

STATE OF THE ART

## The Role of Procedural Justice in Policing

### *A Qualitative Assessment of African Americans' Perceptions and Experiences in a Large U.S. City*

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#### Abstract

Empirical studies have pointed to the increasing importance of procedural justice as a tool for improving the relationship between the police and local communities. The mediating role of procedural justice continues to be embraced by scholars, practitioners, and community members; as a result, we examine in the present study African Americans' attitudes toward the police via the interpretive lens of procedural justice policing. Using procedural justice questions found in the social-psychology literature, we interviewed seventy-seven African Americans in Durham, NC, to assess their views about the U.S. police. Our results point to the following for improving the relationship between the police and African Americans: respect for African Americans by police, police fairness in the African American community, and increased and improved interaction between police and African Americans. Notably, these findings spanned three distinct educational and socioeconomic spectrums. The implications of our findings for community relations, public policy, and future research are discussed.

**Keywords:** African Americans; Procedural Justice; Respect; Police Fairness; Police–community Interactions; Durham; NC

#### Introduction

A large body of scholarly evidence points to the increasing salience of procedural justice for engendering an internalized sense of obligation to obey the law and cooperation with authorities among the U.S. population and elsewhere. Indeed, procedural justice has touched almost every corner of the globe because of its noted role in improving the relationship between the police and the community members they have sworn an oath to serve. Interestingly, however, the literature on procedural justice has primarily been quantitative in nature. While a quantitative approach is important, these studies have lacked the nuances and complexities in responses that participants in a qualitative study provide. The current study, although qualitative in nature, adds to the growing literature on procedural justice (Boateng 2016; Carr et al., 2007; Demir et al., 2020; Ellis et al., 2020; Gau and Brunson, 2010, 2015; Grant and Pryce, 2020; Johnson et al., 2017; McManus et al., 2019; Murphy and Cherney, 2012; Oliveira and Murphy, 2015; Pryce 2016; Pryce and Grant, 2020; Tsushima and Hamai, 2015; Tyler et al., 2010; Weitzer 2000).

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Procedural justice scholarship bolsters the idea that when the authorities, such as the police, use fair procedures or processes in their interactions with community members, their actions are more likely to trigger prosocial responses like obligation to obey and willingness to cooperate with the police (Pryce et al., 2017; Tyler and Huo, 2002). While more public-friendly policies are not the sole reasons for people's positive response to the police, police leaders and agencies can transform policing by implementing processes that engender improved relations with community members; after all, the police cannot always provide outcomes that are satisfactory to all parties. Because of the importance and empirical affirmation of procedural justice policing, President Barack Obama's Task Force on 21<sup>st</sup> Century Policing recommended that the police embrace procedural justice policing as an important mainstay of policing in communities (President's Task Force 2015).

In addition to its implications for policing and community relations in general, the procedural justice theoretical framework is especially relevant in its application to marginalized communities, including the African American<sup>1</sup> community, where the police are less embraced compared to other racial groups (Bell 2016; Gau and Brunson, 2015; O'Brien and Tyler, 2019). Indeed, more "dialogue" is needed between the police and the African American community if their strained relationship is to improve. As James Frank and colleagues (2005) have argued, police leaders are keenly aware that "citizens possess information that may be valuable to them as they assess the performance of their respective agencies and officers" (p. 212). We argue that a qualitative paper captures, in complex and nuanced ways, citizens' "passing" of vital information to the police. As this information is processed by police leaders, they are able to cultivate new approaches for improving police-public relations and jettisoning those policies that have been deemed harmful to the citizenry, especially African Americans. In light of the preceding argument, our article, which employs procedural justice questions found in the criminological literature (e.g., Sunshine and Tyler, 2003), makes two important contributions to the extant literature: (1) it builds on the relatively few qualitative studies that have explored the role of procedural justice in improving the relationship between the police and the Black community (e.g., Gau and Brunson, 2015; Pryce 2016); and (2) it uses qualitative data that capture the opinions of African Americans in six Durham, NC, communities that are socioeconomically diverse: two upper middle-income, two middle-income, and two public housing communities. Prior studies focused primarily on disadvantaged communities (Gau and Brunson, 2010, 2015).

## Background

### *Procedural Justice Policing*

Procedural justice theory employs a normative calculus for explaining citizens' obligation to obey and willingness to cooperate with legal authorities (e.g., the police). John Thibaut and Loren Walker (1975), the progenitors of the theory of procedural justice, were interested in fairness of formal procedures and the quality of decision making by those in authority. Tom R. Tyler and colleagues (Tyler and Lind, 1992; Tyler and Wakslak, 2004) later theorized a model of procedural justice that includes the interactive relationship between authority figures and their subordinates. This interactive model argues that procedural justice is "strongly linked to quality of treatment issues, such as treating people with politeness and dignity in social interactions" (Tyler and Blader, 2003, pp. 351-352). Due to further refinements of procedural justice theory, it is now typically measured, especially in quantitative studies, as a two-pronged concept: the quality of decision-making and the quality of treatment by legal authorities. In line with this theoretical framework, those community members who are arrested or cited by officers are more likely to accept

the decision and less likely to believe that they were victims of unfair treatment, provided the officers treated them with dignity and respect.

The police are synonymous with formal social control in society, and their street-level decision making impacts all communities positively or negatively (Logan and Oakley, 2017; Pryce and Chenane, 2021; Pryce et al., 2021). When they respond to calls, the police are expected to make judgments about citizens' behavior (Gau et al., 2012); these judgments are not always positive, and can also be complicated and subjective (Duneier 1999). Still, the police can address these complications and subjectivities as well as possible by "maintain[ing] the dignity of the person being designated as disorderly and reduc[ing] the likelihood that he or she will feel a sense of indignation, anger, or both" (Gau et al., 2012, p. 334). Police decisions deemed to be procedurally just can even calm down a highly agitated individual, even if that individual disagrees with the officer's decision. This is one of the great defining elements of procedural justice policing and has been shown empirically to be an effective policing strategy.

Procedural justice policing is, in effect, more concerned about community members' interest in the *process* of their interactions with the police than in the *outcomes* of those same interactions (Pryce and Wilson, 2020). In other words, procedural justice is interactional, and may create a stronger sense of community between the police and the public when the police treat members of the public with dignity and respect during their interactions. In addition, the public expects officers' decisions to be just and for officers to respect citizens' input in the course of police–citizen interactions. In the absence of these mutually respectful interactions, the self-regulatory, normative motivations that undergird procedural justice may not be triggered or activated (Sunshine and Tyler, 2003; Tyler et al., 2010).

Understanding why procedural justice can lead to an internalized sense of obligation to obey and the willingness to cooperate with police is an essential part of socio-legal scholarship (Thibaut and Walker, 1975; Tyler and Huo, 2002). According to Tyler's process-based model (Sunshine and Tyler, 2003), people regularly assess decisions made by police officers to determine whether those decisions are procedurally fair. These assessments then operate like a switch to either activate or deactivate the assessors' internalized sense of obligation to obey the law and/or cooperate with the police. The following four elements undergird procedural justice theory: participation, neutrality, dignity and respect, and trustworthy motives. *Participation* is achieved when an officer values the input of a citizen s/he interacted with. *Neutrality* is achieved when the officer's decision(s) during said interaction are based on the law instead of on personal feelings or judgments. *Dignity and respect* are elements the officer displays that convey to the community member that his/her personhood is valued. And *trustworthy motives* reflect an officer's willingness to provide needed assistance to a citizen with whom s/he has interacted; this assistance could take the simple form of providing directions or advice to the citizen. *Participation* and *neutrality* form the basis of quality of decision-making, whereas *dignity and respect* and *trustworthy motives* denote the quality of treatment (Sunshine and Tyler, 2003).<sup>2</sup> If, during police–citizen encounters, any of the four elements of procedural justice are absent, a genuinely fair treatment may not be achieved, which may have a deleterious effect on police–public relations.

Some scholars are beginning to challenge the role of procedural justice in police reform in the United States. Monica C. Bell (2017), for example, has argued that several African Americans, including Antronie Scott and Charles Kinsey, lost their lives at the hands of police even though they were in full compliance when officers opened fire on them. In other words, these citizens had activated their internalized sense of obligation to obey the police, yet their lives were not spared by officers. Bell has also argued that "pervasive stop-and-frisk, increased misdemeanor prosecution, and mass incarceration" (2017, p. 8) may

not reflect increases in criminal offending among African Americans; instead, these trends reflect a more sinister role of the criminal justice system: “the management and control of disfavored groups such as African Americans, Latin Americans, the poor, certain immigrant groups, and groups who exist at the intersection of those identities” (2017, p. 8). Still, we contend that the plurality of research on procedural justice provides ample empirical support that makes the theory useful for improving police–community relations, although procedural justice is, arguably, not a fail-safe panacea for decreasing police–public tensions.

### **Legitimacy**

Procedural justice has been shown to enhance police legitimacy, which in turn enhances community members’ willingness to empower, comply with, and cooperate with police (Chenane et al., 2020; Moule et al., 2019; O’Brien et al., 2020; Pryce 2019; Reisig and Lloyd, 2009; Sunshine and Tyler, 2003). The incorporation of procedural justice methods, which results in police legitimacy, also leads to satisfaction with the police (Hinds and Murphy, 2007; Weitzer and Tuch, 2005). The internalized sense of obligation to obey is activated when people are treated fairly by legal authorities; as a result, citizens may not feel obligated to obey the authorities if the *process* of interaction between a citizen and an officer does not conform to expectations. Thus, procedural justice directly leads to police legitimacy (Bowers and Robinson, 2012).

Procedurally just policing increases police legitimacy, which leads community members to perceive that the police share their values (Tyler and Jackson, 2014). Conversely, the lack of police legitimacy, engendered by disrespect toward community members, especially African Americans, may lead to greater distrust of the police. Michelle Alexander (2010) has argued that, compared to the White community, policing is harsher in the African American community, and is evidenced by the continual disrespect of young African American males in particular by police. Citing Tom R. Tyler and Yuen J. Huo (2002), Jacinta M. Gau and Rod K. Brunson (2015) observed that legitimacy is one way to solve the problem of regulations and laws. This is because police officers’ decision-making may involve pleasing one person and displeasing another, due to the nature of police work. In fact, “[o]fficers maintain order by restricting freedoms and encroaching on privacy, and they therefore face the ever-present dilemma of getting people to voluntarily obey both the law, in general, and police commands, in particular” (Gau and Brunson, 2015, p. 134). Legitimacy reduces, or nullifies, this threat of rejection of police authority by the displeased party(ies), but legitimacy is not conferred automatically on officers—it has to be earned, among other things, through procedural justice policing in the community.

### **Perceptions of Black–White Disparities During Contact with Police**

The police are the criminal justice system’s gatekeepers. This means that a citizen’s first contact with the criminal justice system may be with an officer (Dunn 2010); this is likely to happen during a traffic stop (Durose et al., 2005; Luna 2003), making such contact very important for maintaining good relations between both parties. Studies designed to improve the relationship between the police and the African American community are vital because the literature has shown that, compared to Whites, Blacks are less trusting of the police (Gau and Brunson, 2015; Tuch and Weitzer, 1997), believe that the law is disproportionately enforced against them (Hurwitz and Peffley, 2005; Johnson 2007), believe that they are stopped unlawfully while driving (Gelman et al., 2007; Tonry and Melewski, 2008), are convinced that they are stereotyped as violent and dangerous (Bobo and Kluegel, 1997), and are arrested at higher rates than are Whites for similar offenses

(Langton and Durose, 2013). Thus, identifying policing practices that may lead to improved relations between the police and African Americans is important.

## Current Study

The current study examines citizens' perceptions of procedural justice using a sample of African Americans domiciled in Durham, NC. Moreover, *procedural justice* studies are overwhelmingly quantitative in nature; thus, this study contributes an additional dimension to our understanding of procedural justice that quantitative research is unable to capture—that is, the nuances and matter-of-fact, more definitive views of respondents. We argue therefore that our findings deepen our understanding of police–community relations in the United States.

Our choice of Durham, NC, for the current study is predicated on a number of issues: the city has a relatively large African American population<sup>3</sup> and a rich history of Black political incorporation. In addition, some city council candidates had run on the concept of “beyond policing,” a precursor to the present defund-the-police movement. For example, Durham’s last few budget cycles had been contentious around police spending and officer requests, with some Black city council members supporting the demand for more police (per demands from a section of the city’s Black community), while the progressives had opposed those requests (Innis 2021; Kaplan 2019). At a city council meeting in June 2020, for instance, some council members noted that they had received thousands of emails from city residents urging them to take action to defund the police due to the mistreatment of the city’s Black citizens (Zong 2020). Still, the council approved the \$502 million budget for the 2020–21 fiscal year, with a 5% increase in the police budget over the previous year. Nonetheless, the council had, prior to passing the budget, written a statement calling for a thorough review of the police department’s use-of-force policies. In fact, it was during this period of pro- and anti-police polemics in Durham that the current study took place.

## Method

### The Procedural Justice Questions

We employ *procedural justice* questions commonly used in quantitative research (Sunshine and Tyler, 2003). This approach allows us to both examine our participants’ views and be able to make direct reference to prior research. Our *procedural justice* questions also allow us to explore and describe the full range of perceptions and experiences of the participants, which includes expectations of police conduct. The more positive the respondents’ answers were to the procedural justice questions asked, the more positive their views were of the police. The four *procedural justice* questions, followed by two probing questions and respondent demographic data, are shown below:

*I'd like to ask about your views of policing in the African American community.*

- (1) Do you think that the police treat African Americans fairly?
- (2) Do you think that the police treat African Americans with respect?
- (3) Do you think that the police explain their decisions to African Americans they deal with?
- (4) Do you think that the police consider the views of African Americans before making their decisions?

PROBE: If your answer is *no* to any of these questions, what are the reasons for the distrust of the police in the African American community?

PROBE: How can the police earn the trust of African Americans?

Although the primary research questions noted above appear to be *yes/no* questions, the respondents were prodded by the researchers to provide in-depth responses to the questions. The probe questions then provided the respondents the opportunity to provide even greater detail, which helped to produce additional nuances in Durham citizens' views of the police.

### **Research Site and Data**

We carried out in-depth, semi-structured, qualitative interviews with seventy-seven African Americans who were at least eighteen years of age and living in Durham, NC. The interviews were conducted between September 2017 and November 2018. A sample of smaller areas within the city was selected for the study, which included two public housing, two middle-income, and two upper middle-income communities.<sup>4</sup> The goal of selecting these diverse communities was to make sure that varying levels of income, education, and other socioeconomic factors were taken into account. Face-to-face interviews<sup>5</sup> were conducted with one resident in each home who was at least eighteen years old. When there was only one occupant/owner at a residence when the interviewers arrived, s/he was asked to participate in the study. If the individual declined, the interviewers went to the next residence to seek an interview.

Using purposive sampling, we approached 220 dwellings in the six communities, with seventy-seven persons (one from each dwelling), agreeing to participate. As a result, the response rate was 35%. Because the interviewers and respondents were all Black, we believe that the latter were willing to open up about their true views of the police, as interview success increases when the interviewer and interviewee are of the same race (Webster 1996). Importantly, data collection was carried out in accordance with the policies and rules of the first author's former university's institutional review board. Per confidentiality rules associated with the current research study, respondents were told that their participation was voluntary. A \$15 retail store card was given to each participant to incentivize them to participate in the research, as prior studies have shown that voluntary participation increased when an incentive was provided for participant effort and time (Church 1999; Helgeson et al., 2002).

The sample consisted of thirty-three males and forty-four females. The respondents ranged in age from twenty to ninety years. Twenty-six respondents were interviewed in upper middle-income communities, twenty-nine in middle-income communities, and twenty-two in public housing communities. Lastly, the respondents had lived in their homes between one and fifty-two years. Table 1 displays aggregate data about the research participants. Purposive sampling allowed us to reach as many African Americans as possible, although we did not intentionally seek out only those who had negative opinions of the police or had had negative experiences or encounters with the police. While we cannot claim that we got the entire story in each case, we are confident that our interview protocol elicited enough information to carry out informed analyses of participant views and/or experiences. Interviews lasted between ten and forty-five minutes, with interviews lasting longer if the participants had had personal interactions with the police. Interviews with participants who noted that they had had direct contact with police (fifty-seven of them, or 74%) lasted about thirty minutes each, while the remaining interviews were fifteen minutes or less in length.

The authors carefully assessed the transcripts for themes and patterns, followed by data coding in Microsoft Excel, and then reconciled the findings to ensure that the selection of the overarching themes was unanimous (Turanovic et al., 2012). Using thematic content analysis, we identified the primary themes in our research participants' views of the police

**Table 1.** Background Characteristics of Interview Sample of African Americans in Durham County, NC

Background Characteristics	Total Sample (N = 77)
<i>Community Type</i>	
Public Housing	22
Middle-Income	29
Upper Middle-Income	26
Age, in years	Mean: 53.83; Range: 20–90
<i>Gender</i>	
Female	44
Male	33
<i>Educational Level</i>	
Less than high school	3
High school diploma/equivalency	19
Some college	20
Bachelor's degree	20
Postgraduate or professional degree	15
<i>Income</i> <sup>6</sup>	
Less than \$20,000	21
\$20,000 - \$49,999	27
\$50,000 - \$99,999	20
\$100,000 or more	5
<i>Length of stay at current residence, in years</i>	1–52

(e.g., Lofland and Lofland, 1995). We then built on the previous steps to generate ideas, advance explanations, and propound theory. Lastly, we relied on Virginia Braun and Victoria Clarke's (2006) argument that themes do not automatically emerge from qualitative data; rather, themes are created by means of authors' thorough analyses of the data.

## Findings

Based on our analyses, we arrived at the following three themes from our data: respect for African Americans by police; police fairness in the African American community; and increased and improved interaction between police and African Americans. These findings spanned the educational and socioeconomic spectrums.

### **Respect for African Americans**

When the participants were asked if the police treated African Americans with respect, fifty-seven of them (74%), or approximately three out of four, noted that the police had no respect or very little respect for African Americans. Broken down further, thirty-one respondents (40%) noted that the police had *no* respect for African Americans, whereas twenty-six (34%) stated that the police had *very little* respect for African Americans. On the contrary, only twenty respondents (26%) noted that police respected African Americans.

This internalization of police behavior by African Americans has contributed to police legitimacy deficits in the Black community. Asked if police treated African Americans with respect, a public housing resident noted:

“No. I see them cursing and talking and not using professionalism in the workplace. They use bad language when they’re talking to African Americans they pull over” (participant #33, female, thirty-three years old).

Another public housing resident, in response to the same question, noted angrily that the police sometimes arrested innocent people who simply wanted to know why someone was being arrested:

“There was an episode over here [...] not too long ago, and I was at the mailbox and this boy—they were arresting one person and the other person came up and they start—the police was threatening the other boy and he didn’t have no warrants or nothing but they took him downtown anyway and they were threatening him. I don’t know if he had to go to court” (participant #40, female, fifty-five years old).

The issue of lack of respect for African Americans spanned the entire socioeconomic spectrum. For example, a middle-income resident, when asked if officers respected African Americans, responded:

“Again, I hate to say that they [police officers] are all bad, but in general, African Americans are treated less respectfully. Across the board, we are treated more unfairly and more antagonistically” (participant #11, female, forty-one years old).

An upper middle-income respondent equated lack of respect by police to stereotypes about Black people. This sixty-six-year-old, college-educated Black female, who appeared frustrated with police, observed:

“It’s like with stereotypes and so it’s like, you know, we don’t have to do this because nothing is going to come of it. That kind of thing. So, I guess to answer your question, no...no. Most of them don’t” (participant #45).

A highly educated upper middle-income resident’s response seemed to mirror the response of participant #45, but with a twist: she observed that, while officers did not treat Blacks with respect, Black females received more “breaks” than their male counterparts.

A sixty-seven-year-old, upper middle-income female whose godson had been harassed by the police on a number of occasions also blamed police behavior on the lack of respect for Blacks. She added that Blacks seen driving expensive cars were sometimes perceived as being involved in illegal activity, even before they were given the chance to explain themselves to police:

“[...] I have a godson and he was stopped each time he drove his car. He had a Ferrari—it was legit; he was not a drug dealer. He was stopped three times and asked for his driver’s license and registration, and he asked what he did wrong. That was because he was driving a Ferrari—a new one—it had 2018 tags on it from Hollywood. The third officer that was called actually recognized him, that he was [a professional ball] player, and told his colleagues to stop. So, he was harassed for just driving a vehicle” (participant #74).

This last narrative fits the phenomenon known in Black communities as *Driving While Black* (DWB) (see Lundman and Kaufman, 2003; Warren et al., 2006). It means, among other things, that some officers see Blacks in expensive cars as likely to have acquired the



vehicle through ill-gotten wealth, and hence they had to be stopped for questioning. This particular treatment has been known to lead to a lot of frustration and angst in the African American community. A recent study by the North Carolina Criminal Justice Analysis Center (2020), which is part of the Governor's Crime Commission, showed that, although total traffic stops declined between 2009 and 2019, Black drivers were stopped at twice the rate of their White counterparts, while people of other races (and those whose race was not recorded, but who were not Black) were stopped at 1.5 times the rate of their White counterparts.

Some participants in our study (about one in four) noted that police treated African Americans with respect. A public housing resident, in response to the question about respect, observed:

“Yes. They expect to be treated with respect also, like African Americans. They only doing their jobs” (participant #54, female, sixty-one years old).

Two middle-income residents simply noted “Yes” in response to the question about respectful treatment (participant #10, fifty year-old female, and participant #17, fifty year-old male). Another middle-income resident noted that, overall, respect from police was tied to neighborhood type:

“Um, in some communities; it's all got to do with where you stay at. If you stay in high-crime neighborhoods, you get no respect. You stay in one without a lot of crime, they'll treat you with respect because nothing is going on, and so they figure, “We're not going to have a lot of problems here” (participant #19, male, sixty-eight years old).

A curious trend among respondents who answered “yes” is that the respondents qualified their responses by noting the treatment one received depended on the police officer one encountered and the neighborhood one lived in. This suggests that the perception of police officers held by African Americans is considerably complex and nuanced.

### **Police Fairness**

Asked whether the police treated African Americans fairly, twenty-seven respondents (35%) answered firmly in the negative. Not all respondents thought that the police treated African Americans unfairly, however. In fact, twenty-three of them (30%) noted that police treated African Americans fairly (eight respondents, or 10%) or that police fairness was predicated on circumstances (fifteen respondents, or 20%). This finding is important because it shows roughly the same number of respondents on either side of the fairness/unfairness divide. The rest of the participants did not provide an answer to the question about police fairness.

In terms of unfair treatment at the hands of police, one public-housing resident observed:

“Well, they throw ‘em down, they throw ‘em down in the road and put their knees in their backs<sup>7</sup> and everything. Well, they don't treat them right. I mean, you know, some of the issues that they have to arrest them and all that, I think that the totality of everything that they do, I don't think they have to be four, five White policemen doing one kid. You know, one kid. I have seen some rough stuff happen here” (participant #32, male, sixty-eight years old).

Still, some of the respondents thought that police fairness was conditioned on specific situations. For example, a middle-income research participant, who noted the disparity in fairness for Blacks and Whites, observed:

“That’s hard to say. It may depend on the situation you’re in. For a White guy, the police may give him a second chance. As a young African American, you must be careful about what you say to the police because you can get into trouble” (participant #3, male, seventy-seven years old).

An upper middle-income resident, who thought one’s neighborhood mattered and that the color of the officer’s skin did not affect how officers treated Blacks, stated:

“Sometimes. And the thing is...because I’ve also seen crooked Black cops as well, so for me it’s more a power thing. But, I sometimes...I guess it really depends on the community. It depends on the individuals” (participant #44, female, thirty-seven years old).

Another upper middle-income respondent also shared that the police did not treat African Americans fairly:

“No, it’s the same thing, I think. Well, like in the community, I think when you call them sometimes, they don’t come as quickly as they probably would if it was a White community. And I think part of that is because the White communities were, I guess, they sort of keep their feet to the fire. You know, like, any little thing, they’re going to call. And I think a lot of them might know people in higher capacities. So, that’s probably why they’re going to respond to those communities because they don’t want them calling this one or that one and it’s trickling down to them. We as African Americans, we’re doing better, but we’ve still got a ways to go. We have to speak up and we have to also put their feet to the fire and let them know we’re not going to just call your attention to this problem and let it go. We’re going to continue to come back if nothing is done. So, they have to get to know that” (participant #45, female, sixty-six years old).

Some respondents thought that the police treated African Americans fairly, however. A public housing resident who had lived in her community for twenty years shared her perspective:

“Yes. They participate in the neighborhoods, they walk around, and they watch out for the children” (participant #54, female, sixty-one years old).

A middle-income resident who had lived in his community for forty years responded to the question about fair treatment of Blacks in a straightforward manner:

“I’d like to think so, yes” (participant #4, male, sixty-six years old).

Another middle-income resident responded to the question matter-of-factly:

“Yes, I do” (participant #10, female, fifty years old).

### **Interactions between Police and African Americans**

Our final theme was the need for the police to have increased and improved interactions with the African American community, so both groups would get to know each other better. Indeed, some respondents noted that police should spend more time in Black communities to increase trust between the two parties. This theme goes beyond community policing and includes encouraging both parties to really get to know each other. This mission, according to the research participants, can be achieved by the police in a plethora of ways: the police should spend more time in the Black community (twenty-three respondents, or 30%); have greater awareness of Black citizens' concerns (twenty-one respondents, or 27%); and hire officers from the local community or those without a connection to White supremacist groups (five respondents, or 6%). We classify these approaches as the need for more and improved interaction between police and the Black community. We note that none of the research participants advocated for decreased interaction or objected to increased interaction between the police and African Americans.

Some participants see more frequent interaction between police and the Black community as vital to developing rapport between the two parties. A fifty-six-year-old living in public housing pointed out that the police should try to earn the trust of the Black community by interacting more with the kids:

“Well, they don’t come out enough and walk through the neighborhoods and interact with the kids and the residents. They need to go door to door and find out what needs to be done. They need summer camps, so the kids when they get out of school have somewhere to go, instead of sitting around on the corner trying to sell drugs all day. ... Like I said, get out here and interact with the community. Hold sidewalk games and play basketball with the kids” (participant #60, male).

A thirty-seven-year-old, college-educated, middle-income resident observed:

“They need to do more interaction. It should not be just...I have seen it in D.C., in Philly, certain parts of Brooklyn, where they [the cops] just come out like a day, but I feel like it should be more than a day [of interaction with the community]. In the South, we call them Easter Sunday Christians; they only come for Easter. That’s how I feel like the interaction is between the police and the community. It shouldn’t have to take gentrification for you to show interest in the neighborhood” (participant #13, male).

Another middle-income resident, in addressing the need for police officers to come from the communities they police, noted:

“Wow, hmm, they’re attempting to do that with the neighborhood community thing. I honestly think it’s harder than would be, that if you have more officers that lived locally... If you really think about it, a lot of officers don’t live in the town that they police. If you don’t, you have no connection to the community. So, let’s just say if one of my children decides to be an officer and gets put in this district over here, he’ll know the history of this district. It does not have to be all good or all bad. He’ll know you and know that your children are still here. Sometimes when you connect with people, it makes it easier for them to connect with you” (participant #24, male, forty-five years old).

It appeared that many of the responses about police–community interactions were focused on similar concerns. For example, an upper middle-income resident also observed:

“I think there needs to be more interactions among the police and the communities. I saw a community activity the other day that was going on, where the police has this activity every year for the children, like a little carnival, but the police sponsors it. And so, the children get to know the police in that area, and they know him and now when they walk to school, they speak to him. They are not afraid of them because they say these guys are good guys; they’re here to help us” (participant #60, male, fifty-six years old).

Another upper middle-class resident, a forty-seven-year-old female with a postgraduate degree, reiterated the need for increased interaction between police and the Black community, with special emphasis on both sides making the effort to learn more about each other:

“There needs to be a lot more conversation. Um, I think it just takes an initiative on both sides. It would be nice to see the police department do more things in the community. Me being an educator, I see lots of businesses at the beginning of the school year—they’ll donate bookbags and food. If the police department were to do more things like that, get involved in the community more, I think it would help” (participant #67, female).

This study has a number of limitations. First, some of the interviews were shorter than others, based on whether a participant had had direct experiences with police. This means that some of the interviews were shorter than we would have preferred. Second, the inclusion of closed-ended (demographic) questions (see [Table 1](#)) on the interview schedule may have reduced the overall length of each interview. Third, we cannot rule out the negative effects that the deaths of some African Americans at the hands of police during the data collection period may have had on some participants’ answers. This likely led to harsher opinions about the police than would have occurred before those events took place. Fourth, the participants were not asked to distinguish between their global views of police and their specific views of Durham police. Had this distinction been made, participants’ views of the police may have been more nuanced and complex than they were. Fifth, the probes may appear to seek clarification for negative responses, which may have overrepresented the negative sentiments of the respondents. Sixth, based on the questions asked, it was not possible to distinguish between those who had lived in Durham all their lives, those who had lived in Durham intermittently, and those who had only moved into the area shortly before the interviews were carried out. These distinctions would have strengthened the nuances in participant narratives and provided a unique contribution in terms of how police are viewed in different communities based on both geography and length of stay.

## Discussion

Our study’s findings, like prior research, largely point to the poor relationship between the police and the African American community, although large percentages of the respondents also noted that police treated African Americans with respect and fairness, respectively. These latter findings may be particularly important because both the extant literature and popular culture tend to emphasize the negative relationship between the police and the African American community rather than the positive aspects of this

relationship. In fact, literature that highlights positive police-Black relationships are very rare. Indeed, the examples of positive comments noted in the current study suggest that there are behaviors residents of African American communities would like to see police officers incorporate in their interactions with residents.

In addressing the poor relationship between the police and African Americans, we argue that this relationship has suffered legitimacy deficits over the years due to the mistreatment of African Americans at the hands of the police (Brunson and Wade, 2019; Gau and Brunson, 2015). We note, however, that our research participants' narratives hold important clues for improving their community's relationship with the police, and hope that scholars, researchers, police leaders, police officers, and the citizenry would embrace these findings in order to improve the relationship between the police and the Black community. As observed in some respondents' narratives, the police generally treat Whites better than their African American counterparts, leading to Blacks' overall negative perceptions of police. Indeed, skin color appears to influence how the police see and treat Blacks in the United States (Eberhardt et al., 2006; Pryce 2016). The police should respect the humanity of African Americans, as this is a core component of procedural justice policing (O'Brien et al., 2020). While the deleterious relationship between the police and Blacks is quite complex and would not be mended overnight (Worden and McLean, 2017), the police should acknowledge and apologize for the harm inflicted on African Americans as a result of decades of oppressive policing practices (e.g., the use of excessive force) (O'Brien et al., 2020). It is possible, however, that some police departments would be unwilling to render such an apology for past wrongs.

We note that three-fourths of our participants pointed out that the police had little or no respect for African Americans, and these observations were found in all three socioeconomic groups. The sentiment of African Americans across socioeconomic groups that police have little or no respect for African Americans strengthens the argument that race and not class is a more salient predictor of how people perceive the police. This finding is crucial because it extends our understanding of the importance of mutual respect for improving the relationship between the police and communities of color, especially African Americans. Furthermore, we argue that there are two issues under consideration when discussing the need for the police to respect African Americans. First, how does one transform how police officers perceive African Americans? Second, how does one transform how police officers treat African Americans? The first issue, which some argue might require reshaping police departments in several ways, would take time to accomplish. Some of the ways to accomplish this goal include providing the police intensive implicit bias training and offering incentives to recruit police officers from within African American communities. The second issue, on the other hand, can be accomplished in the short term. One way to get the police to treat African Americans with respect is to require cities and police departments to aggressively incorporate policies that hold officers accountable for transgressions.

It is demoralizing to note that only approximately one-quarter of our sample believed that police treated African Americans with respect. This result scarcely points to the presence of good officers who respect members of communities of color. Indeed, the police are public servants given great power over citizens; as such, anything less than very high perceptions of police legitimacy among African Americans is troubling. The challenge, then, is for elected officials and police leaders to enact policies that will reinforce the importance of respect by officers for the people they have taken an oath to serve. This may be accomplished by making procedural justice policing an integral part of the curricula of *all* police academies, so that officers leave basic training armed with enough information to police their communities well. Moreover, regular on-the-job training that reinforces

procedural justice policing would be necessary to keep officers aligned with any new policies enacted by their departments to improve policing in the community.

One particular refrain worth revisiting from respondents' narratives is the concern about police assuming Blacks were "guilty until proven innocent." This concern is far too common in African American communities and has been attributed to the deaths of many African Americans, including Breonna Taylor and George Floyd. In the botched raid on Breonna Taylor's Louisville, KY, apartment in March 2020, officers reportedly did not respond to Taylor's question about who was at the door. Had officers responded, perhaps her boyfriend would not have fired his legally owned weapon, which resulted in officers responding with overwhelming force, leading to Taylor's death. Taylor's preventable and regrettable death underpins the "guilty until proven innocent" concern among African Americans because officers, against Department policy, did not activate their body cameras and one officer had exaggerated the risk posed to the officers when he applied for a warrant to gain access to Taylor's home. While the three officers involved have been fired, these decisions will not bring Taylor back. The idea that Blacks are guilty until proven innocent has led to a high level of mistrust of police because so many Black lives have been taken by officers who mistook a cell phone for a gun, or non-compliance to an order as a challenge to officer authority. Providing training to officers on the need to extend the same civilities and civil liberties to all residents should become a mandatory component of police training in Departments across the United States.

We discuss our second theme by noting that police fairness matters in *all* communities, not just in the White community. This is because incidents of harsh treatment by police are readily shared on social media platforms nowadays, leading to a rapid dissemination of the news. This rapid dissemination of information often results in protests, leading to further acts of mistreatment of African Americans at the hands of police officers.

One need look no further at the disparate treatment of Blacks and Whites by police than the death of George Floyd, a Black man, at the hands of Minneapolis, MN, police officer Derek Chauvin who knelt on the neck of the former until he passed away. The death of George Floyd, like the deaths of many other Blacks at the hands of police, is only one among many examples of the disproportionate rate of death for Blacks who have encounters with police officers, compared to Whites. Indeed, in 2020, Blacks accounted for 28% of deaths at the hands of the police, although Blacks make up only 13% of the U.S. population (Sinyangwe et al., 2020).

The phenomenon of DWB, noted by one of the research participants, has received some attention in the extant literature (Lundman and Kaufman, 2003; Warren et al., 2006). Put another way, minority—especially Black—citizens have always believed that the police stop them disproportionately while driving on roads and highways (Weitzer and Tuch, 2002). In a study from North Carolina, William R. Smith and colleagues (2003) found that Black motorists were more likely to receive a traffic ticket than their White counterparts from the state's highway patrol officers. Patricia Warren and colleagues' (2006) study, also from North Carolina, revealed important findings about racial disparities in traffic stops for Whites and Blacks. The researchers observed that, while local police officers stopped Black drivers at a disproportionately higher rate than they did White drivers, the same pattern, albeit to a lesser degree, was found in stops conducted by highway patrol officers. This discrepancy in stop rates of Black and White drivers was not unexpected because highway patrol officers are generally unable to immediately identify Black drivers because of the high speeds at which vehicles travel on highways. Local police, on the other hand, are able to distinctly identify Black drivers because of the slower speeds on town and country roads. Indeed, the Warren et al. study was an important indicator of the disparate treatment that Black and White motorists receive at the hands of the police. Furthermore, the North Carolina Criminal Justice Analysis Center (2020) study also supported Warren and

colleagues' (2006) findings that Blacks and other racial groups were stopped at higher rates than Whites.

There were as many respondents in public housing as there were in middle-income neighborhoods who observed that police treated Blacks fairly. This finding ran counter to what we had expected. This finding also raises noteworthy ideas in terms of future research. For example, why would public housing residents, who were expected to have a more critical assessment of police fairness toward African Americans, indicate otherwise? A convincing and straightforward explanation is that these residents were simply treated fairly by the police, in spite of their poor neighborhood and penurious condition. This argument goes against the extant literature's refrain of perpetually harsh policing in poor communities of color, and thus points to the need to further investigate why this group of respondents did not "castigate" the police.

Our final theme calls for greater and improved interactions between the police and the Black community. We note that participants from all three types of neighborhood—public housing, middle-income, and upper middle-income communities—all reiterated the importance of more favorable interactions for improving the relationship between the police and the African American community. As Thomas C. O'Brien and colleagues (2020) have observed, it is important to address violence between police and the communities they serve by asking a cardinal question: why do some interactions between the police and citizens result in violence? The researchers added that such a question was important, going beyond whether an officer was justified in using force during a particular encounter. More frequent and improved interactions between police and the Black community are important because these interactions can highlight the humanity of both officers and community members, leading to lower levels of violence. This is also why procedural justice is vital for increasing the legitimacy of the police in the eyes of all community members. Tom R. Tyler and Jonathan Jackson (2014) argued that citizen conferral of police legitimacy—obligation to obey legal authorities, trust and confidence in police, and a sense of shared values between the police and community members—makes it more likely that citizens would comply with the law and cooperate with police to reduce tensions in the community, as well as report crimes to the police (O'Brien et al., 2020; Tyler and Huo, 2002).

Exacerbating police legitimacy deficits in the Black community is the finding that Blacks are treated more harshly than are Whites at all stages of the criminal justice system (Spohn 2014). This reality for Black people has resulted in lower levels of trust for police by Blacks than by Whites (Gau and Brunson, 2015). Moreover, these disparate levels of trust and confidence in police have a historical context, which cannot be wished away to make everything right overnight. In going beyond simply deploying procedural justice to ameliorate the tensions between police and the Black community, O'Brien and colleagues (2020) have called for reconciliation as a means to improving the relationship between the police and the Black community. The authors referred to the historical context of biased policing against African Americans, which, combined with Blacks' longstanding abuse at the hands of the police—a situation that is vicariously experienced by many African Americans (Bor et al., 2018)—has led to large police legitimacy deficits in the Black community. Moreover, possessing Afrocentric features has worked against Blacks in the United States (Eberhardt et al., 2006; Pryce 2016). Reconciliation is one way to reverse these legitimacy deficits (O'Brien et al., 2020). Whether or not the government (and other legal authorities) would issue an apology to African Americans for the centuries of abuse and illegitimate social controls they have been subjected to at the hands of the police is yet to be seen, but as O'Brien and colleagues (2020) have pointed out, this approach would be one of several that are capable of mending the relationship between the police and African Americans. More importantly, O'Brien and colleagues (2020) argued that the

acknowledgement of past harm done to Blacks, in addition to an unqualified apology, may improve the legitimacy of the police in the Black community.

### Policy Implications

First, the current study's findings should serve as useful policy ideas for elected officials and police leaders. For example, elected officials can set aside budgetary allocations for police departments to positively engage multiple demographic groups in Black communities, including youths and adults (Anderson et al., 2007). Second, some activities for youth may include mentoring programs, youth police academy programs, and afterschool programs that offer recreation, arts, and tutoring, among other activities. Third, adults and seniors may also benefit from positive interactions with the police (Brown et al., 2014). For example, officers may receive training in how to respond appropriately to aging-related problems, such as dementia, in the senior Black population. Different levels of awareness of aging-related issues by officers would translate into less use of force in dealing with the senior Black population, leading to greater trust between the police and Black communities. As noted by our research participants, these activities are likely to enhance trust between both parties. Fourth, police leaders may also go beyond community policing (O'Brien et al., 2020) by embarking on frequent listening tours within the Black communities that their agencies serve. These listening tours would allow police to hear, in community members' own voices, how they feel about the police and how trust from the community can be rebuilt.

Fifth, we strongly suggest that cities and states begin to replicate the recent efforts by Virginia that forbid police from engaging in low-level traffic stops that disproportionately affect people of color, especially African Americans. The move to limit officers' use of low-level offenses as a pretext for traffic stops in Virginia was started by the state's public defenders in the aftermath of George Floyd's gruesome death in Minneapolis in 2020 (Weichselbaum et al., 2021). As our research participants shared that respect for and fairness toward African Americans by police were crucial to improving the relationship between both parties, we strongly suggest that cities and states pass laws that ban officers from targeting low-level traffic offenses. The new Virginia law has had some positive results already, as the number of Black motorists searched after being pulled over fell by forty percent in just the first four months—March to June 2021—since the law's inception (Weichselbaum et al., 2021). In a similar vein, Philadelphia has become the first major city in the country to do what Virginia did: ban the police from pulling over drivers for low-level traffic offenses. The Driving Equality Bill, passed 14-2 by the Philadelphia City Council, was signed into law by Mayor Jim Kenney on November 3, 2021 and takes effect 120 days after, in March 2022 (Brown and Tucker, 2021; Valentine 2021).

Other cities and municipalities have enacted similar bans to protect minority drivers from excessive police contact and harassment. While this policy has been hailed by some groups, such as the National Association for the Advancement of Colored People (NAACP), as a step in the right direction, some police officers and the unions representing them are opposed to eliminating stops for low-level traffic offenses, arguing that the move might decrease community safety. We commend the actions taken by Virginia and the City of Philadelphia, as we believe that the increased safety for minority drivers due to fewer interactions with police outweighs any concerns law enforcement officers may have regarding their ability to fight crime. Indeed, when Simone Weichselbaum and colleagues (2021) interviewed police chiefs and sheriffs about how the new policy would increase crime on the streets, the latter were unable to offer any concrete explanations.

In terms of future research, we ask that our study be replicated in other cities using the same or similar procedural justice questions to build a stronger body of qualitative work on



procedural justice policing. While quantitative studies on procedural justice abound in criminology and social psychology, many of these studies have lacked the ability to elicit nuanced responses from participants. Because qualitative research is at the heart of understanding the human condition in greater detail, we urge other scholars to pursue more qualitative research in this area of policing. Ultimately, what researchers, practitioners, and community members want is improved relations between the police and community members. As a result, researchers should take the multiple research routes available to them to reach this all-important goal.

## Notes

- <sup>1</sup> African American and Black are used interchangeably in our paper.
- <sup>2</sup> To cover the two dimensions of procedural justice, we employed two *quality of treatment* questions and two *quality of decision making* questions to evaluate the study participants' understanding of procedural justice.
- <sup>3</sup> According to the U.S. Census Bureau, African Americans make up 39.7% of the population of Durham, NC, compared to 22.2% for the State of North Carolina, and 13.4% nationwide. Thus, the city has a relatively large African American population, making it an ideal location to study African Americans' views of and experiences with police.
- <sup>4</sup> Two public housing communities were selected from the twelve operated by the City of Durham, NC (see <http://www.durhamhousingauthority.org/our-communities/>). According to the 2013–2017 American Community Survey five-year estimates, our middle-income and upper-middle-income communities had mean household incomes of about \$55,000 and \$92,000, respectively.
- <sup>5</sup> Two of the seventy-seven participants were interviewed over the phone one day after initial face-to-face interactions with them because they could not do face-to-face interviews the same day. All interviews were voice recorded, which were subsequently transcribed verbatim by the first author.
- <sup>6</sup> Four participants did not provide income information.
- <sup>7</sup> This statement is eerily similar to what happened two years later to George Floyd at the hands of Derek Chauvin, a White Minneapolis, MN, police officer. Chauvin knelt on Floyd's neck until he died.

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