twersky-Glasner, 2005).

There is a general assumption amongst Americans that police officers are cynical, aggressive, and have traits of authoritarianism. Additional characteristics include suspicious and conservative (Twersky-Glasner, 2005). Some researchers have concluded that authoritarianism is a trait that is found in most officers (Jones, 1984; Carlson et al., 1971). Authoritarian individuals are defined as having “a rigid adherence to conventional middle-class values, a preoccupation with power and status, and a general hostility toward people unlike themselves (Jones 1984, p.20).” A key component of having an “authoritarian personality” is prejudice (Cochran, 1975). Cochran (1975) also states that not all police officers elicit aspects of an “authoritarian personality,” but they all have certain elements of it.

Several studies have examined the authoritarian trait in law enforcement officers. For instance, in a study by Cochran (1975), she examined 46 police officers from Nassau County and 40 officers from New York City to examine their level of authoritarianism. The study used several scale tests, including the Hierarchical Control Scale. The test was developed to distinguish preferences for situations where decisions are made by people with power. All the officers who participated in this study were college students, enrolled in a psychology class. The officers scores were compared to the scores of some college student samples. Through the use of an independent sample t-test, the results showed a statistical significance between the groups, where police officers were found to have higher levels of authoritarianism compared to the control group.

Relatedly, in a study by Carlson & Sutton (1975), they examined the following six groups and their degree of authoritarianism: non-police control group, police science majors, recruits at a police academy, jail personnel, patrol bureau personnel, and detective bureau personnel. In total, there was a sample of 198 residents, with 127 being police and 71 being civilians, particularly college students. All police officers were tested at their bureaus or at their police academies. They were administered a series of test, including the California F Scale Test. This test is used to measure authoritarianism, as it examines characteristics related to cognitive rigidity and the potential for aggression. Through using multivariate analysis of variance, the results demonstrate that jail personnel, patrol bureau personnel, and detective bureau personnel were more authoritarian compared to non-police control groups (Carlson & Sutton, 1975).

In sum, studies have indicated that police officers have a higher degree of authoritarianism than non-police officers. Officers with high traits of authoritarianism will be more prone to be preoccupied with power, maintain a general hostility towards civilians, and develop prejudices towards those who do not exude middle class values. For instance, in their study, Brown and Willis (1985) found that officers who worked in high concentrated disadvantage areas had higher levels of authoritarianism. Historically, citizens have associated several negative stereotypes with police personnel, perspectives that are align with aggression, suspicion, and authoritarianism (Turner, 2003). Some studies have uncovered that high levels of authoritarianism is related to hostile police attitudes and unacceptable police conduct, which include but are not limited to negative treatment of civilians (Genz & Lestor, 1976). The degree of negative treatment that civilians experience during a police encounter may influence their choice in mediation. Furthermore, studies that examine direct contact with the police show that

the type of contact civilians have with officers influence their attitudes towards them (Tyler, 1990; Chuerprakobkit & Bartsch, 2001; Wortly et al., 1997).

Some studies have isolated certain police demographics and situational factors to determine if they are predictors of police behavior. The following section will cover possible predictors of police behavior/police action.

*Race of the Officer:* Prior to the 1960's, minorities in the police force were scarce in numbers. Many police departments began employing minorities as a way to better manage the race riots of the 1960's. Currently, there are a few studies that examine the race of police officers. The studies that do center on race focus on the marginality and discrimination experienced by black officers, specifically, the interactions between black and white officers, and the historical development of the inclusion of blacks within law enforcement agencies (Sun & Payne, 2004).

With regards to the few studies that examine attitudinal or behavioral differences between black and white officers, some are found within ethnographic studies. In an early study by Alex (1969), he examined black officers in New York City, and through his research, he suggested that the behavior of Black officers are influenced by their primary identification, being a police officer. He states that African-American officers view themselves as an officer first, and furthermore, make attempts to show their White counterparts that they are exceptional in their profession. However, Alex also references an alternative group, African-American officers who see themselves as black first and an officer second; therefore, they feel and express more sympathy towards black citizens, and harbor resentment towards some police officers. Alex explains that Black officers attempt to balance both roles. In sum, Alex suggests that Black officers throughout the United States are not homogenous in their view of identification, and that they face "double marginality," as they are not fully accepted by black citizens or white officers.



Some of the studies that focus on the race of an officer center around differences in the degree of force or coercion used during police-civilian encounters. Studies demonstrate that black officers are more likely than white officers to make arrests, and that black officers use more deadly force than whites (Fyfe, 1981; Fyfe, 1988; Geller and Scott, 1992). For instance, in Fyfe's study (1981), he analyzed 4 years of data, examining reports of officers shooting their weapons on duty (3,287 officers). Specifically, he examined the race of an officer as a possible predictor of police shootings. Fyfe uncovered that there was a significant relationship between race and the number of shootings, with minority officers being found to have used more deadly force. This relationship was spurious as neighborhood context was an additional factor. It is important to note that this study took place at a time where mostly black officers patrolled high crime minority neighborhoods.

Conversely, a more recent study showed that the race of an officer was not significantly related to the level of police coercion. Terril and Mastroki (2002) used data stemming from an observational study based on two police agencies stationed in Indianapolis, Indiana, and St. Petersburg, Florida. The purpose of this study was to examine the reasoning behind an officer's use of force. The term "force" encompassed not only physical force but also verbal commands and threats. The results of the study showed that the race of an officer was not a predictor of police coercion (Terrill & Mastrofki, 2002). However, it should be noted that some studies demonstrate that African-American officers are more likely to be supportive of stricter regulations. For instance, in Sun (2003), he examined if there were racial differences when considering their attitudes about police work. The scholars examine the following: selective enforcement (use of discretion), legal restrictions, departmental problems-solving effects (with regards to problem-orientated policing), and attitudes towards police roles. Selective

enforcement was defined as an officer's attitude towards their use of discretion and how they respond to violations and public concerns. Legal restriction was defined as an officer's opinion towards laws and rules (e.g. Exclusionary Rule and Miranda warnings) which were imposed by the Supreme Court in governing police discretion. From survey data, collected from the Indianapolis Police Department, the study used logistic regression as an analytical approach. Selective enforcement was operationalized with the following question: "How frequently would you say there are good reasons for not arresting someone who has committed a minor criminal offense?" (p. 98). The response was measured on a likert scale, where less selective officers had higher scores. The results demonstrated that black officers were less selective (thus use less discretion), and had more positive attitudes towards legal restrictions.

In addition to examining differences in the degree of coercion, some studies also examine the officers' opinions of community policing as well as their interest in the community, with taking the officer's race into consideration. In Leinen's study (1984), he examined the experiences of African-American officers. He used intensive interviews from 46 black New York City officers, in addition to a variety of magazines, books, periodicals, and journals. Leinen remarked that some African-American officers believe that they are more effective than their white counterparts with regards to performing order-maintenance duties. These officers believe that they have a better understanding of the needs and motives of African-Americans; furthermore, they feel that they are better able to manage conflict without resorting to strict police actions (Leinen, 1984). Black officers also indicated that their white counterparts are more hostile towards black civilians; they feel that white officers are more sensitive to the possibility that black citizens will inflict harm onto others. However, through the use of department statistics, Leinen (1984) uncovered that black officers are more likely than White officers to use

extreme force. He suggested that this may be due to black officers feeling that they may have to act tougher in order to gain respect and maintain a sense of authority among black citizens.

A more recent study by Sun & Payne (2004) examined the behavioral differences between black and white police officers, particularly regarding how they handle interpersonal conflicts. The study was conducted utilizing data from the Project on Policing Neighborhoods and census tract information. The following police actions were examined: coercion and support. Coercion referred to officers exercising their authority or influence over civilians to control disorder or contain violence. Supportive approaches included actions such as counseling, showing courtesy or concern, and offering assistance. The results of the study were that black officers were more coercive compared to White officers, particularly with regards to how they responded to conflict. However, African American officers were more likely than white officers to carry out supportive activities in predominantly African-American neighborhoods (Sun & Payne, 2004).

A similar study was conducted by Paoline et al. (2000), who examined two police departments: Indianapolis Police Department & St. Petersburg Police Department. The data derived from the POPN survey. The study examined any possible differentiations in police culture when considering several demographic characteristics related to police officers. With regards to race, the study found that non-white officers had more positive views towards order maintenance and community policing compared to white officers. Moreover, nonwhites had less favorable opinions of aggressive patrol and placed more importance on law enforcement.

In sum, studies that examine fragmentations in police culture/police behavior and consider the officer's race as a possible predictor have several conclusions. First, both black and white officers are shaped by a police socialization process, which starts from their time at the

academy, then through field training, and continues through their time on the force (Leinen, 1984; Cashmore, 1991; Barlow & Barlow, 2002). The results of this socialization process leads to some black officers having attitudes and behaviors that are more align with police culture, and subsequently, they share similar views to their white counterparts. Secondly, although blacks are assimilated into the white dominated police culture, they are not entirely homogeneous. Thirdly, some citizens believe that officers, regardless of their race, assume a united front, and are defined by their police officer identities. (Weitzer, 2000). Thus, some scholars note that problems which arise from police-citizen encounters stem not from the officer's ethnic subculture, but rather the police subculture (Weitzer, 2000). Fourthly, some studies show that black officers tend to treat black citizens more harshly than white officers (Leinen, 1984; Alex, 1969). As noted by Leinen (1984), black officers are not always welcomed by black civilians, and black officers may have to show their dominance to maintain control. Lastly, although black officers select more coercive manners when dealing with the public, they appear to be more accepting of community orientated policing duties and seem to relate better with minority civilians (Leinen, 1984).

The opinions and behaviors of officers influence their interactions with the public. It is important to note that some of the conclusions noted above may not necessarily be valid today. Currently, an officer's race has no bearing on their patrol assignment; therefore, officers of all colors patrol in high crime minority neighborhoods. As Brown and Willis (1985) uncovered, the degree of authoritarianism is positively correlated with crime rates; hence, officers who patrol high crime areas are more likely to have higher degrees of authoritarianism. Future research is needed to fully grasp this phenomenon in the present day.

*Gender of the Officer:* Prior to the 1970's, women officers were scarce in numbers; those who were in the field were primarily assigned to social welfare duties: e.g. juvenile and family problems, clerical assignments, and sexual assault investigations (Breci, 1997; Kakr, 2002; & Martin, 1991). As of 2007, only 12.8% of officers in the United States local police and sheriff departments were women (Poteyeva et al., 2009). Prior to the 1970's, police forces were almost exclusively comprised of White males, many who possessed similar traits (e.g. aggression, suspicion, courage, rationality, and objectivity) (Miller et al., 1999). Some police scholars suggest that regardless of gender, an officer's individual characteristic is less emphasized and replaced by a formal and informal police socialization process. Therefore, some scholars suggest that women have to adhere to the masculine occupational subculture in order to be socially accepted in their profession. Moreover, some scholars imply that both male and female officers share similar psychological characteristics and occupational behavior. Accordingly, their attitudes towards the public should be similar (Martin, 1999; Crank, 2004).

An alternative perspective finds that gender does shape occupational attitudes, whereas, men and women share a distinctive set of attitudes since they have been socialized to perform different roles (Garcia, 2003). Consequently, Garcia (2003) suggest that male officers tend to favor rules in occupational practices, have strong law enforcement orientations, and do not prioritize functions such as order-maintenance practices. As for women, it can be assumed that they would be more inclined to have a broader role orientation (emphasis on both law enforcement and order maintenance), as well as be more supportive of aggressive law enforcement strategies that center on domestic violence (Garcia, 2003). Acker (1992) notes that women are required by their peer groups to behave according to organizational norms, which are male dominated, though, society expects them to maintain gender role stereotypes.

There are a few studies that examine the impact of gender on police attitudes. In Paoline et al.'s study (2000) they examine possible fragmentations in police culture. This study utilized data from two police departments. The data was originally collected from the Project on Policing Neighborhoods (POPEN). POPEN examined a number of occupational outlooks that parallel the themes of police culture: e.g. conceptions of police role, and ideas on how police should perform their work. The study found that women had less favorable attitudes towards aggressive patrol; however, the difference was very slight. Furthermore, the study also found that women attached a lower priority to law enforcement compared to men, but the difference was very weak.

Sun (2003) also found that women had a broader view of role orientation. In his study, Sun (2003) examined several police characteristics and their possible relationship to job-related attitudes. The sample consisted of using officers from the Indianapolis Police Departments. The study uses data from the Project of Police Neighborhoods, in which officers from Indianapolis Police Department were interviewed by POPEN researchers. The study looked at several factors, which included role orientation. Role orientation was operationalized by using an additive measure, consisting of seven Likert type items. The six items were the following: "Patrol officers should be expected to do something about public nuisances; about neighborhood disputes; about family disputes; about litter and trash; about parents who don't control their kids; and about nuisance business that cause lots of problems in neighborhoods; and assisting citizens is just as important as enforcing the law" (Sun, 2003, p.98). Through using OLS regression, the study found that females tend to have a broader role orientation, thus, they have a more diverse approach to policing.

With regards to community policing initiatives, most studies show that there is no gender related differences in police attitudes towards community policing (Haar, 2001; Paoline et. al,

2000; Winfree, Bartku & Seibel, 1996). For instance, in a study by Haar (2001), he examined the impact of basic training and police work environment on police attitudes towards community policing, problem-solving policing, and police public relations. The study also considers gender as a possible predictor. Pretest and posttest were used to survey 446 police recruits from 14 basic training academy classes at the Phoenix Regional Police Training Academy. Over a period of 16 months, the police were surveyed at four different times. The results of the study show that there were no gender differences between men and women when considering attitudes towards police initiatives.

Conversely, Schafter (2002) conducted a study that examined police attitudes towards community policing using demographic and experiential variables as possible predictors. Data was taken from a Midwestern police agency, which at the time, was in the process of implementing community policing strategies in several neighborhoods. The study used a combination of methodological tools - interviews, focus groups, surveys, and systematic and unstructured field observations. Several regression models were used to determine the effects of the independent variables on the outcome variables. The study showed that gender was found to be a predictor of community policing attitudes among officers; specifically, women had more favorable views of the practice. The study showed that women scored higher when asked how they would feel about receiving assignments to work as community policing officers, and how much of an impact they felt community policing is to the neighborhood.

Stress may also be an indicator of police treatment towards civilians. A body of literature points to several structural and cultural features of police organizations that create pressures for female officers (Haar, 1997; Martin, 1994; Wexler & Logan, 1983). These problems include but

were not limited to the following: sexual discrimination, prejudice, lack of role models and mentors, protection by supervisors, feeling isolated, and being the token.

Overall, studies that examine the effects of stress on both male and female officers, show mixed results (Haarr & Morash, 1999; He, Zhaeo, & Archbald, 2002). For instance, in Dowler's study (2005), using multivariate logistic regression, he examines several predictors of job satisfaction, burnout, and perceptions of unfair treatment. This research uses data from the Project Shields, which is a study that was utilized to determine the relationships between police stress and domestic violence in policing families. The study contained several questions that are used to examine stress, perceived stress, coping, and health outcomes. The sample consisted of 1,104 police officers from the Baltimore City Police Department. The results of the study were that there was no difference in the level of stress for males and females.

Conversely, in a study by Haar & Morash (1999), they found a difference in the degree of work related stress for men and women. In the study, they attempt to identify different coping strategies for gender and racial groups, and subsequently, linked these coping mechanisms to levels of stress. The study uses data from a survey which was administered and filled out by 1,087 police officers within 24 police departments. Through employing a t-test, the study found that women had reported higher levels of stress compared to men.

In sum, as demonstrated through the aforementioned studies, attitudinal differences between male and female officers are not consistent. Therefore, it can be implied that gender has no effect on police-civilian interactions.

*Police years of service:* Few studies also examine years of police service as a possible predictor of authoritarianism. High levels of authoritarianism are linked to hostile police attitudes and



unacceptable police conduct, which include but not limited to negative treatment of civilians (Genz & Lestor, 1976). Laguna et al. (2009) investigated the presence of authoritarianism traits in officers, particularly examining the difference between experienced (over a year) and inexperienced officers (0 to 11 months). The author used the MMP1-2 test, which is a test administered to police officers in Pennsylvania. The study specifically looked at three content scale scores that are highly correlated with the degree of authoritarianism. The three scores test for the following: Cynicism (cyclical approach or degree of criticism of others); Anger (level of anger or irritability); and Antisocial Practices (risky and possible criminogenic behavior). Through utilizing a series of T-test, the study found experienced officers tend to have lower levels of anti-social practices; however, they had higher scores of emotional reactions to stress. In other words, more experienced officers had some evidence of having higher authoritarianism traits. Conversely, a study by Paoline et al, (2000) did not support this finding. In their study, which examined police culture, the researchers looked at the possible effects that certain characteristics may have on traditional police values. The study analyzed data taken from two departments. The data derived from the Project on Policing Neighborhoods surveys. The following POPN items were used to examine authoritarianism: selective enforcement (using discretion when someone commits an act); aggressive patrolling, the importance of law enforcement, opinions regarding order maintenance, community policing, and perspectives on citizen cooperation. The study showed that more experienced officers had less favorable views towards selective enforcement (using discretion). They also had more positive perceptions of citizens, and they held more favorable views towards order maintenance and community policing strategies (however, the difference was very small). The researchers suggest that the positive perceptions of citizens may be influenced by beat assignments, as more experienced officers

have seniority and are able to select their stations. Overall, studies that examine years of police service as a possible predictor of police attitudes are mixed.

This study utilizes research that examines fragmentations in police culture/behavior as well as research that analyzes civilian attitudes towards the police to provide insight into mediation selection. Several conjectures are made using the following theories: integrated threat theory, social disorganization theory, and catharsis theory. The foundations of the theories as well as the theoretical applications will be discussed in the following three chapters.

## CHAPTER VI:

### THEORETICAL FRAMEKWORK

This chapter discusses the three primary theoretical perspectives which are used to understand possible group differences in mediation selection. The theoretical perspectives are the following:

- Integrated Threat Theory
- Social Disorganization Theory
- Catharsis Theory

Each of these perspectives and their link to the dissertation topic are discussed here.

#### *Integrated threat theory*

Integrated threat theory combines several theoretical perspectives that are often used to understand the roles of threats and how they impact intergroup attitudes. (Stephan et al., 2002). This psychological/personality theory significantly differs from most personality theories, as most theories explain the perspectives of dominant groups (those with power), without providing much insight to that of inferior groups (Adorn et al., 1950; Stephan et al., 2002). The underlying factor that bind the theoretical perspectives which define integrate threat theory is the notion that ingroup members anticipate the behaviors of outgroup members, persons who are perceived as detriments to the overall well-being of ingroup members (Stephan et al., 2002).

Integrated threat theory focuses on the following four types of threats: realistic threats; symbolic threats; threats rooted in anxiety; and threats that derive from negative stereotypes. The theory posits that the aforementioned threats are factors that shape intergroup attitudes (Stephan

et al., 2002). The next section introduces the four threats, and provides explanations of how each threat is applicable to the hypotheses made in this study.

*"Realistic Threat"* is defined as "threats to the very existence of the ingroup, threats to the political and economic power of the ingroup, and threats to the physical or material well-being of the ingroup (e.g. health)." (Stephan et al., 2002, p.619). Realistic threats often arise as a result for competition of resources, which include but are not limited to the following: power, jobs, and land (Stephan et al., 2002).

*"Symbolic Threats"* are "the perceived group differences in morals, values, standards, beliefs, and attitudes." (Stephan et al., 2002, p.619). Symbolic threats occur when group members believe that their system of values are being undermined by opposing members. Consequently, symbolic threats lead to the formation of prejudices towards persons who do not believe in the groups' value system. Overall, symbolic threats arise due to a group's strong inner belief in their value system (Stephan, 1999).

*"Intergroup Anxiety"* refers to the "feelings of threat people experience during intergroup interactions because people are concerned about negative outcomes for the self, such as being embarrassed, rejected, or ridiculed" (Stephan et al., 1985, p 1243). Under this premise, anxiety is experienced during intergroup interactions because group members fear the outcome of these encounters. Common emotions associated with intergroup anxiety include, but are not limited to the following: fear, discomfort, disgust, uneasiness, disapproval, embarrassment, and rejection (Gaertner & Dovidio, 1986). It is important to note that some research demonstrates that individuals are more likely to feel anxious when there is a vast history of antagonism shared between both groups. Furthermore, studies show that perceived and acknowledged group

differences may also lead to anxiety (Stephan & Stephan, 1985; 1989; 1992; Gudykunst, 1988; Islam & Hewstone, 1993).

*"Negative Out-group Stereotypes"* Stereotypes associated with out-group members may cause an increase in the level of "threat" to ingroup members. Consequently, these feelings may cause ingroup members to have negative expectations when confronted with the possibility of interacting with opposing members (Sherman & Ruvolo, 1990). For instance, when outgroup members are perceived as aggressive and untrustworthy, ingroup members may feel threatened by the possibility of interacting with them.

Overall, integrated threat theory suggests that certain personality traits as well as situational factors may lead members to intergroup avoidance (W.G. Stephan & Stephan, 2000). Individuals who strongly identify with their group orientation are more likely to be affected by outside threats. Secondly, perceptions of threats rely on both the frequency and type of contact (negative or positive) between the two groups. For instance, the frequency of positive contact (e.g. team efforts, pleasurable activities) relative to the negative interactions (e.g. unpleasant activities, disagreements) may lower the degree of threat. It is also inferred that an increase in negative contacts with opposing members will cause a rise in perceived threat. In sum, people who experience a higher frequency of negative contacts with opposing members will be less inclined with the prospects of having future contact with them. Furthermore, if there is a perceived status of inequality between both groups, there is an increase sense of threat felt by the less powerful group (the ingroup) towards the group that maintains power (outgroup).

Integrated threat theory can be used to predict the attitudes of ingroup members towards outgroup members. Emotional reactions that are often explained through the application of this theory include hatred, fear, and disapproval (Stephan & Stephan, 1993). Prior studies have

shown support for integrated threat theory, and its application for examining the attitudes and behaviors of ingroup members towards outgroup members, as well as outgroup members towards ingroup members (Britt, Boniecki, Vescio, Biernat, & Brown, 1996; Corenblum & Stephan, 2001; Eagly & Miadanic, 1989; Islam&Hewstone,1993; C. W. Stephan, Stephan, Demitrakis, Yamada, & Clason, 2000; W. G. Stephan, Diaz-Loving, & Duran, 2000; W. G. Stephan, Ybarra, & Bachman, 1999; W. G. Stephan, Ybarra, Martinez, Schwarzwald, & Turkaspa, 1998). For instance, prior studies have utilized Integrated Threat Theory to explain attitudes of African-Americans (ingroup members) towards Caucasians (outgroup members) (C. W. Stephan et al., 2000; W. G. Stephan et al., 2000). In another study, the Integrated Threat Theory model was used to explain women's attitudes (ingroup) towards men (outgroup) (Stephan, Stephan, Demitrakis, & Yamada, 1999).

As of today, there are no empirical studies that have tested integrated threat theory or used it as a theoretical framework to explain civilian views of the police. For this study, integrated threat theory was used as the theoretical framework to support several hypotheses. Specifically, I hypothesize that African-Americans (both male and females) juveniles (with an emphasis on blacks), and persons who reside in disadvantage neighborhoods (ingroup members) are more likely to reject the mediation process at the NYC CCRB due to relationship with police officers (outgroup members). In other words, it is hypothesized that several types of threats, particularly those which define integrated threat theory, cause individuals (who are considered to have less power) to avoid contact with the police (those with more power). It is also hypothesized that complainants who have cases which involve white officers and male officers will more likely reject mediation due to a preexisting unbalance of power shared between the

ingroup and outgroup members. The following section will apply integrated threat theory to each of the aforementioned factors.

*Application of realistic threats:* In general, African-Americans have a long standing contentious relationship with the police, dating back to slavery. Law enforcement officers often worked on slave patrols, and enforced inhuman and oppressive methods of social controls on black slaves. While adhering to the slave codes, the primary role of officers on slave patrol was to capture slaves and return them to their owners. Slaves were not allowed to leave their plantation without a pass, nor could they carry weapons. As for emancipated blacks, there was a need to control "barbarous people," thus many US counties urged police officers to watch and monitor freed blacks (Cashmore & McLaughlin, 2013). For instance, in some cities, officers were required to investigate all black freemen who had not registered with the city and who were not employed (Cashmore & McLaughlin, 2013).

It was later the role of police officers to enforce Jim Crow segregation laws. During the civil rights movement, officers were used by local municipalities and city mayors as brutal enforcers. It was common for them to disrupt marches and sit-ins. Police officers were also known to use nightsticks, revolvers, and riot gear to deal with black crowds (Cashmore & McLaughlin, 2013).

As indicated above, historically, police have violated the rights of African-Americans, both male & female; however, many would argue that African-American males were at the greater receiving end of hostility from law enforcement. This perspective is highlighted when examining the reconstruction era and the time thereafter, where it became common practice for police officers to stand by silently as black males were lynched for being accused of crimes

(Cashmore & McLaughlin, 2013). During the late 19th century and early 20th century, it was also common practice for white officers to beat, shoot and/or kill black males for minor offenses (Kusmer, 1976). Myrdal reported (1944) that between 1920 and 1932, white police officers were responsible for more than half of all the murders of black males in the south.

Officers also arrested black males more often than white males for the same crimes; these crimes were typically misdemeanor offenses (e.g. vagrancy, petty larceny, and disorderly conduct) (Cashmore & McLaughlin, 2013). Although there was a tendency for officers to arrest African-American males, there was often little attention devoted to black-on-black crimes. Moreover, crimes that occurred in poor black communities were of little concern to law enforcement officials during the first half of the 20th century (Cashmore & McLaughlin, 2013).

A recent change in police procedure greatly impacted the police and their encounters with African-Americans. Throughout the past 30 years, many police departments have abandoned reactive practices for proactive methods in efforts to reduce crime (this topic is discussed more in Chapter 8). The aforementioned changes in police practices and Reagan's War on Drugs initiative led to greater concern with crimes that occurred in minority neighborhoods (Primarily Black and Hispanic). This shift in police ideology led to increased police occupancy in African-American and Hispanic neighborhoods. Consequently, there was a rise in the number of police stops and investigations into lower-level street crimes. Increased police enforcement within urban minority neighborhoods led to an exponential rise in African-American males receiving criminal sanctions. African-Americans are still impacted by the ideological shift in police enforcement, which has led to them being disproportionately represented in the criminal justice system (Alexander, 2010).



Recent studies also show that African-Americans, both males & females, are more likely than whites to report adversarial contact with the police. This includes being stopped, questioned, searched, and experiencing verbal and physical abuse by the police (Browning, Cullen, Cao, Kopache, and Stevenson, 1994; Flanagan and Vaughn, 1996). For instance, Langan et al (2001) uncovered that African-Americans were more likely than white drivers to be ticketed, arrested, and have their vehicles searched by police. Recent media reports pertaining to acts of police brutality also call attention to the notion that African-Americans have been disproportionately affected by police misconduct.

Overall, these factors greatly support the assertion that African-Americans, both males & females (ingroup members), perceive the police (outgroup members) as realistic threats, persons who may cause harm to their emotional and material well-being.

A similar argument can be made for Hispanics. Currently, a disproportionate number of Hispanics, which include a large percent of recent immigrants, reside in disadvantaged areas, and are often subjected to fewer economic opportunities (Stowell & Martinez, 2007). Some scholars argue that communities with higher concentrations of poverty have higher crime rates because residence experience the following deprivations: e.g. poorer wages, diminished professional occupation rate, residing in and/or around dilapidated physical conditions, and obtaining lower levels of education (Martinez & Stowell, 2007). It can be inferred that economic deprivations may cause some Hispanics to engage in deviant behavior. In support of this argument, a study by Martinez (1996) found that economic inequality was strongly correlated with Latino homicides. Recent studies also show that Hispanics are the second fastest demographic group that are incarcerated (Tonry, 2004). Increased interaction with the police (through the process of arrests) and increased police occupancy in Hispanic neighborhoods (many which are

disadvantaged communities) may allude to Hispanics, both males and females, also viewing the police as an imminent threat to their well-being.

A similar argument can be made for youths, as their negative experiences with police may justify the application of integrated threat theory's conceptualization of "*Realistic Threat*." Recent studies show that juveniles or persons under age 18 have frequent contact with the police (Walker, 1992). Weitzer & Tuch examined the relationship between age and police contact, and found that younger people experience disproportionate contact with law enforcement (Weitzer & Tuch, 2010). Moreover, African-American youths have been disproportionately represented in the criminal justice system (Tonry, 2004; Alexander, 2010). Many police encounters with young people are the result of youths engaging in non-serious acts (e.g. order maintenance concerns), where the officers intervene (Black, 1980; Bittner, 1990; & Walker, 1992). Based on prior negative experiences, studies show that youths appear to be more critical of the police compared to older individuals. (Blumstein, 1995; Bittner, 1990). Under the premise of integrated threat theory, frequent negative police contacts may cause youths to perceive the police as threats, powerful figures who are intent on targeting them, thus lessening their quality of life. African-American youths may also hold stronger negative perceptions of the police (compared to the other races) based on their high number of arrests and negative contact with the police.

Prior studies also support the notion that residents of disadvantaged neighborhoods may perceive the police as "*Realistic Threats*." The 1980's War on Drug's initiative disproportionately affected poor communities, as there was an increase in police occupancy within these neighborhoods (Roberts, 1999 & Duneier, 1999). Research shows that innovative police techniques, such as Hot Spots policing and Problem-Orientated Policing (discussed in length in Chapter 8), were highly centralized in disadvantaged high-crime areas; subsequently,

there was a rise in police visibility, police stops, and arrests in these neighborhoods (Fagan and Davies 2000; Kane 2002; Reisig and Parks 2000; Smith 1986; Terrill and Reisig 2003).

Consequently, citizens who reside in disadvantaged neighborhoods may perceive the police as realistic threats, as police authority and the detrimental effects of police enforcement is highly visible in their neighborhoods. This reality of heightened police occupancy in certain neighborhoods may cause civilians to perceive the police as a dominant, powerful, and a threatening force in their communities.

*Application of Intergroup Anxiety:* Although "*Symbolic Threat*" is not applicable to my hypotheses, "*Intergroup Anxiety*" may provide some insight into my assumptions. It is possible that Hispanics, African-Americans (both men and women), youths (with an emphasis on blacks), and persons who reside in disadvantaged communities may feel a sense of uneasiness and/or fear in the presence of officers. This feeling may even be heightened if the officer is white and/or a male, as historically, most officers shared these characteristics. These emotions felt by civilians possibly derive from past negative experiences (direct or vicarious) as well as present day negative interactions. Moreover, police officers are often viewed as authoritative figures; civilians, specifically those who historically had unpleasant contacts with officers and those who are often perceived as having less power, may feel anxious in their presence. This element of unbalanced power and the history of poor police relations may be the underlying factor that causes minorities, youths, and residents of disadvantage communities to be less likely to select mediation at the CCRB.

*Application of Negative Out-group Stereotypes:* It is possible to assume that Hispanics, African-Americans, youths, & persons who reside in disadvantaged communities formulate negative stereotypes of officers due to past unpleasant experiences (direct or vicarious). Some civilians may apply even more negative stereotypes towards white and/or male officers, as historically, most officers shared these characteristics. Studies have shown that the ingroup members (noted above) are more likely to view the police as aggressive, untrustworthy, and unfair (Tyler, 1990; Chuerprakobkit & Bartsch, 2001; Tyler & Huo, 2002). Negative perceptions of the police not only affect police legitimacy, but it also may impact restorative efforts aimed at building civilian-police relations; this is the underlying foundation of mediation at the CCRB.

As indicated above, several types of threats, those which are composites of integrated threat theory, may serve as the underlying reason for ingroup avoidance of outgroup members. Recent theories have highlighted that neighborhood context can have an impact on an individual's point of view, as persons who reside in the same neighborhood may share similar norms and values. The following section will examine social disorganization theory, which is employed in this study as an additional theory used to explain a possible link between neighborhood characteristics and mediation selection.

### *Social Disorganization Theory*

Social Disorganization theory, an ecological theory, considers location-specific characteristics and their relation to crime. Social disorganization theory is defined as the inability of a community to realize common objectives and solve chronic problems. The theory posits that poverty, residential mobility, ethnic heterogeneity, and weak social networks lessen a neighborhood's ability to control the behavior of people, thus, it increases the likelihood of crime and deviant acts (Kawachi et al, 1999; Rosenfield et al, 2001). The theory was developed by

Chicago School researchers Shaw and McKay (1942) in their study, *Juvenile Delinquency and Urban Areas*. Shaw & McKay claimed that delinquency was caused by an individual's reaction to abnormal neighborhood conditions. The researchers looked at the ecological distribution of delinquency rates in Chicago. Specifically, they used spatial maps to analyze the residential locations of juveniles who were referred to Chicago courts. Crime rates consisted of the following: court appearances, arrests, and court adjudications of institutional commitment. The independent variables included the following: economic conditions by the square mile, population turnover, and ethnic heterogeneity. The study found that neighborhood ecological conditions shaped crime rates, more so than the characteristics of the individual residents. The results of the study showed that concentrated disadvantage, residential stability, and racial heterogeneity are related to neighborhood crime rates. Specifically, areas which have higher levels of concentrated disadvantage and residential instability are strong predictors of high crime rates in the community. Furthermore, through using a concentric zone model, Shaw and McKay showed that delinquency occurred in urban areas, and that persons who had more wealth moved outside of the urban areas to avoid the effects of disorganization (Shaw & McKay, 1942).

Subsequent research examining social disorganization theory include family stability/disruption, income, housing, residential stability, and the concentration of young people as indicators (Bursik 1988; Bursik and Grasmick 1993; Jobes, Barclay, and Weinand 2004; Sampson and Groves 1989). Overall, Shaw and McKay's study (1942), in addition to subsequent research that test social disorganization theory argue that residents who live in strong cohesive communities are better able to manage crime.

The social disorganization approach that arose from Shaw and McKay's study view local neighborhoods and communities in terms of systems that involve friendship, acquaintance

networks, formal and informal associations (those tied to family life and socialization) (Sampson, 1995). Social disorganization has been defined as the “inability of a community structure to realize the common values of its residents and maintain effective social controls (Sampson and Groves, 1989, p. 775). From a crime control perspective, a main component of social disorganization is the ability (or lack thereof), of the community to supervise and control the youths (Rosenfield, Messner, and Baumer, 2001).

A basic contention of social disorganization theory is that crime occurs due to there being weak informal social controls (Kornhauser, 1978). In other words, when neighborhoods are disorganized, individuals who reside in these neighborhoods are unwilling to engage in surveillancing and monitoring their communities; it is believed that these actions would deter both seasoned and potential offenders (Kawachi et al, 1999; Rosenfield et al, 2001).

Civic engagement and trust, which are core elements of the concept “social capital,” are strongly associated with neighborhoods that have strong social organizations. According to Coleman, the function of social capital is “created when the relations among persons change in ways that facilitate action” (Coleman, 1990, p. 304). Social capital involves social relationships, where individuals cooperate with one another to realize goals. Putnam, another influential advocate of social capital, refers to the concept as “features of social organizations, such as networks, norms, and trust, that facilitate action and cooperation for mutual benefit” (Putnam, 1993, p35). Within practice, social capital draws attention to the level of civic engagement and the degree of interpersonal trust. When a social environment is considered trustworthy, the people in this environment assume obligations to others and expect that others will also do the same for them; thus, people work together for a common goal (Hearn, 1997). With regards to trust, it’s a matter of the people’s willingness to trust and work with others even if they do not

have a direct relationship or have knowledge of them. As for civic engagement, it deals with persons creating and sustaining organizations that are useful for common goals. Furthermore, trust and civic engagement are mutually reinforcing. If citizens participate in their communities, they are more likely to trust each other. The greater trust that citizens have for each other, the more likely they are to participate in civic engagements (Brehm & Rahn, 1997). Civic activities tie individuals to their communities, and serve as the foundation of informal control. For instance, activities such as neighborhood watch is a form of civic engagement that is specifically targeted towards crime prevention (Brehm & Rahn, 1997). In sum, high levels of civic engagement in a community strengthens social organization and promotes informal social control; therefore, according to social disorganization theory, areas that have these mechanisms in place have lower rates of crime and delinquency.

As for the concept of trust, recent studies have examined trust within the construct of collective efficacy, which is defined as the “linkage of cohesion and mutual trust with shared expectations for intervening in support of neighborhood social control” (Sampson & Raudenbusch, 1999, p.612). Sampson et al. (1997) proposes that strong social ties may not be as important to crime, when considering the shared expectations that neighbors will intervene on the behalf of the community. Thus, under collective efficacy theory, Sampson suggests that the more a neighborhood is socially cohesive, the greater the degree of trust is shared among community members to manage indicators of social disorganization (e.g. delinquent behavior of children). Community cohesion increases the propensity for a neighborhood to self-govern, which, in turn, should reduce the overall crime rate.

In one of his studies that test collective efficacy, Sampson et al. (1997) analyzed the degree of shared expectations about social control, using 8782 residents of 343 Chicago

neighborhoods in 1995. Respondents were asked to answer 5 questions which were ranked using a Likert scale. The researchers asked residences about their likelihood to take action based on the following circumstances: if children were skipping school; if children were spray painting graffiti on buildings; if a fight broke out in front of their house; if children were showing disrespect to an adult; and if a fire station in their neighborhood was threatened with budget cuts. Within this analysis, levels of trust were coded and evaluated; particularly, if people are willing to assist their neighbors, if their neighbors can be trusted, were people close to their neighbors, do the neighbors share the same values, and if they get along. Official homicide rates and victimization reports by the residents were analyzed to determine the rates of violence in the neighborhood. The results of the study showed that collective efficacy was associated with lower rates of violence (Sampson et al., 1997). Pratt and Cullen (2005) conducted a meta-analysis which yielded similar results. Overall, much research demonstrates that the degree of trust in a neighborhood is positively correlated to crime rates.

Many studies have linked social disorganization theory to crime rates through the concept of informal social controls. Bursik and Grasmick's (1993) expand on this notion by proposing the "systemic model of crime," and its relationship to deviant acts. The "systemic model of crime" also considers "public control" in addition to informal control as mechanisms that are linked to criminal activity. Public control is defined as the "ability of the community to secure public goods and services that are allocated by agencies located outside the neighborhood" (Bursik and Grasmick, 1993, p.17). One of the agencies that provides a good or service to neighborhoods is the local police force. It can be implied that neighborhoods that have extensive civic engagement are better able to receive adequate policing and public control as these neighborhoods are better equipped to mobilize resources. Furthermore, having generalized trust will



only help in cooperating with other institutions outside of personal and social relationships. It can be implied that neighborhoods who do not mobilize to strengthen formal public control have less trust; accordingly, they will also have less civic engagement and higher crime rates in their neighborhood. These individuals may be more likely to be suspicious of others, and may not have much assurance in regulatory institutions (Kawachi et al, 1999; Rosenfield et al, 2001).

*Application of Social Disorganization Theory:* As Sampson et al. notes (1997), the act of trust in the police involves both informal and formal controls, as citizen-induced mobilization of formal resources may greatly impact effective police assistance. The same can be said about civic engagement as the concepts are mutually reinforcing. Less trust and less involvement in civic duties may also indicate less desire for civilians to partake in the mediation process at the CCRB. The NYC CCRB is advertised as an independent agency from the police department whose purpose is to investigate allegations of police misconduct. The mediation department is viewed as an alternative approach to more putative measures to handle complaints against the police and is not heavily advertised compared to the investigation process. Therefore, when individuals choose to voice their complaints to the CCRB, it can be assumed that their main intent is to seek not only justice, but also punishment for the officer's wrongdoings. The purpose of mediation is to resolve conflict between the civilian and subject officer, which, in turn, will hopefully translate into improving police-community relations. In order for the mediation process to commence, the civilian must have a sense of trust in not only the police department, but the CCRB itself. There must also be a belief in civic engagement, that a resolution will surmise - the belief that participating in functions that are meant to lessen tensions between the police and the civilians will provide a benefit not only to the complainant, but to the community as a whole. It

can be inferred that if there is less social cohesion within a community, members of this community are less interested in improving police-community relations. Historically, disadvantage communities have poor relationships with the police, and studies show that civilians who reside in these neighborhoods have more unfavorable views of officers compared to those who reside in middle and upper class areas (Weitzer, 1999; Sampson & Bartush, 1998; Flanagan & Vaughn, 1996). Research also demonstrates that residents of lower-class neighborhoods have more contact with the police; a greater number of contacts may result in hostility and conflict between both parties (Thomas & Hyman, 1977; Smith, Graham, & Adams, 1991). Some studies also show that police officers act more aggressively to residences of high crime areas (Smith, 1986). In Smith's study, he finds that police seem to offer less service to victims who reside in poor neighborhoods. Specifically, they are less prone to provide assistance to people and less likely to file incident reports (Smith, 1986). Several researchers have also examined police participation and concluded that residents of disadvantage communities are more likely to avoid any participation with police as they do not trust the police to cooperate with them in their efforts to reduce disorder and crime (Bueger, 1994; Grinc, 1994). This finding lends credence to the belief that residents of disadvantage neighborhoods have less social cohesion and have less investment in both formal and informal controls. In sum, the traditional and modern approaches to social disorganization may suggest that residences of disadvantaged communities are more likely to reject mediation due to having a lack of social cohesion and social capital, as well as a lack of both informal and formal social controls present in their communities.

This study also considers alternative perspectives towards mediation selection. The following section will define catharsis theory and how this theory can be applied to understanding which groups may be more likely to accept mediation.

### *Catharsis Theory*

In the previous sections of this chapter, Integrated Threat Theory was used as the theoretical framework to explain the possible relationships between minority groups, younger individuals, persons who live in disadvantage communities and mediation selection; specifically, that blacks (both males and females), Hispanics (both males and females), persons who live in disadvantage communities and younger people (with an emphasis on African-Americans) may be more likely to select mediation. Social disorganization theory was also used to describe the possible relationship between neighborhood characteristics and mediation selection. According to the theory, persons who reside in disadvantage communities are more likely to select mediation. This study also considers several alternative hypotheses which are rooted in the theory of Catharsis. This chapter will briefly discuss Catharsis theory and takes a closer examination into the shift in police practices (from reactive to proactive policing) as possible reasons for why minorities, younger individuals, and persons who live in disadvantage communities may be more likely to select mediation.

Catharsis theory posits that emotions are entities that “build up,” similar to a water or stream if they are not expressed outwardly. This buildup of emotion leads to internal pressure or tension which turns to psychological malfunction if not discharged. In order to return to a normal state, individuals must discharge their emotions, thus draining this build up. Catharsis theory derives from the basis of the hydraulic model of anger (Bohart, 1980). The model

suggests that accumulated frustrations overtime leads to anger, and the anger builds up inside, similar to a hydraulic pressure in a closed environment, until it is released. Therefore, if a person's anger is not released, it may cause them greater distress (Anderson & Bushman, 2002).

Breuer and Freud (1937) defined Catharsis theory, and determined that the process of catharsis can only be emotionally helpful as repressed negative emotions build up overtime and cause the individual much pain if not addressed. According to Breuer and Freud (1937), an individual must purge their aggression in order to return to improve one's psychological state. Accordingly, ridding his or her aggression through the process of venting their anger is more beneficial than holding it in. Anger is viewed as something that accumulates, and can be vented through expressing one's emotions directly or indirectly. Specifically, the process of catharsis can be carried out through direct emotional expression (directly venting one's frustrations) and vicariously (e.g. watching a television show that has aggressive elements). Several examples of releasing anger through direct emotions involve confronting the individuals who committed the harm, and venting out frustrations in their presence (Bohart, 1980).

Research that examines Catharsis theory is quite scarce. The few studies that have analyzed this theory focus on the effects of purging emotions. Overall, the results of the studies were mixed. For instance, Bohart (1977) examined several undergraduate students and asked them to recall an incident which caused them anger. The test subjects were asked to report their incident, recount their feelings towards the person who upset them, and fill out a self-reported measure of their emotional state. There were four separate treatment procedures that were evaluated, one which included a discharge group. The discharge group received treatment which required the subjects to pretend that they were seated across the person who upset them; they were then asked to verbally express their anger towards this individual. The results of the study

did not support catharsis theory, as the discharge group actually had increased levels of anger and hostile attitudes. Conversely, in a study by Hokanson & Edelman (1966), they examined participants and their systolic blood pressure level. The study found that there was a rapid reduction in systolic blood pressure level when male participants were being allowed to vent their frustrations towards the source of the problem. The male participants who were not allowed to show any frustrations had slower reduction levels in their blood pressure.

Although there is a lack of empirical studies regarding the benefits of Catharsis theory, the belief of venting out anger as being beneficial to one's emotional state has become commonplace in our culture. It is demonstrated and discussed in all aspects of media: magazines, movies, television (Anderson & Bushman, 2002). For instance, in their article Anderson & Bushman (2002) mention several movies and magazine articles that discuss the benefits of venting frustrations as a productive coping mechanism. The general belief is that if one vents their anger, it will only improve one's psychological state (Bushman, 2002).

In this study, Catharsis theory is used to explain the possible likelihood that minorities, the young, and persons who reside in disadvantage communities may be more likely to select mediation. In order to understand this assumption, it is important to consider the recent shift in police strategies, primarily those that occurred in urban communities. Although it was briefly discussed in the previous chapter, a greater analysis of the changes in police strategies is needed to understand the scope of Catharsis theory, particularly, how it applies to accepting mediation. The following section will discuss, in detail, the recent changes in the role of the police.

*History of Policing Strategies:* The multifaceted role of policing has evolved since inception. James Q. Wilson (1968) developed a dichotomous scheme that distinguished police work as either an order maintenance or crime control model. Moreover, Albert Reiss (1971) contributed

to the classification of police work by describing police interventions as either being "proactive" or "reactive." Both descriptions are well suited to illustrate the differences in traditional policing strategies and recent innovations. Every police department utilizes a combination of both proactive and reactive strategies, and carryout duties that reflect order maintenance and crime control principles; however, the degree of emphasis, within each scheme, has recently shifted in many urban departments. For the past 30 years, proactive order maintenance tactics have taken precedent, and studies have indicated that these innovative strategies are effective crime control mechanisms.

Prior to the 1960's, both order maintenance and crime control strategies held crucial roles in policing. The duties of a police officer not only include tracking down and apprehending criminal offenders, but also enforcing community standards that were aligned with moral codes of conduct. Maintaining orderly behavior within communities consisted of proactive interventions, where police would patrol their assigned areas and monitor persons likely to engage in behaviors that were classified by residents as deviant: e.g. persons not known in the community, and vagrants (Zimmer, 1990).

The use of order maintenance tactics within US police departments declined in popularity during the mid-1960's. Scholars identified the rise in serious crime as one of the reasons for its demise. During this time, several presidential commissions explored the crime problem, and identified police reform as an essential component to crime reduction. Police scholars deemed that scientific and technological advances, in addition to improved police response time were essential for crime control. Their suggestions reflected an emphasis on the crime control model, with less attention paid to order-maintenance strategies. This announcement resulted in an increase in the systematic dispatch of patrol officers, which was often facilitated by centralized

reporting through the 911 system (Zimmer, 1990). The National Advisory commission on criminal justice standards and goals (1973) identified the crimes that should be given the most priority, which were the following: homicide, assault, rape, burglary, and robbery. Behaviors associated with order maintenance violations were given less priority, especially as the financial climate during the 1970's was in crisis. The idea of the neighborhood cop decreased, as police officers focused on rapid response time to serious crimes. In other words, police officers became more mobile, traveling in vehicles, and patrolled a larger geographical area. Therefore, police officers were no longer attached to a particular community or neighborhood (Walker, 1977).

As the ties officers had to communities faded due to assuming new policing responsibilities, many patrol officers lost their motivation to enforce order maintenance violations. In other words, the focus in responding to serious crime resulted in a decrease in proactive policing. As for deviant acts associated with vice crime (gambling, drug trafficking, and prostitution), separate units were established (Jacobs, 1984). The patrol force, which was the largest division of the police in all departments, became increasingly involved in roving patrol and dispatching cars to the scene of a crime (which was relayed through a 911 call). This model was urged by reformers, government commissions, and police researchers (Wilson, 1985).

By the 1980's, street crime had escalated exponentially, and plagued many inner city neighborhoods. For instance, in 1970, the UCR reported the total number of crime was approximately 8 million. By 1980, the total number of crime rose to over 13 million, and continued to rise until the late 1990's (FBI Uniform Crime Reports, 2013). Some attribute this increase in crime to the urban crack epidemic and the stock market crash of 1987. Drug use peaked during the 1970's and early 1980's. Some of the harshest anti-drug laws and vigorous law enforcement strategies occurred in the ensuing years (Tonry, 2004).

As the crime rate in the United States increased, some viewed that traditional methods intended to curb the supply and demand for drugs were unsuccessful. Public officials now advocated that there be an increase in the number of sworn officers, as well as a rise in law enforcement spending to encourage the use of more proactive measures in efforts to combat street crime (Glaser, 1997). Proactive Policing refers to "the strategic deployment of resources in order to target criminally active individuals (Stockdale et al,1999, p.5). Proactive Policing takes a future-orientated strategic and targeted approach to reducing crime. There is close attention paid to identifying problems or risks. The acquisition of intelligence is necessary to make educated decisions. Operations are often flexible and vary according to the crime problem. Feedback is also an important aspect, as it is used for adjusting, expanding, and maintaining initiatives (Read & Tiley, 2000).

Sign in 1994, former President Bill Clinton's anti-crime program, Community Oriented Policing Services (COPS), employed thousands of police officers throughout the United States. By 1997, this program hired over 54,000 police officers nationwide. The officers who were employed through this program were committed to enforcing proactive policing strategies, with an emphasis on foot patrol (Glaser, 1997).

Many police departments in urban communities increased their use of proactive strategies, making them the dominate strategy used in their agency. The following section will introduce several prominent proactive strategies that are currently used to help curb crime.



*Problem-orientated Policing:* Problem-orientated policing is actively promoted by scholars as a more effective response to crime prevention in urban cities than traditional policing inventions (Braga & Bond, 2008). Some research has concluded that the problem orientated policing approach is effective in regards to controlling crime, particularly property crimes, prostitution, residential burglaries, street drug sales, and disorderly activities (Eck and Spelman, 1987; Hope 1994).

Problem-orientated policing is a crime control strategy in which officers attempt to reduce specific reoccurring crimes by cooperating with local agencies and community members, as well as utilizing official data (Braga & Bond, 2008). One of the benefits of problem-orientated policing is its foundation, which involves centralizing the police's focus, time, and budget on a specific reoccurring crime problem within an immediate community. At the core, problem-orientated policing attempts to identify and solve the underlying problems that are responsible for crime events. As Braga (2014) noted in the forthcoming *Oxford Handbook of Police and Policing*, historically, police adhered to mainly reactive crime preventive strategies that were incident-driven. This led to much frustration among citizens and officers as the outcome of police efforts produced less progress than anticipated. Herman Goldstein (1979), who coined the approach problem-orientated-policing (POP), proposed an alternative to the aforementioned strategy by recommending that officers should identify the underlying causes of criminal activity through a variety of approaches and tailor their police response accordingly. He argued the police placed too much emphasis on the "means" of policing, and lost focus on the "goals" of preventing and controlling crime, as well as community problems. Furthermore, he stated that the unit of analysis in policing is the actual problem rather than the calls for assistance which was prominently used in the 1970's and 1980's.

As noted by Braga (2014), another benefit linked to problem-orientated policing is that it utilizes the community as a resource for information and it is used as a mechanism to curb crime. For instance, under the process of problem-orientated-policing, officers may help to mobilize the community and make civilians into agents of social control.

*Hot spots policing:* Hot Spots Policing, a place orientated crime prevention strategy, has come to dominant urban police crime prevention, policy, and research (Eck & Weisburd, 1995). The origins of this strategy developed from the hot spots of crime perspective, which affirms that crime is concentrated in smaller places and makes up most of the criminal events within neighborhoods (Sherman, 1992). This perspective is also applicable to high crime areas, where criminal activity exists in clustered locations, and surrounding areas remain virtually crime free (Sherman, Gartin, & Buerger, 1989). Several criminologists also suggest that law enforcement should direct most of their attention to crime dense places as a method to efficiently combat crime (Weisburd, 1997; Sherman & Weisburd, 1995). The ideology behind Hot Spots policing consist of law enforcement taking proactive measures to prevent victims and offenders from converging in space and time; in essence, this strategy, focusing on densely crime ridden areas, would cause a decrease in criminal activity. Research evidence demonstrates that a substantial focus on police interventions, that which include, proactive arrest, problem solving, direct patrols, can greatly impact crime prevention (Sherman, 1997). Moreover, recent studies have indicated that the degree to which police officers centrally focus on specific crime risks compared to random patrol and making reactive arrests is proven to be more effective in curbing crime (Goldstein, 1990; Wilson & Kelling, 1982).

*Community policing:* Community policing directly parallels the order maintenance model. It involves cooperation with community leaders, organizations, and residents. The objective

involves employing alternative methods of social control, rather, than simply crime fighting mechanisms (Kelling, 1988; Bayley & Skolnick, 1986). There is more favor in the selective use of arrest, and for officers to be guided by the preferences of the community. In this case, police would have to be more cooperative with members of the community, and the technicalities of police work would be less constrained (Mastrofski,1995). There is also a focus on crime prevention, victim assistance, and building the community - therefore, improving the quality of neighborhood life. Building a good rapport with members of the community, particularly those who are greatly invested, is an essential component to community policing (Clymer, 1994; Krauss, 1994).

Currently there is no one consensus on community policing, as guidelines are truly developed through the unique characteristics of each individual community (Mastrofski,1995).

*Zero tolerance policy:* In addition to the above-mentioned innovative police strategies, New York City enforced the Zero Tolerance Policy as a proactive method to decrease crime. Overall, its purpose is to improve the quality of life for New York City residents by reducing disorder, and eliminating the ills of society on a small and large scale. The Zero Tolerance Policy's theoretical framework derived from the Broken Windows Theory. First coined by James Q Wilson and George Kelling in a 1982 Atlantic Monthly article, the sociologists claimed that crime existed and manifested through disorder. Anything left unattended, such as the deteriorating subways, schools, and neighborhoods, appealed to the criminally inclined. Therefore, poor conditions (e.g. a broken window) sends a signal that there is a lack of care, this leads to more and severe crime and ultimately urban decay (Kelling & Bratton, 1998). Under this policy, the NYPD targeted minor offenses: i.e. public drinking, aggressive panhandling, and public urination. Prior to its implementation, officers routinely ignored these minor offenses.

However, once the policy was enforced, the NYPD issued many summonses and followed up on arrests. As Michael Farrell, Deputy Police Commissioner, stated, “The notion is if you affect signs of crime and disorder, people feel more comfortable about using public spaces, and the opportunity for crime is less. The other dividend is a reduction in serious crimes. Stopping someone for a minor offense like aggressive panhandling, or public drinking allows police to check outstanding warrants for other crimes” (Glaser, 1997, p.2).

Bratton also altered New York City’s drug enforcement efforts by targeting mainly low to middle level drug dealers. Moreover, he encouraged patrol officers to seek warrants and make narcotics arrests (Greene, 1999). The increase in narcotics arrests led to the NYPD confiscating countless illegal weapons and drugs. Overall, this refocus in police tactics resulted in a decrease in reported shootings, and an increase in the number of arrests (Glaser, 1997).

*Impact of Proactive Measures and Catharsis Theory:* The changes in police initiatives led to a greater concern for crimes that occurred in minority neighborhoods. Criminologists uncovered that proactive police strategies are disproportionately concentrated in disadvantaged, crime-ridden communities with many of them being areas that have a high proportion of minorities (Fagan and Davies 2000; Kane 2002; Reisig and Parks 2000; Smith 1986; Terrill and Reisig 2003). Consequently, there was an increase of police occupancy within these neighborhoods. The results of the enforcement of new police strategies as well as changes in drug laws (which placed heavy penalties on certain drug offenses) led to an increase in the penal population, one that greatly affected the disadvantaged and minority men. For instance, from 1985 to 1998, the prison and jail population grew by 7.3 percent, numbering around 1.8 million by 1998 (Tonry, 2004). Another statistic shows that the US incarceration rate has tripled since 1980. In 1980, the

rate was 200 per 100,000, and by 2002, the rate was 700 per 100,000 (Tonry, 2004).

Approximately one third of young African-American males are in the prison and jail system or they are on probation or parole. As for Hispanics, they are the fastest growing group in the prison population (Tonry, 2004).

This increase in incarceration and supervision in the criminal justice system also greatly impacted youths. During this period, there was a shift in the age demographic, wherein crimes committed by teenagers increased, while illegal activity executed by adults declined. Since 1985, crimes committed by individuals who were 25-years-old and up decreased by 25%, while homicides carried out by individuals who were 18 to 24-years-old grew 61%. The homicide rate for teenagers between the ages of 14-17 years-old also doubled (Glaser, 1997). During this period, a disproportionate number of African-American males accounted for a significant percentage of youths engaged in crime (Glaser, 1997).

Studies have shown that the police view minorities, the young, as well as citizens who reside in poor areas as a threat to their authority and well-being. As they have discretionary power, officers are allowed to respond according to their emotions, as such, encounters with these individuals enhance the potential for police brutality (Skolnick and Fyfe, 1993; Chevigny, 1969; & Westley, 1970). In essence, “it is the us against them” mentality which is fostered and reinforced in police subculture; consequently, this diminishes police accountability. There is a sense of mistrust felt among the public, which strengthens tensions between both groups.

Tensions shared between the police and groups considered to be the ingroup in police culture has been long standing. As noted in previous chapters, tensions between minorities (blacks & Hispanics) and the police have a long standing relationship. Recent studies have shown that minority groups report more instance of police misconduct than other groups (Smith

& Holmes, 2003). Increased police presence in poor neighborhoods (many which have high proportions of minority residents) only heighten the concern for police misconduct due to a lack of trust in law enforcement (Smith & Holmes, 2003). Scholars also note that middle class values are an integral part of police culture and historically, police officers worked for or were in the favor of the wealthy (Jones, 1984; Smith & Holmes, 2003). In regards to the relationship between youths and the police, as youths have more outdoor visibility, they have more encounters with the police, and as of recently, they have been greatly impacted by the change in police strategies (Alexander, 2010; Borrero, 2001).

It can be assumed that minorities (regardless of gender), youths (African-Americans more so than other races), and persons who reside in disadvantage communities experience more frustrations with the police. It can also be assumed that younger African-Americans are perhaps more frustrated than older African-Americans since this demographic was greatly affected by the increase in police occupancy; (e.g. the number of young Blacks within the criminal justice system grew tremendously). The frustrations experienced by these groups (some which expand generations) may have been heightened due to the changes in policing tactics (reactive to proactive policing). According to Catharsis theory, prolonged feelings of frustration may have manifested into anger. This anger towards the police may have not been released, which may have led to these negative unhealthy feelings to fester. Historically, the thought of speaking with officers to voice concerns was not available or even considered by some individuals, perhaps, due to the fear of retribution. Civilian complaint review boards, and the mediation departments within these agencies provide civilians with a safe environment to voice their concerns, either through investigations or mediation selection. As there is a popular consensus among the public that venting out anger is an acceptable and healthy form of dealing with frustrations, those who

experienced higher levels of frustrations with the police (the young – primarily African-American males, minority groups [both male & female], and persons who live in disadvantage communities) may be more likely to select mediation. Their perception may be that the process of mediation can be used as a method of positive psychological release, causing the victims to feel better following the process. Studies on mediation confirm this assumption, where victims who participate in mediation are more likely to have positive views of the process and also a better perspective of the subject officer's point of view (Walker, 2002).

The same logic can be used when considering characteristics linked to the subject officer and mediation selection. Historically, sworn police officers were typically white and male until the recent hiring practices in the police department. There may be more resentment by citizens who encounter officers who share one or more of these characteristics. Thus, according to catharsis theory, it is likely to assume that complainants who alleged misconduct against white officers and male officers may be more likely to confront them in efforts to regain normalcy. Since the shift in police practices, groups which have the most encounters with the police are the same groups which are viewed as a threat to officers.

The following chapter explains, in detail, the data which was used in this study, as well as how the variables are operationalized. Descriptive analysis of the variables are also presented. This chapter will be followed by the results of the study as well as a discussion of the findings.

## **CHAPTER IX:**

### **METHODOLOGY**

Individual level data used for this study was obtained directly from the New York City Civilian Complaint Review Board. The data was compiled through information taken from the Complaint Tracking system (CTS), a computer software system where CCRB investigators input relative information concerning each CCRB case. CCRB investigators receive case information through corresponding with citizens, either via telephone or in-person. Demographic characteristics and service information pertaining to the officer (s) accused of misconduct was retrieved from an internal CCRB database, then added to CTS. The CCRB cases used in this study covers a period of 5 years (2007 to 2012). The inclusion criteria consist of the following: if the citizen was offered mediation and if the citizen resided in New York City. Based on the inclusion criteria, the final sample size for this study was 6328 cases. The following section list the descriptive statistics associated with the variables used in this study and how these variables were operationalized. Table 1 also displays this information.



**Table: Descriptives**

Descriptives	Percent	Mean	SD
<i>Dependent Variable</i>			
Mediation Accepted			
No	49.5%	-	-
Yes	50.5%	-	-
<i>Independent Variables-Individual Level</i>			
Racial Identity			
White	16.2%	-	-
Black	45.4%	-	-
Hispanic	18.6%	-	-
Others	16.7%	-	-
Gender			
Male	70.3%	-	-
Female	29.1%	-	-
Male Racial Identity			
White Male	16.4%	-	-
Black Male	46.5%	-	-
Hispanic Male	19.7%	-	-
Other Race (Male)	17.4%	-	-
Female Racial Identity			
White Female	17.8%	-	-
Black Female	48.8%	-	-
Hispanic Female	18.6%	-	-
Other Race (female)	14.8%	-	-
Age of Respondents		35.63	12.78
White (age groups)			
Under 20	5.5%	-	-
20-39	49.2%	-	-
40-59	37.0%	-	-
60 and up	8.2%	-	-
Black (age groups)			
Under 20	9.4%	-	-
20-39	53.8%	-	-
40-59	33.0%	-	-
60 and up	3.8%	-	-
Hispanic (age groups)			
Under 20	11.1%	-	-
20-39	60.3%	-	-
40-59	26.0%	-	-
60 and up	2.7%	-	-

Male (age group)			
Under 20	9.2%	-	-
20-39	55.4%	-	-
40-59	31.5%	-	-
60 and up	3.8%	-	-
Female (age group)			
Under 20	7.6%	-	-
20-39	54.3%	-	-
40-59	33.1%	-	-
60 and up	5.1%	-	-
Ethnicity of Police Officers			
White	39.6%	-	-
Black	14.3%	-	-
Hispanic	19.2%	-	-
Asian	2.7%	-	-
Other	3.7%	-	-
Gender of Police Officers			
Male	65.3%	-	-
Female	10.6%	-	-
Officers Years of Service		7.45	5.7

Independent Variables – Neighborhood Level

% Labor Force Unemployment		16.0%	12.2%
% Female-headed Household		24.7%	10.2%
% Below Poverty		23.8%	10.3%
% Married		34.5%	9.47%
% Home Ownership		28.9%	19.5%
% White in neighborhood		22.6%	22.2%
% Black in neighborhood		34.9%	27.8%
% Hispanic in neighborhood		31.1%	21.1%

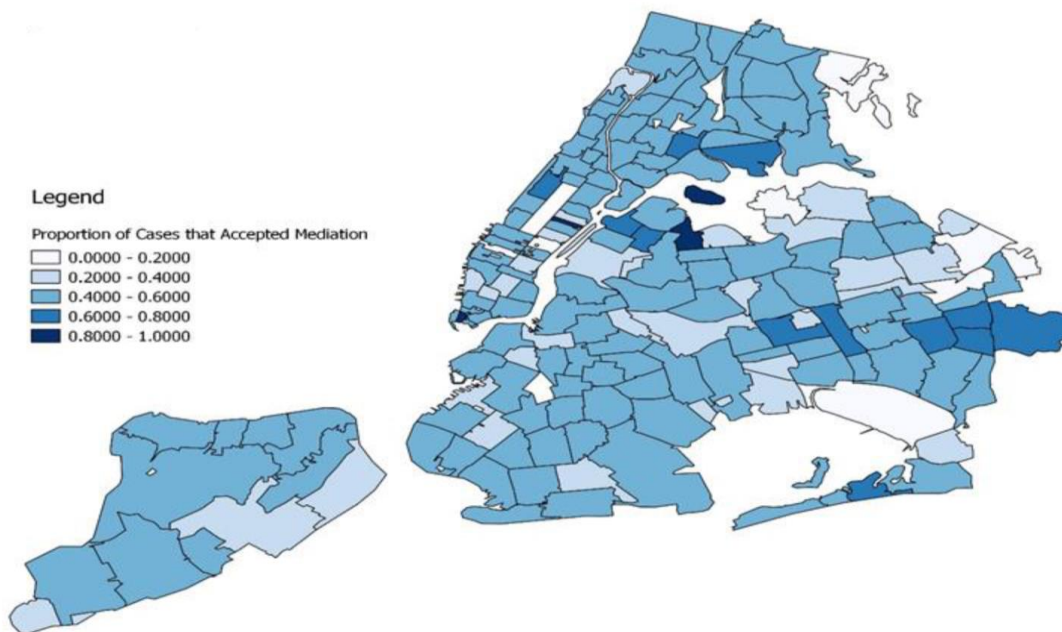
Case Control Variables

CCRB Allegation Type			
Abuse of Authority	70.5%	-	-
Discourtesy	23.8%	-	-
Obscene Language	2.6%	-	-
Force	3.1%	-	-
Citizen Request for Help			
No	69%	-	-
Yes	11%	-	-
Medium Number of Allegation			
Under or at the medium	54.1%	-	-
More than the medium	45.9%	-	-
Complaint Type Recode			
Direct	92.3%	-	-
Indirect	6.0%	-	-
Charge			
No Sanction	62.6%	-	-
Sanction	37.2%	-	-

Dependent Variable

The dependent variable for this study, "*Accepted Mediation*," measures the citizen's decision to participate or not to take part in CCRB's mediation process. The variable was coded "1" if a citizen chose to participate, and "0" otherwise. Approximately 49.5% chose not to participate in mediation, while 50.5% chose to partake in the process. Figure 1 displays a map of New York City; this map illustrates the proportion of persons who accept mediation in each neighborhood. Data are presented in Figure 1 at the zipcode level and were joined in QGIS to the Census Bureau's zip-code tabulation areas (ZCTAs) in order to visually represent the spatial distribution of accepted mediation. Exploratory spatial data analytic techniques indicated that there was not statistically significant spatial clustering of the acceptance of mediation so spatial methods are not further employed in this analysis.

**Figure One: Proportion of Complainants Accepting Mediation in the New York City Area**



*Independent variables:*

This study uses research that examines civilian attitudes towards the police as possible insight into mediation selection. Determinants of civilian views of officers are often variables associated with status differentials. Thus, for this study, I examined the following variables: e.g. gender, age, and racial identity.

*Gender:* Gender was operationalized by using a binary measurement (male = 1). The survey has 70.3% males and 29.1% females.

*Age:* Citizens were asked by investigators to provide their age. Age is measured as a continuous variable. The mean age is approximately 36 (35.63) years old, with a standard deviation of 12.78.

*Racial Identity:* Citizens were asked to provide their race. Original responses for the category includes the following: White (16.2%); Black (45.4%), Hispanic (18.6%), Asian (3.8%), American Indian (.2%), Other Race (2.8%), Unknown (8.3%), and refused (1.5%). Given the small frequencies for some of the race groups, the variable "Racial Identity" was recoded into the following categories: White (16.2%), Black (45.4%), Hispanic (18.6%) and other (16.7%).

Intersections of individual characteristics were created to provide further insight into the descriptions of individuals who select mediation. Collins (1998) defines intersectionality as a way of viewing and understanding cross-cutting interests. Furthermore, she notes that the examination of intersections brings to life distinctive group histories or experiences. This study examines the following intersecting variables: gender & race; age & ethnicity & age and gender.

*Male & Female Racial Identity:* For the intersection variable, Male Racial Identity, the survey contains 16.4% White males, 46.5% Black males, 19.7% Hispanic males, & the remaining percentage of 17.4% are males who belong to other racial groups. As for the intersection variable, Female Racial Identity, the survey has 17.8% White males, 48.8% Black females, 18.6% Hispanic females, and 14.8% of females belonging to other racial groups.

*Age Group by Ethnicity:* Age was categorized into the following four categories: under 20, 20-39, 40-59, and 60 and up. For the variable, White (age group), 5.5% are under the age of 20, 49.2% are from ages 20-39, 37% are from ages 40 to 59; and 8.2% are ages 60 and above. For the variable, Black (age group), 9.4% are under the age of 20, 53.8% are from ages 20-39, 33% are from ages 40 to 59; and 3.8% are ages 60 and above. And lastly, for the variable, Hispanic (age group), 11.1% are under the age of 20, 60.3% are from ages 20-39, 26% are from ages 40 to 59; and 2.7% are ages 60 and above.

*Age Group by Gender:* Following the same age categories as described in the previous section, the survey shows that for the variable, Male (age group), males under the age of 20 consists of 9.2%, 55.4% are from ages 20-39 years old, 31.5% are from 40-59 years old, and 3.8% make up males who are 60 years old and above. As for the variable, Female (age group), girls under the age of 20 consists of 7.6%, 54.3% of women are from ages 20 to 39, 33.1% are from ages 40-59, and 5.1% of women are age 60 and up.

This study also takes into consideration the characteristics (e.g. race, gender, and years of service) of the officers who were accused of misconduct in efforts to determine if these factors influence mediation selection. Studies demonstrate that certain demographic and situational factors related to police officers may influence their treatment towards civilians (Genz & Lestor, 1976). Prior research has considered race, gender, and years of police service as possible

determinants of attitudinal differences in officers. Furthermore, research that examines direct contact with the police show that the type of contact civilians have with officers (positive or negative) influence their attitudes towards them (Tyler, 1990; Chuerprakobkit & Bartsch, 2001; Wortly et al., 1997). As this study suggests that civilian views towards police may have an impact mediation selection, the following variables are examined: race of the officer; police officer years of service, and gender of the officer.

*Race of the Officer:* The survey consists of 39.6% White officers, 14.3% Black officers, 19.2% Hispanic officers, 2.7% Asian officers, and 3.7% of officers were classified as another race.

*Police Officers Years of Service:* In this survey, the mean for the officers' years of service is 7.45 years, with a standard deviation of 5.7 years.

*Gender of Police Officers:* The survey contains 65.3% male officers and 10.6% female officers.

#### Case Controls:

This study also considers that the following CCRB case characteristics may have an effect on mediation selection: CCRB Allegation Type; Citizen Request for Help; Median Number of Allegations, Complaint Type & Charge (if sanction was or was not issued).

*CCRB Allegation Type:* Studies that examine victim-offender mediation, a mediation process that closely resembles mediation within civilian complaint review boards, demonstrate that complainants who filed cases that contained more severe allegations were less likely to mediate (Coats et al, 2004; Gehm, 1990; Wyrick & Costanzo, 1999). Thus, it can be assumed that the type of allegation reported in the CCRB complaint may also influence mediation

selection. The variable, CCRB Allegation Type, is used to measure which type of allegation was filed in each complaint. In the survey, 70.5% of the complaints are classified as Abuse of Authority, 23.8% are Discourtesy, 2.6% are Obscene Language, and the remaining 3.1% falls under the category of Force. It is important to note that excessive force allegations are not eligible for mediation.

*Citizen Request for Help:* Studies demonstrate that involuntary encounters with police, those in which officers approach citizens absent of their request, result in civilians having more negative attitudes towards them (Weitzer & Tuch, 2002). Therefore, it can be assumed that the aforementioned case characteristic may impact mediation selection. The original variable for “Citizens Request for Help” contained 10 attributes. The variable was recoded into a binary measurement where “1” indicates that the citizen did request assistance from the police, and “0” indicates otherwise. In this survey, 69% did not request assistance from the police, and 10.6% did ask for help.

*Median Number of Allegations:* It is likely to assume that the number of allegations (in one case) may impact an individual's decision to mediate his or her complaint. It is possible that an individual who claims more acts of police misconduct may be more frustrated with the subject officer. In the original dataset, cases which contained more than one allegation were entered as separate entries. A new variable was created which counted the number of allegations in each CCRB case. The median number of complaints in this survey is 2. From this knowledge, the variable *Median Number of Allegations* was calculated; it measures the number of cases below or at the medium (below = 0) and above the medium (above = 1). In this survey, the percentage of CCRB cases that fell at and below the median is 54.1%, and those that were above the median is 45.9%.

*Complaint Type Recode:* Few studies have examined direct and indirect experiences with the police and their possible influence on civilian attitudes towards officers (Bordua & Tift, 1971; Carter, 1985; Preiss & Ehrlick, 1958; and Weitzer & Tuch, 2004). This study examines the type of police interaction as it may have an influence on mediation. *Complaint Type Recode* is used to measure direct and vicarious experiences with the police and if these factors contribute to one's decision to accept or reject mediation. This variable was operationalized using the following categories: Complaint; Complaint/Victim; Victim; Witness; & Comp/Witness. The majority of the survey (81.8%), consists of complainant/victims, whereas citizens that are solely complainants (1.8%) and citizens who are witnesses (1.8%) make up the smallest groups. The remaining two groups, Victims and witnesses made up 10.4% and 4.2%, respectively. Given the small frequency of some of the categories and to increase lucidity, complaint type was recoded into the following two categories: Direct & Peripheral. The attribute "Direct" refers to citizens who alleged that the officers committed acts of misconduct against them. As for the attribute "Peripheral," it identifies citizens who witnessed acts of police misconduct, and therefore, experienced the incident vicariously. This variable, presently titled, "Complaint type\_recode," has a binary measurement with "1" representing citizens who experienced acts of police misconduct vicariously, and "0" which identifies persons who directly experienced acts of police misconduct. In sum, direct contact consists of 92.3% of the survey, while indirect is 6.0%.

*Charge:* Studies have demonstrated that evaluations on police satisfaction were lower among respondents who have received a sanction during their encounters with police (Koenig, 1980); therefore, it can be assumed that being penalized during a police encounter may play a role in mediation selection. Originally, this variable consisted of 23 attributes, and specified the type of penalty that a civilian received during the incident. In order to clearly differentiate



civilians who did and did not receive a penalty, the variable was coded to a binary measurement, where "1" indicated that the civilian received a sanction or penalty and "0" represented otherwise. In total, 62.6% of citizens did not receive any sanctions, while 37.2% did receive a penalty.

### Neighborhood Predictors:

Neighborhood characteristics, particularly those related to socio-economic status, may play a role in mediation selection based on the premise that prior studies connect these characteristics to the degree of social cohesion, civic engagement, as well as informal and public controls that exists within a community (Sampson, 2006; Bursik & Grasmick, 1993).

At the neighborhood level, census-tract-level measures have been used to test social disorganization variables as possible predictors of mediation selection at the CCRB. Each CCRB case entry in the survey was linked to contextual level data from the US Census Bureau at the zip code level. Data from the 2010 Census was added to the dataset, thus 6328 CCRB complaints were linked to relevant neighborhood indicators of social disorganization.

*Concentrated Disadvantage:* This is calculated as a weighted factor regression score, which includes the following items from 2010 census: Percent Below Poverty, Percent Labor Force Unemployed, and Percent Female-headed Household. Table 2 shows the factor parameters for the variable Concentrated Disadvantage.

**Table 2: Factor Parameters for Concentrated Disadvantage**

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Factor (No. of Item)	Items Included in Factor Construction	
Embeddedness in congregation (3) -Eigenvalue = 2.336 (77.8% of variation) -Cronbach's $\alpha$ = .726	1	Individuals below poverty level
	2	% of female headed household
	3	% Percent labor force unemployed

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Through their research, Shaw and McKay (1942) found that poverty was an essential factor of social disorganization in terms of determining the degree of delinquency in a neighborhood. Furthermore, Kornhauser (1978), and Bursik (1988) also concluded that the social economic status of an area is related to crime, as well as to social investment and participation in community organizations. Moreover, Sampson et al (1991) found that the social economic status of an area is related to social network formation. Therefore, it is hypothesized that neighborhood characteristics may be a factor in determining mediation selection, as the underline purpose of this process is linked to police-community relations. Voluntary interaction with the police, in efforts to create discourse concerning unpleasant police encounters, may be more appealing to individuals who are invested in social institutions and social networks. The variable, Percent Below Poverty, is commonly used as an indicator for social economic status. In the 2010 Census, poverty represents a household income of less than \$24,250 for a household of four. In this survey, the Mean Percent Below Poverty is 23.8%, with a standard deviation of 9.47.

Relatedly, the variable unemployment rate has also been used as a socioeconomic indicator used to test social disorganization theory (Freeman, 1995; Kawachi et al., 1999). This variable is used to gauge the degree of criminal activity/delinquent behavior and involvement in social institutions. In this survey, the mean percent for the variable Labor Force Unemployed is 16%, with a standard deviation of 12.24.

As for the variable, Percent Female Headed Household, it is a census measure which estimates the number of households on a block which is managed solely by a single adult. Recent modifications to Social Disorganization theory have highlighted the importance of this factor being a measure of social control, as families headed by a single parent are more likely to have difficulties managing their children (Sampson and Lauritsen, 1990). This factor is also an indicator of social class as families that are headed by one parent, most likely females, are usually at an economic disadvantage compared to dual-parent households (Shaw & McKay, 1942 & Reiss, 1986). In this survey, the Mean Percent Female-headed Household is 23.8%, with a standard deviation of 10.30.

*Diversity Measure:* Social disorganization interprets racial heterogeneity as a factor that measures the extent to which individuals in a particular area share similar social norms and values, thus indicating the degree of social cohesiveness. When there is lower degrees of cohesion, there may be greater potential for cultural conflict as the same norms and values are not enforced and/or practiced in a neighborhood (Kornhauser, 1978; Byrne & Sampson 1986, Bellair, 1997). For this study, the diversity measure was created to identify the degree to which each racial group varied within a neighborhood (neighborhoods were defined by zipcodes). This measure provides more variation than proportional measures, as it allows for one measure of

diversity across all racial groups. The indicator was standardized, with a scale ranging between 0 to 100, so that all of the measures are comparable. The following equation is used:

$$H = -\sum_{i=1}^S p_i \ln p_i$$

The diversity measure equation (H) is calculated by taking the sum of the proportion of group members in a given category (Pi) multiplied by the natural logarithm of that proportion across the number of categories of the variable (I) (Pelled et al., 1999; Lindsay et al., 2014). Census data, which provided the number of white, black, and Hispanic individuals in each respondent's neighborhood was transformed into a proportion in order to calculate the Diversity Measure. The proportion of each race was also transformed into percentages in order to test for bivariate relationships. In this survey, the mean for the variable, Percent White in the Complainant's Neighborhood is 22.66 % with a standard deviation of 22.16%. The mean for the variable, Percent Black in the Complainant's Neighborhood is 34.89%, with a standard deviation of 27.82%. And lastly, the mean for the variable, Percent Hispanic in the Complainant's Neighborhood is 31.05%, with a standard deviation of 21%.

*Percent Married:* Marital status has also been used as an indicator of social disorganization (Rosenfeld et al., 2001). Families that are headed by two persons have a financial advantage, and studies demonstrate that economic status is related to social cohesion. It is probable to assume that marital status may be possibly related to mediation selection based on this factor, which, in essence, indicates the degree of one's involvement in social networks & social institutions. One's investment in the community and surrounding communities may play a

role in his or her's willingness to mediate. In this survey, the mean percent of person's married is 34.54%, with a standard deviation of 9.47.

*Home Ownership:* The number of owner-occupied houses has been used as an indicator for the guardianship of youths, stability, and community investment. Under the premise of social disorganization theory, it is presumed that individuals who own their homes are invested in their neighborhoods, but also it is believed that they have an interest in the conditions of surrounding areas (Miethe & Meier, 1994). Therefore, homeowners may be more likely to take part in mediation as the underlying purpose of mediation involves improving relationships between the police and the community. In this survey, the mean number of home ownership is 28.9%.

*Analytic Methods:*

With regards to bivariate analysis, two approaches were necessary. The first approach is a series of Chi-square test, which were used to examine the following nominal level variables in efforts to determine if they are possible predictors of mediation selection: Racial Identity; Male Racial Identity; Female Racial Identity; White (age group); Black (age group); Hispanic (age group); Male (age group); Female (age group); Gender; Ethnicity of Police Officers; Gender of Police Officers; Charge; CCRB Allegation Type; Citizen Request for Help; Medium Number of Allegations; and Complaint Type Recode. The second approach is a series of Independent T-test, which were used to test the following scale level variables: Police Officers Years of Service; Percent White in Complainant's Neighborhood; Percent Black in Complainant's Neighborhood; Percent Hispanic in Complainant's Neighborhood; Percent Labor Force Unemployed; Percent Female-headed Household; Percent Below Poverty; Percent Married; and Percent Home Ownership.

HLM models are also used given the multiple levels of the data. Unlike other traditional techniques, multilevel models take layered (nested) structures of the data into account. In this study, two levels are distinguished: local neighborhood characteristics (Concentrated Disadvantage, Diversity Measure, Percent Female-headed Household & Percent Married), and individual-level characteristics of complainants (Racial Identity, Age, & Gender) as well as officers (years of service, gender, and race). Case controls (CCRB Allegation Type; Citizen Request for Help; Median Number of Allegations; and Complaint Type Recode) are also included to account for and remove any effect that may have been associated with case characteristics. HLM will also allow for the control of each level, in addition to determining the effects in the full model. Based on the binary measure of the dependent variable, a series of nested logistic multilevel models were used to determine the effects in the form of odds ratios. Through this statistical application, clustering at the zip code level, as well as the magnitude and direction of effects across models can be accounted for. The analysis includes five models and also analyzes the baseline model. The baseline model is used to determine the existence of a clustering effect at the zip code level. Model 1 includes only the case control variables. Model 2 includes the case controls and independent variables, while holding the neighborhood variables constant. Model 3 contains the case controls and aggregate level data, while holding the independent variables constant. Model 4 includes the full model, and Model 5 contains several cross-level interactions.

## **CHAPTER X:**

### **RESULTS**

The relationship between demographic characteristics of complainants and mediation selection is presented in Table 3. From the independent variables age, gender, and racial identity, only gender is not significantly related to mediation selection. This finding is consistent with previous studies that have examined civilian attitudes towards the police. With regards to the complainant's racial identity, the results demonstrate that white complainants are the least likely ethnic group to select mediation, with only 41.6% agreeing to participate in the process. The percent of Blacks and Hispanics who accepted mediation were 52.3% and 52.9% respectively. As for the variable age, the difference between those who chose and chose not to participate in mediation is slight, separated by only one year. The study shows that older complainants (an average of 36 years of age) are more likely to mediate than younger complainants (an average of 35 years of age).

Table 3 also shows interaction variables and their relationship to mediation selection. There was evidence of some significant relationships. Although gender was determined not to be a predictor of mediation selection, the study found differences in groups when considering both the racial identity and gender of the complainant. For the variable Male Racial Identity, the study uncovered that white males were the least likely group to select mediation with 56.7%. Fifty percent of black males and 45.6% of Hispanic males chose not to participate in mediation. As for Female Racial Identity, white females were the least likely female group to select mediation, with 61.9% choosing not to mediate; this is compared to 42.8% black females and 50.9% Hispanic females. With regards to age group, which was separated into four categories, significant relationships were found when considering the variables, Black (age groups) and

Male (age group). For Black (age group), younger African-American males were less likely to mediate (ages under 40), compared to older black males (40 and over). Approximately 49% Black males who were under the age of 40 chose not to mediate. Conversely, approximately 44% of black men 40 to 59 years old and 37% of black men who were ages 60 and up chose not to mediate.

**Table 3: The Relationship between Individual Level Demographic Characteristics of the Complainant And Mediation Selection**

Variable	No to Mediation	Yes to Mediation	Chi-Square
Percentages			
Racial Identity			40.211*
White	58.4%	41.6%	-
Black	47.7%	52.3%	-
Hispanic	47.7%	52.9%	-
Other	49.3%	50.7%	-
Gender			5.303
Male	50.3%	49.7%	-
Female	47.9%	52.1%	-
Male Racial Identity			18.929*
White male	56.7%	43.3%	-
Black male	50.0%	50.0%	-
Hispanic male	45.6%	54.4%	-
Other race	50.2%	49.8%	-
Female Racial Identity			35.711**
White female	56.7%	43.3%	-
Black female	50.0%	50.0%	-
Hispanic female	45.6%	54.4%	-
Other race	50.2%	49.8%	-
White (age group)			3.499
Under 20	56.6%	43.4%	-
Ages 20-39	60.6%	39.4%	-
Ages 40-59	57.9%	42.1%	-
Ages 60+	51.4%	48.6%	-
Black (age group)			13.633**
Under 20	49.6%	50.4%	-
Ages 20-39	49.6%	50.4%	-
Ages 40-59	44.2%	55.8%	-
Ages 60+	37.3%	62.8%	-



Hispanic (age group)				1.422
Under 20	47.2%	52.8%	-	
Ages 20-39	47.5%	52.5%	-	
Ages 40-59	46%	52.5%	-	
Ages 60+	41.4%	58.6%	-	
Male (age group)				13.191
Under 20	48.6%	51.4%	-	
Ages 20-39	52.1%	47.9%	-	
Ages 40-59	46.8%	53.2%	-	
Ages 60+	42.8%	57.2%	-	
Female (age group)				3.512
Under 20	51.4%	47.9%	-	
Ages 20-39	47.9%	51.8%	-	
Ages 40-59	53.2%	53.1%	-	
Ages 60+	57.2%	58.4%	-	
		<u>Mean</u>		<u>T-test</u>
Ages	35.06	36.19		3.278**

\*p < .05

\*\*p < .01

\*\*\*p < .001

Table 4 represents all the neighborhood level characteristics and their relationships to mediation selection. The results show that all the aggregate level variables are significantly related to the selection of mediation. Particularly, complainants that have a higher percentage means of whites in their neighborhood (24.33% compared to 23.52%) are less likely to mediate their complaint. Conversely, complainants that have a higher mean percentage of blacks (36.36% compared to 33.39%) and a higher mean percentage of Hispanics (30.48% compared to 31.59%) are more likely to mediate. Table 4 also shows that complainants who live in areas that have a lower mean percentage of unemployment (11.98% compared to 12.49%), female-headed household (24.38% compared to 24.30%), and poverty (23.38% compared to 24.30%) are less likely to mediate. Lastly, complainants that have a higher mean percentage of persons married (34.08% compared to 34.01%), and home ownership (29.6% compared to 28.2%) are less likely

to mediate. It should be noted that all the group differences in this section are very slight, with differences ranging from less than 1% to approximately 3%.

**Table 4: The Relationship between Neighborhood Characteristics of the Complainants and Mediation Selection**

Variable	No to Mediation	Yes to Mediation	T-test
Percentages			
% White in Neighborhood	24.23%	23.52%	5.15**
% Black in Neighborhood	33.39%	36.36%	-4.250**
% Hispanic in Neighborhood	30.48%	31.59%	-2.104**
% Labor Force Unemployed	11.98%	12.49%	-5.199**
% Female-headed Household	24.03%	24.44%	-6.256**
% Below Poverty	23.38%	24.30%	-3.58**
% Married	34.08%	34.01%	4.50**
% Home Ownership	29.6%	28.2%	2.804**

\*p < .05; \*\*p < .01; \*\*\*p < .001

Table 5 shows the relationship between the characteristics of officers accused of misconduct and mediation selection. When considering the ethnicity of police officers, their genders, and years of service, only the officer’s ethnicity was found to have a relationship with mediation selection. Results show that complainants whose police encounters involved white officers were less likely to mediate compared to other races. Particularly, when the officer was white, 51.9% of complainants selected mediation. When the officer was Black, Hispanic, and Asian, the percentage of complainants who accepted mediation were 56.3%, 55.4% and 56.5% respectively.

**Table 5: The Relationship between the Characteristics of the Officers Accused of Misconduct and Mediation Selection**

Variables	No to Mediation	Yes to Mediation	Chi-Square
	Percentages		
Ethnicity of police officers			96.81**
White	48.1%	51.9%	-
Black	43.7%	56.3%	-
Hispanic	44.6%	55.4%	-
Asian	43.5%	56.5%	-
Gender of police officers			1.351
Male	46.5%	53.55	-
Female	44.1%	55.9%	-
		Mean	T-test
Officer years of service	7.46	7.45	.070

\*p < .05, \*\*p < .01, \*\*\*p < .001

Table 6 shows the relationship between case control characteristics and mediation selection. All the case controls were found to be significant with the exception of Charge (if the complainant received or did not receive a sanction during the police incident). For the variable, CCRB allegation type, complainants who alleged the least severe allegation were more likely to mediate their case. Particularly, 56.2% of persons who allege discourtesy agreed to mediate their complaint, compared to 48.6% who alleged abuse of authority, 48.8% who alleged obscene language, and 51.3% who alleged force. For the variable, Citizen request for help, complainants who requested an officer for assistance were more likely to mediate their complaints (54.4%) compared to persons who did not request assistance from the police (49.8%). With regards to the variable, Median number of allegations, persons who alleged allegations at or under the mean (54.3%) were more likely to mediate their complaint, compared to persons who filed

complaints above the mean (45.9%). And lastly, complainants who had direct contact with the accused officer during the complaint (51.2%) were more likely to mediate their complaints than persons who had indirect encounters with officers (41.3%).

**Table 6: The Relationship between Case Characteristics and Mediation Selection**

Variable	No to Mediation	Yes to Mediation	Chi-Square
Percentages			
Charge			
No Sanction	50%	50%	1.043
Sanction	48.7%	51.3%	-
CCRB Allegation type	-	-	25.986**
Abuse of authority	51.4%	48.6%	-
Discourtesy	43.8%	56.2%	-
Obscene language	51.2%	48.8%	-
Force	48.7%	51.3%	-
Citizen request for help	-	-	5.053*
No request	50.2%	49.8%	-
Request for help	45.6%	54.4%	-
Medium number of allegation	-	-	44.54**
Under or at average	45.7%	54.3%	-
Above average	54.1%	45.9%	-
Complainant type recode	-	-	14.1**
Direct	48.8%	51.2%	-
Indirect	58.7%	41.3%	-

\*p < .05; \*\*p < .01; \*\*\*p < .001

One of the objectives of this paper is to determine if potential interdependence exists between complainant individual & neighborhood characteristics, and their possible relationship to mediation selection. Table 7 shows this premise within a set of nested models.

The coefficient indicator for the baseline model without covariates, known as the unconditional model, is .0118, and it is not significant. This means that there is no clustering effect, as the aggregate neighborhood level variables do not have a moderating effect on the

individual level variables. Although this test indicates that there is no hierarchical structure, the multivariate logistic regression technique used in HLM does uncover significant relationships within all models when isolating and controlling for variables. The following interpretation takes into account the direction and meaning of any relationships identified in the study.

Model 1 contains only the case characteristic control variables. From the case controls, only the following two characteristics were significant: Complaint type\_Recode & Median Number of Complaints. Specifically, a complainant who experienced direct contact with police are 21 % less likely to select mediation. Moreover, individuals who filed a complaint with more than 2 allegations are also 24% less likely to select mediation.

Model 2 examines the individual level characteristics of the complainants within an isolated model that has controls (case characteristics). Due to multicollinearity being too high, individual-level interaction variables were not able to be included in the HLM models. In Model 2, the following variables were significant: Racial Identity, Age, and the Race of the Officer.

In regards to the individual level characteristics of the complainants, differences in Racial Identity was identified in relation to white citizens, which were the reference group. The results demonstrate that blacks (68%), Hispanic (69%), and other ethnic groups (47%) are more likely to select mediation compare to whites, while controlling for all context indicators. With regards to age, with each year increase, there is an increase (.5% of the odds) in selecting mediation. And lastly, with regards to the differences in ethnic make-up of the accused police officer, the differences were identified in relation to white police officers, which was the reference group. The results of the study show that when cases involved black (28%), Hispanic (18%), and officers of another race (23%), complainants were more likely to select mediation compared to whites. It is important to note that once accounting for individual level characteristics in the

model, there is no longer a relationship between Complaint Type Recode (direct and indirect cases) and mediation selection. The median number of cases is still significant; however, there is an increase in the magnitude of the effect, where persons with more than 2 allegations in their complaint are 26% less likely to mediate (2% up from Model 1).

Model 3 examines the complainant neighborhood characteristics with an isolated model with only controls. For neighborhood characteristics, only concentrated disadvantage was significant. Specifically, for every unit increase in mediation, there was a .1 increase in the number of concentrated disadvantage. The variable, Median Number of Cases is still significant; however, there was an increase in the magnitude of the effect, where persons with more than 2 allegations in their complaint are 26% less likely to mediate (2% up from Model 1).

Model 4 is the full model where the individual level characteristics and aggregate level characteristics are examined simultaneously while also considering the effects of case characteristic controls. The results indicate a change in effects that are identified in the previous models. Among the individual level characteristics, some of the effect was captured by the neighborhood characteristics when they were included in the model; this led to a decrease in the racial identity effect. There was a decrease of 21% for Blacks, 19% for Hispanics, and 8% for persons belonging to other ethnic groups. Therefore, in the full model, 46% blacks, 50% Hispanics, and 51% persons of other races were more likely to select mediation compared to whites. Neighborhood level characteristics also captured some of the effect when considering the race of the accused officer. There was a decrease of .8% for black officers, 3% for Hispanic officers, and 1% for officers belonging to other races. Therefore, in the full model, complainants who encountered Black (27%), Hispanic (16%), and officers belonging to other races (22%) are more likely to select mediation than if the officer was white. The variable "Age" saw no change

when compared to the initial relationship to mediation. As for the social disorganization variables, none of them were significant when individual level variables were in the model. It is also important to note that the inclusion of individual level variables into the model led to a dissolve in the relationship between concentrated disadvantage and mediation selection; thus, neighborhood characteristics are not independently significant. The Median Number of Allegations was still significant; however, there was an increase in the magnitude of the effect. Initially, in Model 1, persons with more than 2 allegations were 24% more likely to reject mediation, compared to the full model, which was 27%.

As for Model 5, not surprisingly, due to the baseline model not being significant, the interaction models (all the neighborhood level characteristics) had no interaction effect with the individual level characteristics of both the complainants and the officers.

**Table 7: HLM Logistic Regression Odds Ratio Explaining Mediation Selection within the CCRB**

Variables	Odds Ratio				
	Model 1	Model 2	Model 3	Model 4	Model 5
Complaint Type Recode	.790**	.790	.722*	.794	.781
CV Request for help	1.150	1.117	1.114	1.101	1.105
Md # of allegations	.764**	.738*	.740*	.725*	.721*
CCRB Allegation type					
Abuse of authority	.932	.812	.916	.809	.797
Discourtesy	.965	.889	.969	.894	.883
Obscene Language	1.170	1.157	1.173	1.156	1.128
Racial Identity					
Black	-	1.679**	-	1.465**	1.463**
Hispanic	-	1.692**	-	1.501**	1.48**
Other	-	1.595**	-	1.518**	1.517**
Age	-	1.005*	-	1.006*	1.01*
PO Black	-	1.278*	-	1.270*	1.266*
PO Hispanic	-	1.190*	-	1.158*	1.153*
PO Other	-	.230**	-	.220*	-.219*

Married	-	-	.992	.997	.981
Concentrated Disadvantage	-	-	1.099*	1.085	1.074
Percent Housing	-	-	1.001	1.0	.9
Diversity Measure	-	-	1.006	1.010	1.0
Racial Identity (Black)					
Married	-	-	-	-	.989
Concentrated Dis.	-	-	-	-	.823
Percent Housing	-	-	-	-	1.001
Diversity Measure	-	-	-	-	1.114
Racial Identity (Hispanic)					
Married	-	-	-	-	1.00
Concentrated Dis.	-	-	-	-	.860
Percent Housing	-	-	-	-	1.002
Diversity Measure	-	-	-	-	1.148
Racial Identity (Other)					
Married	-	-	-	-	1.005
Concentrated Dis.	-	-	-	-	1.012
Percent Housing	-	-	-	-	1.113
Diversity Measure	-	-	-	-	1.002
Age					
Married	-	-	-	-	1.00
Concentrated Dis.	-	-	-	-	1.00
Percent Housing	-	-	-	-	.1
Diversity Measure	-	-	-	-	1.0
PO Black					
Married	-	-	-	-	.176
Concentrated Dis.	-	-	-	-	1.016
Percent Housing	-	-	-	-	1.0
Diversity Measure	-	-	-	-	.804
PO Hispanic					
Married	-	-	-	-	1.005
Concentrated Dis.	-	-	-	-	.961
Percent Hispanic	-	-	-	-	1.0
Diversity Measure	-	-	-	-	.967
PO Other					
Married	-	-	-	-	1.023
Concentrated Dis.	-	-	-	-	1.265
Percent Housing	-	-	-	-	.993
Diversity Measure	-	-	-	-	.951
-Log – likelihood	-7.06	-6.18	-7.07	-6.20	-6.29
Model x2	202.68	172.17	175.21	165.19	163.38

Note: \*p <.05; \*\*p <.10; \*\*\*p<.001



## **CHAPTER XI: DISCUSSION**

Currently, there are few studies that examine mediation programs within civilian complaint review boards. Research that analyzes these programs mainly focus on the degree of citizen satisfaction. This study adds to existing research by examining possible individual and aggregate-level characteristics linked to mediation selection. Specifically, this study considers the long standing tensions between certain groups (e.g. minority groups, youths, and residents of disadvantaged communities) and the police, in attempts to determine if these groups are more or less likely to meet with officers to resolve complaints. The data (obtained by the CCRB and US Census 2010) allows for the analysis of complainant demographic characteristics, neighborhood characteristics linked to the complainants, and characteristics of the subject officers. Several conjectures were developed using the following theories: integrated threat theory, catharsis theory, and social disorganization theory. Components of police culture and findings of studies that examine civilian attitudes towards the police were also used as insight into mediation selection. The following paragraphs will discuss the findings of my study.

### *Hypothesis:*

H1: Minorities (blacks & Hispanics) are less likely to select mediation.

H1 is supported by integrated threat theory, which implies that minority groups are more likely to avoid contact with the police, even in the case of mediation, due to unpleasant experiences with them. Under this theory, it is also assumed that these groups harbor negative stereotypes of the police, and have anxiety around them. These assertions reflect studies that examine the public's opinions of the police, which show that Black and Hispanic civilians have less favorable views of officers (Weitzer and Tuch, 2004). H1 was not supported, as the results

of the study reveal that minorities, particularly Black and Hispanic civilians, are more likely to select mediation at the CCRB. This finding is supported by catharsis theory, which implies that the great deal of frustration minority groups feel towards police may lead them to select mediation. In essence, mediation would be perceived as a healthy technique to vent frustrations directly towards the source. Furthermore, it is important to note that multivariate analysis show that race is still a predictor of attitudes towards the police even when other factors are controlled for in the model.

H2: Younger people are less likely to select mediation.

Studies that examine attitudes towards the police show that younger people have less favorable views of officers compared to their older counterparts (Borrero, 2001). Integrated Threat theory, which is the theoretical framework of H2, supports the notion that younger people are more likely to select mediation based on the following: younger citizens have more negative interactions with police; younger people hold more negative perceptions of them; and younger people have more anxiety about meeting with officers. The findings of this study support H2, which affirms that younger people are less likely to mediate than older people. Multivariate analysis also demonstrates that age remains statistically significant when other factors are controlled for in the model. It should be noted, however, that the difference in mean ages for mediation selection is only by one year (35 and 36 respectively). Although there is statistical significance, both groups are almost identical in terms of age/maturity.

H3: Gender is not related to mediation selection.

Prior studies that examine civilian opinions towards the police demonstrate that gender is not a determinant (Murty, Roebuck, and Smith, 1990). In his evaluation, Umbreit (1988) suggested that mediation selection for victim-offender mediation (a process similar to the mediation programs within civilian complaint oversight agencies) relied on the victim's opinion of the offender. I applied Umbreit's finding to mediation selection at the CCRB, and hypothesized that gender may not be a predictor. The results of this study showed support for H3, which states that gender does not have an effect on mediation selection.

H4: Black men and Hispanic men are less likely to select mediation compared to white men.

H5: Black and Hispanic women are less likely to select mediation compared to white women.

Hypothesis H4 & H5, which uses integrated threat theory as the theoretical framework, suggests that men and women who are minorities would be less likely to select mediation as they may perceive police as a realistic threat, have anxiety around them, and are more likely to hold negative stereotypes towards the police. Research shows that African-Americans & Hispanics are more likely to have negative views of the police (Weitzer and Tuch, 2004). Blacks and Hispanics are also highly represented in the criminal justice system; and reports show that minorities, in general, file more complaints against officers (Tonry, 2004; Smith & Holmes, 2003). Conversely, catharsis theory supports an alternative notion that minority men & women are more likely to select mediation based on this group having a greater degree of frustration towards officers. In other words, these individuals would have a greater desire to vent out their aggression towards the police. The findings of the study do not show support for H4, thus, minority men and women (Blacks & Hispanics) are more likely to select mediation.

H6: Younger African Americans are less likely to select mediation compared to older African-Americans.

Studies show that younger African-Americans tend to have less favorable opinions of the police (Taylor et al., 2001). Moreover, studies also show that younger people in general are more critical of the police than older individuals (Borrero, 2001). Integrated threat theory, which is used to support H6, suggests that a history of negative interactions with the police may cause younger African Americans to avoid contact with officers. An alternative perspective, which is supported by catharsis theory suggests that frustrations due to interactions with the police may cause younger African-Americans to select mediation, as they would utilize it as a form of venting out their anger. The results of this study show that young African-Americans are more likely to reject mediation, thus, H6 is supported.

H7: There is no difference in mediation selection when considering both the gender & age of the complainants.

This study suggests that there will be no difference in mediation selection when considering both the gender and age of the complainants. Studies show that younger individuals have more contacts with the police as they tend to have higher degrees of outdoor visibility (Alexander, 2010); however, studies also show that, overall, gender is not a determinant of civilian opinions of the police (Murty, Roebuck, & Smith, 1990). The results of the study found that there was no difference in mediation selection when factoring both the gender and age of the complainant; therefore, H7 was supported.

H8: Complainants who reside in poor neighborhoods are less likely to mediate.

Research demonstrates that the enforcement of more aggressive police practices are concentrated in disadvantage communities (Kane, 2002; Reisig & Parks, 2000; Fagan and Davies, 2000). Studies also show that individuals in these communities have less favorable opinions of the police (Reisig & Parks, 2000). Social disorganization theory, which is used to support H8, suggests that these individuals have lesser degrees of trust and participation in civic engagement. As mediation selection is a voluntary process which involves improving the relationship between the community members and the police, it can be assumed that individuals who reside in disadvantage communities are more likely to reject mediation. Integrated threat theory also supports this notion, as persons who reside in disadvantage communities may be more likely to avoid contact with police since they may view them as an imminent threat to their well-being. These individuals may also hold negative stereotypes of police officers and feel anxious in their presence. The results of this study do not support H8. The findings show that persons who reside in disadvantage communities are more likely to accept mediation. A possible reason for this outcome may be linked to catharsis theory, which suggests that residents of disadvantage communities experience much frustration with the police, and as a form of corrective action, they turn to mediation to vent out their anger towards subject officers. It is important to note; however, that through the use of multivariate analysis, neighborhood characteristics no longer have an effect on mediation selection when other factors are included in the model (e.g. the race of the complainant). In other words, neighborhood characteristics are not independently significant.

H9: Victims who accuse a white officer of misconduct will most likely reject mediation.

Historically, police officers have been white. Only recently, have minorities had a significant presence in the police force (Sun & Payne, 2004). Integrated threat theory, which is the theoretical framework for hypothesis H9, suggests that individuals who have complaints that involve white officers will be less likely to select mediation due to the degree of negative experiences that individuals have with these officers. The results of the study support H9.

H10: Complainants who allege misconduct against male officers are less likely to mediate.

H10, suggests that complainants may be more likely to reject mediation if the offending officer is male. This assumption is based on the fact that men are more represented in the police force than women, and only recently have women joined the agency (Miller et al. ,1999). Integrated threat theory is used to support this notion, as individuals may have more negative experiences with male officers and choose to avoid contact with them. Catharsis theory supports an alternative approach, one which suggests that civilians may have more frustrations with male officers; these frustrations may lead to a greater chance of civilians wanting to vent their anger out through the process of mediation. The results of the study show that there is no difference in mediation selection when considering the gender of subject officers; thus, H10 is not supported. There is a possibility that female officers have fully integrated into the male-dominated “police culture;” therefore, relying less on traits that are considered feminine. This finding is consistent with studies that examine fragmentations in police culture, which shows that, overall, gender is not a predictor of police attitudes/opinions. In other words, there is no differential treatment of civilians when comparing the behaviors & opinions of male and female officers.

H11: There is no difference in mediation selection when considering the officer's years of service.

Studies show that, overall, the years of police service is not a determinant of differences in police attitudes (Laguna et al (2009); Paoline (2000)). This study assumes that the officer's years of service is not a predictor of mediation selection. The results confirm this notion, thus, hypothesis H11 is supported.

#### Case Controls:

Case characteristics were utilized as controls in the multivariate models. The following case characteristics were analyzed: charge (no sanction/sanction); CCRB allegation types (Abuse of authority, discourtesy, obscene language, & force); citizen request for help (no request/request); medium number of allegations (under or at average/above average); and complaint type recode (direct/indirect). Once included in the full model (multivariate analysis), it was determined that only the variable "mean number of allegations" had an effect on mediation; therefore, complainants who had more allegations were more likely to reject mediation. It is possible that these individuals held more anger towards the subject officers and preferred to punish them for committing acts of misconduct.

#### Limitations:

There are several limitations in this study. When considering the unit of analysis, the complainants in this study may be viewed as a "limited sample group." These individuals may not accurately depict citizens' approach to mediation, as the sample only consist of individuals who made the initiative to file complaints. Future studies should perhaps examine individuals who had negative encounters with the police but did not report their allegations to civilian oversight agencies.

This study was also unable to account for the number of crimes in each neighborhood. The NYPD provides the public with access to the number of crimes in each precinct; however, precincts often encompass more than one neighborhood (more than one zip code). In this study, the identifying characteristic which linked civilians with their neighborhood characteristics are zip codes; thus, I was unable to determine the exact number of crimes in each neighborhood from the NYPD compstat reports. For this reason, crime rates were not included in this study.

This study was also unable to test direct measures of trust and civic engagement as this information was inaccessible. Measures of trust are available through various databases, such as GSS, although, these variables are not measured at the zip code level. For this study, the degree of neighborhood trust and civic engagement were implied directly through variables that are commonly used to test for social disorganization.

Within this study, I was unable to solidify a direct link between mediation selection at the CCRB and civilian views of the police. I relied on observations made from scholars who have extensively evaluated victim-offender mediation programs. Although this form of mediation shares similarities with mediation at the CCRB, currently, there are no studies that directly examine this phenomenon. Future research should include a qualitative approach to this study, one that examines civilian views of the police and its possible relationship to mediation selection in civilian oversight agencies. Qualitative studies that examine the public's view of the police prior to and following mediation should also be considered in order to gain insight into changes in public opinion.



Policy implications:

Research demonstrates that minority groups have a contentious relationship with the police (Alexander, 2010). This study reveals that minority groups are more likely to participate in CCRB's mediation program. In other words, groups that are historically known to have poor perceptions of the police are willing to speak to them regarding displeasing encounters. It can be implied that, if given the opportunity, minority groups are willing to communicate openly with the police in efforts to resolve conflict and improve civilian-police relations.

It is important to note that minority groups file a disproportionate number of allegations against the NYPD (Smith & Holmes, 2003). The New York City Complaint Review board is highly advertised as a city government agency that investigates allegations of police misconduct. The option for mediation (for suitable complaints) is often presented during the initial course of an investigation. At the CCRB, investigators are instructed to inform civilians about mediation following the phone call interview; during the interview, the complainant has the opportunity to inform their assigned investigator about the incident. The investigator then explains mediation, in detail, to the complainant; therefore, offering an alternative approach to the investigation process (About the CCRB, 2013). Moving forward, there should be an increase in visibility of CCRB's mediation program. Preferably, the process should be made more prominent, and advertised in neighborhoods where individuals file the most complaints. Moreover, the process of mediation should be mentioned to civilians during the intake process (the process before a case is assigned to an investigator). This may allow the complainant to understand that mediation and investigations at the CCRB are on equal footing. Numerous studies show that mediation helps to improve relationships between civilians and the police, as it allows for open discussion and the ability for both parties to understand each other's point of view (Walker, 2002).

This study also reveals that younger African-American complainants are more likely to reject mediation. With regards to African-American youths, this reasoning may not only be connected to the theoretical components related to integrated threat theory, but also to culture. Hip hop music has had a strong impact on African-American youths over the past three decades. The popularity of “gansta rap” in the 90’s ushered in a culture which centered around the “stop snitching campaign” (Woldoff & Weiss, 2010). This movement made it commonplace to chastise people who worked with the police to solve crimes. It can be assumed that any circumstance that involves discussing inter-personal subject matter with the police could be frowned upon among young Black youths. Although gansta rap has lost its popularity over the years, the ideals rooted in the no snitching campaign still remain present in black youth culture today (Woldoff & Weiss, 2010).

The results of the study also show that complainants who filed allegations against white officers are more likely to reject mediation. It is likely to assume that the public may still identify officers as being “white” since, only recently, minorities were added to the force. As of 2014, white officers make up 54% of NYPD (Cohen & Fredericks, 2014). Furthermore, as noted in several works, racial prejudices as well as class prejudices are essential elements of police culture (Jones, 1984).

There are several ways to approach the two findings noted above. First, I suggest an increase in sensitivity/diversity training for all police officers, regardless of race. Sensitivity/diversity training is a type of training that encourages awareness of internal prejudices with the objective of making the trainee more sensitive to others. Sensitivity/diversity training has its roots in the early 1960s, where law enforcement agencies were prompted to develop cultural diversity training because of changes that derive from the civil rights movement,

as well as the overall change in population demographics (Hennessy, Hendricks & Hendricks, 2001). Trust and understanding of different cultures, races, and religious backgrounds is essential for effective law enforcement as police come into contact with different ethnic and cultural groups (Damoah, 2013). Communication is one of the most essential components in law enforcement (Hennessy, et al, 2001). In his research, Hennessy notes that, in the United States, 93% of police work involves one-on-one communication. Sensitivity/diversity training would give officers the opportunity to learn how to better communicate with individuals from different cultures. By understanding cultures, police-civilian encounters could improve and become less problematic (Shusta, Levine, Wong, Olson, & Harris, 2008).

The amount of time devoted to sensitivity/diversity training is dependent on the budget and objective of the police department (Hendricks & Brown, 1995). The NYPD dedicates 10% of their total recruit training to diversity/sensitivity training, which equals approximately 100 hours. Additionally, there is a two day cultural awareness training for newly assigned police staff (Damoah, 2013). I advise that officers receive additional sensitivity/diversity training on a yearly basis, and should be required to participate in at least two separate sensitivity/diversity training workshops a year. A 2006 study by Hendricks & Brown, which looked at various police training institutes, uncovered that prolonged exposure to cultural diversity issues often leads to officers having fewer prejudicial biases, and that officers employed stereotypes less often during the course of their work. Thus, sensitivity/diversity training may help to deconstruct values associated with police culture, and may help to humanize the individuals that the police come in contact with.

The results of this study show that neighborhood characteristics are not independently significant; accordingly, the race of the civilian has a greater impact on mediation selection. My

second suggestion pertains to community policing initiatives, primarily in minority neighborhoods. I believe there should be much more emphasis placed on the demands and concerns of the individuals in the community. A prime example is Chicago's Alternative Policing Strategy and their use of monthly community beat meetings. In these meetings, people have the opportunity to meet with officers to discuss neighborhood concerns, and hopefully develop strategies to address them (Skogan, 2006). These meetings may provide a benefit towards civilian-police relations, as the opposing groups work together to find solutions to community problems. Skogan also points out that the younger demographic are often absent at community meetings (Skogan, 2006). The NYPD and civilians running this initiative must reinforce to parents and educators the importance of younger people participating in these meetings, and furthermore, encourage them to attend. Perhaps, several incentives can be incorporated to increase attendance from the younger population.

#### *Final Concluding Thoughts:*

Mediation within a civilian oversight agency is defined as a formal program where the complaining party and the offending officer (s) participate in a face-to-face meeting for the purpose of resolving the complaint. The meeting is facilitated by a neutral mediator and concludes when both parties mutually agree that an acceptable resolution is reached. (Walker & Archbold, 2000; Maguire & Corbett, 1991; & Maxwell, 1994). The New York City civilian complaint review board, a city government agency that investigates allegations of police misconduct, offers mediation as an alternative to more punitive measures.

Research suggests that mediation fulfills the objectives of complainants better than investigative practices (Walker et al., 2002). Complainants who chose mediation also report

higher degrees of satisfaction with the process compared to those who decide to investigate their complaint (Corbett, 1991; Holland, 1996; Walker et al., 2002). Some studies report that mediation allows complainants to feel as if they have regained the power that they lost during their encounter with the police (Corbett, 1991; Holland, 1996). Furthermore, research shows that complainants have a better understanding of the police after participating in mediation (Walker, 2002).

The foundation of mediation is built on the restorative justice model; therefore, mediation is a mechanism used to improve civilian-police relations. Most studies that examine mediation within a civilian oversight agency focus on the effectiveness of the program. Currently, there are no studies that analyze factors linked to mediation selection. This study adds to existing research by examining individual and aggregate level characteristics that are possibly linked to mediation selection. The underlying purpose of this research is to examine groups that are known to have poor relationships with police (minorities, the young, and residents of disadvantage communities) to see if they are willing to build relationships with officers. Integrated threat theory, social disorganization theory, and catharsis theory were utilized as theoretical frameworks for several hypotheses which were tested. The examination of police culture as well as the findings of studies that examine public opinions of the police were used as insight into possible group differences concerning mediation selection.

Bivariate analysis, HLM, and spatial analysis were employed to identify predictors of mediation selection. The study found no evidence of multi-level and spatial clustering; however, bivariate and multi-variate analysis did uncover several determinants of mediation selection. The study found that gender was not related to mediation selection; however, minorities (Blacks and Hispanics), younger people, and residents of disadvantage communities were more likely to

select mediation. It is important to note that multi-variate analysis showed that once individual-level characteristics were included in the model, neighborhood characteristics no longer had an effect on mediation selection. An analysis of intersection variables also showed that black youths were less likely to select mediation; however, both black males and females were more likely to participate in the process. As for police characteristics, the study found that citizens who alleged complaints against a white subject officer were more likely to reject mediation. The officers' years of service and gender was not significant.

In sum, the study found support for catharsis theory when considering the race of the complainant. The results lend credence to the notion that minority groups are more likely to participate in mediation, as they may view the process as a way to vent their frustrations towards the subject officer (in a healthy manner). Integrated threat theory was also supported when accounting for the officer's race and the age of African-Americans complainants. Integrated threat theory supports the notion that young blacks and persons who have negative encounters with white officers do not want to have voluntary contact with the police. These groups may view officers as a threat to their well-being and hold negative stereotypes towards them.

This study is impactful as it reveals that mediation selection is truly related to the individual characteristics of complainants rather than the characteristics of their neighborhoods. Therefore, strategies created to increase the number of mediation participants should focus on the demographic characteristics of citizens. It is important to note that individuals are influenced by the values set in their neighborhoods, thus, neighborhood characteristics have some degree of importance and should also be considered in the efforts to promote awareness of the program.

The most important finding of this study is that minority groups are willing to speak to officers (concerning troubling encounters) through mediation. As the restorative justice model is

the foundation of mediation, an increase in the visibility of CCRB's mediation program may be one strategy that can lessen the strained relationship between minorities and the police.

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