Street Stops and Police Legitimacy: Teachable Moments in Young Urban Men's Legal Socialization

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An examination of the influence of street stops on the legal socialization of young men showed an association between the number of police stops they see or experience and a diminished sense of police legitimacy. This association was not primarily a consequence of the number of stops or of the degree of police intrusion during those stops. Rather, the impact of involuntary contact with the police was mediated by evaluations of the fairness of police actions and judgments about whether the police were acting lawfully. Whether the police were viewed as exercising their authority fairly and lawfully shaped the impact of stops on respondents' general judgments about police legitimacy. Fairness and lawfulness judgments, in turn, were influenced by the number of stops and the degree of police intrusion during those stops. Similarly, judgments of justice and lawfulness shaped the estimated influence of judgments of the general character of police behavior in the community on general perceptions of police legitimacy. These results suggest that the widespread use of street stops undermined legitimacy. Lowered legitimacy had an influence on both law abidingness and the willingness to cooperate with legal authorities. The findings show that people were influenced by perceptions of police injustice/illegality.

I. Introduction

Legal scholars recognize the centrality of the issue of legal culture (i.e., the "network of values and attitudes relating to law") (Friedman 1975:34) to the functioning of legal

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authorities. In particular, they have been concerned about how Americans acquire views about the legitimacy of law and legal authority (Sarat 1977). People do so through a process that includes childhood socialization (Tapp & Levine 1977) and later personal and peer experiences with legal authorities. In particular, the period of adolescence and young adulthood is often viewed as key since young men have their most frequent experiences with legal authorities, as do their peers, during this period (Brunson & Weitzer 2011; Fagan & Tyler 2005). The most frequent legal authority young people encounter is a police officer (Tyler & Huo 2002). The goal of this study is to explore the impact on legitimacy of a particularly salient type of young adult experience with the police—the car or street stop—during a particularly central developmental period—young adulthood.

Being questioned by the police is a common occurrence in New York City for hundreds of thousands of residents and visitors, but particularly for young men of color (Fagan 2010, 2013; Fagan et al. 2010, 2012). Over the past 20 years, the New York Police Department has engaged in a series of controversial policies and practices in its dealings with the public. These have included zero-tolerance arrests for minor infractions and violations (Geller & Fagan 2010; Greene 1999; Zimring 2011), saturation of nonwhite neighborhoods with aggressive stop and frisk tactics (Fagan et al. 2010; Schulhofer et al. 2011), frequent car stops, and surveillance of suspect groups such as Muslims in their places of worship and other gathering spots (Huq et al. 2011; Powell 2012; Ruderman 2012a; Tyler et al. 2010). Many stops and frisks result from enforcement of trespass and other quality-of-life laws in both public and private housing. In many instances, citizens are either stopped or arrested on suspicion of criminal trespass while attempting to enter their own home or to visit family members in those buildings (*Davis v. City of New York* 2010; *Ligon v. City of New York* 2012; Carlis 2009; Fagan et al. 2012; Toobin 2013).

Trespass enforcement is only one dimension of a larger policy of proactive policing in New York and many other cities (Kubrin et al. 2010). Proactive policing emphasizes the engagement of police with potential criminal offenders or situations based on any of several indicia that crime may be imminent or in process. In New York, those policies have produced more than 4.4 million involuntary contacts between the police and members of the public between 2004 and 2012 (NYPD various years). Of these contacts, about one in nine resulted in an arrest or a citation, and about one in five appear to fall short of constitutional grounds of legal sufficiency (Fagan 2013). Almost none turn up guns (0.11 percent of all stops) or other contraband (1.5 percent). The high rate of error in these stops, both constitutionally and in effectiveness, is a potential sore spot that could poison citizen support for and cooperation with the police.

Each of these police-citizen contacts is potentially a "teachable moment" about policing for both citizens and police. Yet both legal and policy debates about proactive policing sidestep these lessons and focus instead on two broader frameworks: legality and effectiveness (Harcourt & Meares 2011; Stuntz 2011; Amar 1998). Legality draws on the constitutional framework set forth in *Terry v. Ohio* (1968): that "crime is afoot." That standard refers to crimes that either have just taken place, are imminent, or are ongoing. *Terry* defines the conditions when police may approach and temporarily detain a citizen based on the officer's reasonable suspicion that "crime is afoot" (Alschuler 2002; Harcourt

& Meares 2011). The legality standard asks whether the police have acted on the permissible grounds of stopping people when there is reasonable suspicion.

Effectiveness is a policy concern, defined in terms of impact of these policies and practices in identifying those whose behavior may signal that they are intending to commit serious crime, or that they may have just completed a crime (Kubrin et al. 2010). The standard inquiry in this type of evaluation is whether stops turn up active offenders or those being sought by the police or the seizure of contraband (Knowles et al. 2001; Persico 2009; Richardson 2010).

But neither the constitutional nor policy standards address appropriate police *conduct* when dealing with persons who have fallen under the police gaze of suspicion. Neither of these standards or benchmarks addresses how police should go about conducting a field interrogation or search of a suspect; they only address the conditions that can initiate the contact and the factors that can justify increasing intrusiveness during the course of the interrogation. There is some "teaching" value in how these formal legal standards shape police behavior and some instructional value for citizens in learning the boundaries of their privacy protections under the Fourth Amendment, but these lessons suggest a narrow concept of legal socialization. At best, these become abstract civics lessons detached from the salience of the moment and the emotional freight that these interactions carry. Our rationale for this article is, quite simply, that we object to the dryness of this version of the civics lesson about police power.

The "teachable moments" from the millions of routine encounters each year under proactive policing regimes across the country are hardly abstract civics lessons that are confined to assessments of legality or crime control. Recent research on the police suggests an additional criterion that might be applied to the evaluation of police policies and practices: how the activities of the police shape public views about police legitimacy. These activities create general and salient impressions about how the police exercise their authority and, in turn, about police legitimacy, even among those not stopped (Carr et al. 2007; Sunshine & Tyler 2003; Tyler 2006b; Tyler & Fagan 2008; Weitzer & Tuch 2006).

Legitimacy has become a focus of concern in recent years because popular legitimacy increasingly has been linked to citizen behaviors that are important to the success of policing (Schulhofer et al. 2011). Those behaviors include deference to police authority during personal interactions (Tyler & Huo 2002); acceptance of police authority as an alternative to private violence or collective disorder (Jackson et al. 2013); heightened compliance with the law (Jackson et al. 2012a; Tyler 2006a); and increased willingness to cooperate with the police (Jackson et al. 2012b; Sunshine & Tyler 2003; Tyler & Fagan 2008; Tyler 2009, 2011).

Accordingly, research on the role of legitimacy in law-related behaviors suggests a not-so-hidden cost to the long-term success of policing efforts if the policies and practices of the police undermine their popular legitimacy. Past studies have shown that compromised perceptions of police legitimacy may be internalized to influence both cooperation with the police and compliance with the law (Tyler & Fagan 2008; Fagan & Piquero 2007; Jackson et al. 2012a). Effects of policing on legitimacy, cooperation, and legal compliance have been identified in both offender (Fagan & Piquero 2007) and general population (Tyler & Fagan 2008; Fagan & Tyler 2005) samples. The results of this research thus far

confirm that the consequences of legitimacy may go well beyond the concerns of the individuals affected to influence public safety.

In this article, we examine these dimensions of police-citizen contacts in two important contexts for theory and policy. First, the study site is New York City, a place where intensive proactive policing has been institutionalized into the strategic design of policing and has become an intimate and deep-rooted part of the social ecology of many neighborhoods (Beckett et al. 2005, 2006; Fagan et al. 2010, 2012; Fagan 2010, 2012). Second, the study sample is young males between the ages of 18–26. This population makes up about half the 4.4 million involuntary police stops in New York from 2004–2012. This also is the population with the highest crime rates, particularly violent crimes that attract police attention and that drive public policy. The concentration of crime and policing in this population, and in the poorest and highest crime neighborhoods of the city, provides a rich context for identifying the influence of policing on legitimacy and its law-related consequences.

A. *Legitimacy and Law-Related Behavior*

What is legitimacy? In the Weberian view (1978), legitimacy is based on beliefs that legal authorities have the right to dictate appropriate behavior. As a consequence, members of the public internalize an obligation and responsibility to follow the law and obey the decisions of legal authorities. Although definitions of legitimacy vary widely, a key feature of many is that it confers the right to command and to dictate behavior, and that it promotes the corresponding duty to obey (Tyler 2006a). Modern discussions of legitimacy are usually traced to the writings of Weber (1968) on authority and the social dynamics of authority. Weber, like Machiavelli and others before him, argued that successful authorities and institutions use more than brute force to execute their directives. They also strive to win the consent of the governed so that their commands will be voluntarily obeyed (Tyler 2006a).

Others suggest that legitimacy of legal authorities is earned, if not negotiated, through actions that demonstrate its moral grounding. In this view, legitimacy is imparted to legal institutions (or other institutions with power over subordinates) when there is moral alignment between those with power and their subordinates. Legitimacy in this framework is the right to rule, and this right is earned in part by what Beetham (1991:11) calls "the degree of congruence, or lack of it, between a given system of power and the beliefs, values and expectations that provide its justification." Legitimacy is not a given power, but accumulates through dense social interactions with authorities, where accounts and evaluations of experiences with the police are shared through efficient information markets and social networks. There also is an implicit emotional component to this view, suggesting that legitimacy is the product of salient gratifying interactions and, alternately, that it can be corroded through negative interactions. Neutrality in interactions produces little more than more neutrality, and suggests a situational and transient tie between the powerful and subordinates.

Kelman and Hamilton (1995) argue that legitimacy "authorizes" a legal actor to determine appropriate behavior within a specific situation; the citizen then feels obligated

to follow the directives or rules that authority establishes. Kelman and Hamilton go on to claim that the authorization of actions by authorities "seem[s] to carry automatic justification for them. Behaviorally, authorization obviates the necessity of making judgments or choices. Not only do normal moral principles become inoperative, but—particularly when the actions are explicitly ordered—a different type of morality, linked to the duty to obey superior orders, tends to take over" (Kelman & Hamilton 1989:16). Legitimacy, according to this general view, is a quality that is inherently possessed by an authority, law, or institution that leads others to feel obligated to accept its directives. It is "a quality attributed to a regime by a population" (Merelman 1966:548). Consistent with the arguments of Weber, the suggestion is that perceptions of legitimacy are based on feelings of obligation that are disconnected from substance and material interest. Legitimacy is linked not to the authorities' possession of instruments of reward or coercion, but to properties of the authority that lead people to feel it is entitled to make decisions and be obeyed. People will abide by the law and follow police directives even if they disagree with specific guidelines and instructions.

In this study, we operationalize these dimensions of legitimacy using the three elements that have been central to these theories and to past empirical assessments (Tyler & Jackson 2014): (1) trust and confidence in the police; (2) the perceived obligation to obey; and (3) the judgment that the police and the public are in normative alignment concerning values.

B. Terry *Stops and Proactive Policing in New York*

Adolescents and young adults have uniquely high rates of contact with police, much of it involuntary (Langton & Durose 2013; Fagan et al. 2010: Ayres & Borowsky 2008). For many youths, during pivotal developmental stages when adolescents form lasting views of the legitimacy of legal norms and legal actors, the police are the primary face of the state and the first that they are likely to encounter growing up (Fagan & Tyler 2005; Skogan & Frydl 2004). The growing policy preference for proactive policing over the past two decades has increased the likelihood of police encounters and changed the nature of police-youth contact (Kubrin et al. 2010). In "proactive policing," officers actively engage citizens in attempts to detect criminal activity that crime is imminent, ongoing, or recently completed (Harmon 2009; Skogan & Frydl 2004). These temporary street or car detentions are constitutionally sanctioned and regulated under *Terry v. Ohio* (1968). Under *Terry*, police are required to have reasonable and articulable suspicion that "crime is afoot" to justify the temporary detention and questioning of a citizen. A series of subsequent cases (e.g., *Whren v. United States* 1996; *Illinois v. Wardlow* 2000; *People v. DeBour* 1976) have further defined the scope and nature of when police can make "proactive" stops (Harcourt & Meares 2011; Alschuler 2002). In addition to street activity, police both in cities and suburbs have become ubiquitous in schools, often with the authority to make arrests or physical detentions, and engage in other enforcement activity such as locker or backpack searches (Kupchik 2010).

Although data limitations complicate comparisons across cities, it seems that nowhere in the United States is this practice more prevalent than in New York City (Zimring 2011; Fagan & MacDonald 2013). Police in New York made over 4.5 million proactive stops

from 2004–2012, and nearly half those (48.5 percent) are stops of persons ages 16–24 (Fagan 2013). Among youths 13–15, police in New York recorded 206,000 stops during the same period (Geller 2013).[1] Fagan et al. (2010) estimated that approximately 80 percent of African-American adolescents ages 16–17 were stopped one or more times by New York City police in 2006. Comparable rates for Hispanics were 38 percent and 10 percent for white youths.

The low yield in crime detection from these stops (Fagan 2010, 2013) raises questions about the accuracy of the suspicion animating these stops. The stop regime seems closer to an administrative or actuarial design rather than the highly articulated requirements for individualized and "reasonable" suspicion envisioned by *Terry* and also required in New York law (*People v. DeBour* 1976). In many cities, these police-citizen interactions are unlikely to result in arrest, summons, or the seizure of contraband (Alpert et al. 2005; *Bailey v. City of Philadelphia* 2011; Fagan et al. 2010); rates of return (commonly known as "hit rates") in some cities have the potential to fall below those of randomized checkpoints (*City of Indianapolis v. Edmond* 2000; *Michigan Dept. of State Police v. Sitz* 1990). Furthermore, the burden of involuntary police contact in many large cities falls on black and Latino residents, at times to the extent that efficiency is compromised (Alpert et al. 2005; Epp et al. in press; Fagan 2010; Geller & Fagan 2010; Hagan et al. 2005; Thompson 1999; Banks 2003), raising equity and constitutional concerns about the possibility of racial profiling.

Although rates of stops of adolescents and young adults are quite high in New York, the rates are also high across the country. Evidence from the National Longitudinal Survey of Youth suggests that more than 15 percent of American youth have been arrested by age 18, with higher rates for African Americans (30 percent) (Brame et al. 2012). By age 23, 30 *percent* of all males have been arrested one or more times, with higher rates (47 percent) for African-American males. The 2008 Police-Public Contact Survey suggests that 13.2 percent of U.S. residents aged 16 and 17 had face-to-face contact with a police officer (Eith & Durose 2011). In a survey of more than 18,000 Chicago public school students, about half reported that they had been stopped and asked questions by the police, and "told off or told to move on" by the time they were in ninth or tenth grade (Hagan et al. 2005).

Beyond policy and constitutional concerns, unwanted stops also risk emotional and psychological harms (Geller et al. in press). Despite the low sanction or seizure rates, these stops have the potential to be physically invasive and psychologically distressing. Qualitative research both in New York City and elsewhere suggests that young men are often handcuffed, thrown to the ground, or slammed against walls while their bodies and belongings are searched (Brunson & Weitzer 2009; Rios 2011; Powell 2012; Ruderman 2012a, 2012b). Force is significantly more likely to be used against minority suspects in street stop encounters than against whites (Fagan 2010), compounding the assaults on dignity by including a dimension of racial targeting for the most extreme forms of police contact. In interviews,

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[1]Since the age of majority for criminal responsibility in New York is 16, police are dis-incentivized from recording stops of persons who are legal minors. There are limitations on the field interrogations of minors that may serve as barriers to proactive policing of youths. Accordingly, the estimate of the number of persons below 16 years of age who are stopped in New York City is likely a conservative figure. See, e.g., Fratello et al. (2013) and Stoudt et al. (2011).

both young men and women report that street stops are laced with violence, threats, hypermasculine and homophobic invective, and degrading and racially tinged language (Brunson & Weitzer 2009; Gau & Brunson 2010; Rios 2011). Some young women stopped by the police report feelings of embarrassment and sexual intimidation when stopped, particularly when they are frisked by male officers (Ruderman 2012b).

C. Policing and Legal Socialization

These personal experiences with the police also are key determinant of legal socialization, a process that unfolds during childhood and adolescence to shape the likelihood of youth compliance with the law and cooperation with legal actors (Fagan & Tyler 2005; Fagan & Piquero 2007; Hagan et al. 2005). Shedd (2012) suggests high rates of distress and perceptions of injustice among Chicago youth who have been stopped by the police, while Brunson and Weitzer (2009) identify feelings of "hopelessness" and being "dehumanized." Adolescent legal socialization might also be influenced by police activity that teens witness in their neighborhoods, even if they are not personally stopped. Rosenbaum et al. (2005), Gau and Brunson (2010), and Brunson and Weitzer (2009) identify a "vicarious" experience of policing, in which perceptions of the police are influenced not only by one's own experiences, but also by the experiences of others.

In this study, we locate legitimacy and the experiences that shape its formation as a process of legal socialization. We define legal socialization as the developmental process by which individuals internalize the norms of the law through their direct and vicarious interactions with law and legal actors (Fagan & Tyler 2005). Legal socialization is the internalization of law, rules, and agreements among members of society, and the legitimacy of authority to deal fairly with citizens who violate society's rules. What adolescents see and experience through interactions with police, courts, and other legal actors shapes their perceptions of the relation between individuals and society. When experiences with legal actors are perceived as fair, just, and proportionate, these experiences reinforce the legitimacy of the law, and can contribute to compliance and desistance. However, when punishment is delivered unfairly, unjustly, and/or disproportionately, it leads to cynicism about the law, and can contribute to anger and persistence of criminal behavior (Sampson & Bartusch 1998; Kirk & Papachristos 2011; Papachristos et al. 2012).

Our concern here is the criminal law, and the relevant law-related behaviors that may be affected by this domain of legal socialization. A person's willingness to support law and law enforcement is a litmus test of the effectiveness and viability of the efforts of the police to manage social order (Tyler 2006a), and while that support can be secured and leveraged by the threat of coercion and/or the promise of reward, it is easier in a democratic and pluralist society to exercise authority through legitimacy, that is, by acting in ways that people find appropriate, reasonable, and just. In this view, legitimacy is a product of how police treat people and make decisions when they are exercising their regulatory authority (Tyler & Fagan 2008). Police behavior toward citizens confers a status of democratic belonging and social identity that has important consequences for cooperation between citizens and legal authorities (Bradford 2014).

Even legally trivial and inconsequential interactions in which a person is not detained or arrested—the vast majority of police-citizen encounters in New York—can have a strong

influence on people's views about the legitimacy of the police. So, too, can vicarious experiences: witnessing other people's interactions with the law and legal authorities. This perspective suggests that we should treat each encounter between citizens and the police (as well as courts and other legal actors) as a socializing experience—a teachable moment—that builds or undermines legitimacy.

The link between procedural fairness and legitimacy is in turn essential to public safety since citizens' views about police legitimacy predict compliance with legal rules and cooperation with the police (Tyler 2006a). Procedural fairness affects citizens' cooperation with police and their participation in the co-production of security. Reporting crimes to the police, assisting police in the identification of criminals, and participation in crime-prevention efforts are all expressions of cooperation that are strongly influenced by legitimacy and its predicate of procedural fairness. In other words, police success in fighting crime depends on having public cooperation, which in turn depends on perceptions of police legitimacy.

Being stopped by the police has been shown to have both positive and negative implications for legal socialization, depending on the nature of the interactions that citizens have with the police in the course of an encounter. Research with community samples of New York City residents (Tyler & Fagan 2008) and young people in London (Bradford 2014) finds that legal socialization is shaped not only by whether respondents had been stopped by the police, but also by their perceptions of procedural justice during the stop: whether they felt they were stopped for a legitimate reason, treated fairly, and given an opportunity to tell their side of the story, or whether decisions were made via just procedures. Perceived procedural justice varied widely across respondents, and was found to be a stronger determinant of perceived police legitimacy than whether the respondent received a favorable outcome. Fagan and Piquero (2007) found much the same with a sample of active offenders ages 16–21 from two large cities.

On the other hand, a strong and proactive police presence also has the potential to promote adolescent well-being, positive feelings about the police, and a sense of security among urban residents through fair and just practices and improvements to public safety (Powell 2012; Sunshine & Tyler 2003; Tyler & Huo 2002). While these benefits may accrue predominantly to those not personally stopped by the police, youth may also benefit from contact with the police, particularly if these interactions divert them from risky activities or encourage respectful relationship building within their community (Skogan et al. 2008).[2]

What remains unknown is how these practices affect legal socialization and law-related behaviors among a general population of older adolescents and young adults, those who are both most likely to have involuntary contacts with the police, and those who are at the highest risk ages for the commission of crimes. Although these policy changes have exposed tens of thousands of urban youth to involuntary and frequently aggressive contact with the police, much remains to be learned about teens' experiences of these interactions,

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[2]In Chicago, for example, Operation CeaseFire sought to divert high-risk youth from gun violence and victimization through intensive community outreach, including connecting the youth to employment opportunities and "safe havens" in their communities. Nearly all CeaseFire "clients" interviewed reported that the program had a positive impact on their lives. See Skogan et al. (2008).

how these experiences vary across neighborhood and other social contexts, or the implications of police contact for adolescent health, attitudes, or subsequent compliance with the law. This project addresses that question using the intensive proactive policing regime in New York City as the research setting.

D. The Present Study

This study addresses several questions to elaborate on the relationship between policing, legitimacy, and law-related behaviors. We ask these questions in a research setting—New York City—where street stop tactics saturate many neighborhoods and where, in turn, young men are frequently and intensively exposed to a policing regime (Fratello et al. 2013; Stoudt et al. 2011/12; Fagan et al. 2010). Our first question is whether legitimacy influences respondents' law-related behavior. The premise of this analysis, as in previous studies (Tyler 2006b), is that legitimacy is important because it shapes how people act in relationship to the law. Here, we test this premise by looking at the relationship between legitimacy and three important potential or ongoing behaviors: recent violent/criminal behavior; willingness to cooperate with the police by reporting crime and criminals; and willingness to cooperate with the legal system by serving on a jury.

 The argument that legitimacy shapes law-related behavior is not a new one. A number of prior studies have suggested that legitimacy influences compliance with the law (Jackson et al. 2012a; Tyler 2006a), as well as the willingness to accept the decisions made by legal authorities (Tyler & Huo 2002). More recently, research has suggested that legitimacy also influences the willingness to cooperate with legal authorities, including police officers and judges (Sunshine & Tyler 2003; Tyler & Fagan 2008). Hence, it was anticipated that legitimacy would influence law-related behavior, a hypothesis we test below.

 The second question is whether street/car stops influence legitimacy. This question was addressed both by looking at the number of street stops that people have experienced and the degree to which the stops involved more intense intrusions by the police into respondents' lives and liberty. This analysis addressed the question of whether street stops undermine or promote legitimacy.

 Considerable anecdotal evidence suggests that when street stops are conducted in a way that is unfair or harsh, they may undermine police legitimacy (Powell 2012; Ruderman 2012a, 2012b; Brunson & Weitzer 2009; Rios 2011). However, this argument is largely based on qualitative studies using interviews with young men (Collins 2007; Delgado 2008; Howell 2009; Lyons 2002) or observations of citizen reactions to police stops (Gould & Mastrofski 2004). Those studies provide anecdotal evidence of anger and alienation resulting from involuntary contacts with the police, evidence echoed in many press accounts of police stops. Other studies, net of evaluations of police treatment of citizens, suggest more widespread public acceptance of street stops (e.g., Boydstun 1975).

 Accordingly, the third question involves an analysis of the role of psychological judgments about the justice or injustice of police actions during stops in shaping reactions to the police. A large literature links people's reactions to personal experiences with the police and general judgments about police behavior to evaluations of the procedural justice of police actions (Belvedere et al. 2005; Bradford et al. 2009; Gau & Brunson 2009; Hinds

2009; Tyler & Huo 2002). This literature leads to the hypothesis that it is not stops per se that undermine legitimacy, but the behavior of the police during those stops (Tyler & Wakslak 2004).

A contrasting view of street stops focuses on their perceived legality. Police officers, of course, receive extensive training in the law and the meaning of "reasonable suspicion." However, their view may or may not correspond to those of the public (Meares et al. in press). Further, the police themselves may or may not be following these rules (Gould & Mastrofski 2004). The issue addressed here is whether public views about whether police stops are made using appropriate criterion shape the impact of those stops on legitimacy.

If the fairness of police behavior shapes reactions to stops, the question arises of whether the police could engage in frequent stops if they treated people fairly. A further analysis explores the impact of frequent stops on judgments about stop fairness and legality. It explores whether multiple stops lead people to view the actions of the police differently, in particular viewing them as less just and legal.

Finally, the analysis directly tests the underlying argument that stops undermine behavior by examining the influence of legitimacy on three key variables: criminal activity; cooperation with the police; and cooperation with the courts. It is because legitimacy shapes behavior that the potential undermining effects of stops on legitimacy need to be examined. It is the argument that stops lower legitimacy and as a consequence raise levels of criminal behavior that more directly counters the suggestion that stops improve public safety.

The goal of this analysis is to examine the impact of street stops on the attitudes and behavior of the members of the public who are most likely to experience being stopped in the course of everyday proactive policing—young males in dense urban areas—in a setting—New York City—where these tactics saturate many neighborhoods.

II. Methods

A. Samples and Procedures

A stratified random sample of young men ages 18–26 in New York City was interviewed by telephone about their history of contact with the NYPD both in their lifetime and in the past year. The study separately assessed respondents' evaluations of stops in the neighborhood more generally. Subjects were randomly sampled from 146 "neighborhood clusters." Clusters were defined from 295 "neighborhoods" developed by the NYC Department of City Planning in the 1990s for detailed exploration of social and economic life within socially homogenous neighborhood boundaries.[3] Neighborhoods were clustered to optimize and make consistent their size, geographic proximity, and socioeconomic homogeneity. In some instances, populous and spatially large neighborhoods were split to create two smaller units. Each neighborhood cluster had populations ranging from 7,358 to 215,753, with an interquartile range of 28,716 to 70,921.

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[3]See Manbeck and Jackson (1998) for examples of the neighborhood boundaries and socioeconomic composition. Boundary files are available from the authors.

Neighborhoods were then stratified by their per-capita rates of police stops in the past 24 months and sorted into deciles. Forty neighborhoods were selected, with oversamples of neighborhoods in the deciles with the highest stop rates. Initial selection included eight randomly selected neighborhoods from each of the top three deciles (D8–D10), four neighborhoods from each of D5–D7, and one neighborhood from each of D1–D4. The oversample of high-stop neighborhoods was intended to generate a sample of respondents with greater exposure to stop activity, and greater statistical power to detect the effects of having been stopped.

Randomization was broken by selecting the Lower East Side in order to provide geographic diversity and because interviewing was suspended in one cluster following Superstorm Sandy on October 31, 2012.[4] Elsewhere, in adjacent neighborhoods with low response rates, smaller neighborhoods were combined, yielding a final sample of 37 neighborhoods.

Within each neighborhood, phone numbers were randomly selected from three sampling frames: landline random digit dial (RDD), cell phone RDD, and a listed sample obtained from a market research agency. Analyses of characteristics of landline and cell phone respondents and the extent of their interactions with police showed few differences in the method of recruitment. Although numbers from the listed sample were more likely to appear in our sample, and were also eligible to be selected from the RDD samples, the listed sample was "de-duplicated" from the RDD sample and, accordingly, could be treated as a special stratum within the landline RDD sample. Every landline phone number in New York City therefore had a known probability of selection. The sample was also adjusted to note "dual-service" households with both landlines and cell phones (who could have been selected from either frame).

Samples of a minimum of 25 respondents were recruited within each neighborhood cluster. Interviews were conducted by telephone. The neighborhood location of each respondent's residence was recorded to analyze persons within neighborhoods. The final sample of 1,261was weighted to approximate a random sample of the young men in New York City who were exposed to stop and frisk policing. The sample weights were also adjusted for within-household selection, for the rare cases that households contained multiple members in our population of interest (i.e., 18–26 year old males), and differential nonresponse by race/ethnicity, borough, and telephone service. Finally, the distribution of the weights was examined for extreme values, truncated at the 97.5th percentile (to improve the precision of survey estimates), and scaled to sum to the total sample size. Table 1 shows the sample characteristics.

B. Variables and Measures

Variable domains are listed here, and details on items and scale properties are shows in Appendix 1.

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[4] The Manhattan Beach neighborhood in Brooklyn, a place that was particularly hard hit by the October 31, 2012 storm.

Table 1:   Sample Characteristics ($N = 1,261$)[a]

Characteristic	Unweighted Sample	Weighted Sample
Respondent Race/Ethnicity (%)		
White	20.3	22.8
Black	29.7	23.4
Hispanic	35.1	34.3
Other or unknown	15.0	19.5
Respondent Age ($N = 1,260$) (Mean, *SD*)	22.0	22.0
	(2.52)	(2.65)
Education (%)		
<HS	12.3	16.7
HS grad	30.9	31.2
Some college or technical school	37.4	32.7
College grad+	19.2	19.0
Unknown	0.2	0.4
Public Housing Resident (%)		
PH resident	12.9	13.3
Unknown	0.6	1.5
Police Stop Experience (%)		
% stopped (ever, street or car, $N = 1,248$)	85.1	82.9
% stopped (ever, street only, $N = 1,234$)	73.2	71.2
% stopped (past year, street or car)	46.2	43.5
% stopped (past year, street only, $N = 1,260$)	31.6	26.9

[a]Some cells smaller due to nonresponse.
NOTE: The sample reflects a diverse group of young New Yorkers, and the weighted sample reflects a random selection of the 18–26 male age group.

1. Dependent Variables

Three dependent variables were assessed: legitimacy; recent criminal activity; and coopera-tion with the police and the courts.

a. Legitimacy. The legitimacy scale reflected three aspects of the concept of legitimacy: trust and confidence; obligation to obey; and shared normative values. The items reflecting these concepts were averaged and given equal weight to create an overall scale.

b. Recent Criminal Activity. Self-report was used was to measure recent criminal activity, a methodology supported by comparisons of self-report to other methods for determining frequency of criminal activity (Hindelang et al. 1981; Thornberry & Krohn 2000; Peppers & Petrie 2003; Lauritsen 1998; Piquero et al. 2014).

c. Cooperation. Two dimensions of cooperation were assessed to examine specific domains of cooperation and to identify unique effects on policing: cooperation with the police and participation in legal processes. Cooperation included reporting crimes and cooperating as a witness in investigations. Legal processes included serving on a jury.

2. Background Factors

Respondents were asked to report their race and ethnicity, their age, the highest level of education attained, and their prior criminal history. For long-term criminal history, respondents were asked (yes/no): "Have you ever": "been arrested" (28 percent said yes); "received a summons for a criminal violation or a desk appearance ticket" (DAT) (27 percent said yes); "spent time in jail" (13 percent said yes); "been on probation" (11 percent said yes); and "served time in prison" (3 percent said yes).

3. Generalized Neighborhood Experience with Police

Respondents were asked to describe two features of police stop activity in their neighborhood. These judgments about police activity were made on a scale ranging from "frequently" (1) to "never" (5). Respondents were asked: "How often do the police" engage in various behaviors. Two indices were created: frequency of stops and degree of intrusion during those stops.

4. Experiential and Performance-Based Evaluations of the Police

Respondents were asked to report on their general views about police. Domains included police performance in crime control, police legality in making stops, and police procedural justice in forming and implementing police policies and services (overall procedural justice of the police in the neighborhood).

5. Personal Stop Experience

Respondents were asked about several features of their own stop experiences. They were asked to identify the one stop in the past year that was the most salient: the stop whose details "stood out" and that they remembered most clearly. Police stop experiences included perceptions of the legality of the stop reason and four dimensions of the quality of police treatment: outcome, police decision making during the stop, police use of authority during the stop (procedural justice), and the degree of physical intrusion and force during the stop.

III. Results

Results are reported with standard errors clustered by neighborhood. Within the sample, 549 respondents indicated some past year personal contact (including either car or street stops), while 712 indicated they had had no contact (44 percent). A higher percentage—85 percent—of respondents reported at least some lifetime contact through either a street stop or a car stop.

Since some of the results ask about personal experience, we estimated selection parameters to distinguish those with past year police contact or lifetime police contact from respondents with no past year or lifetime police stop experience. The nonrandom assignment to prior stop conditions is a problem common in observational studies (see Berk

2003) and requires the estimation of additional parameters to avoid common selection problems. Following Berk (Berk & Hickman 2005) and others (Bang & Robins 2005; Indurkhya et al. 2006; Rosenbaum & Rubin 1983), we use propensity scores to adjust for this problem. In short, propensity scores are the estimated probability of membership in each of the stop groups that accounts for confounding variables between the outcomes of interest (e.g., legitimacy and law-related behaviors) and the stop conditions. There is no reason ex ante to suspect that within this sample of young adult males ages 18–26 people with prior stop experience would be more or less affected by that stop experience than would be persons who have no prior contact. Accordingly, there is no risk of confounding of selection factors and outcomes, making these analytic conditions appropriate for adjustments using propensity scores (Bang & Robins 2005; Rosenbaum & Rubin 1983).

Separate logistic regression equations were estimated for past year stop experience and lifetime stop experience. Predictors included race/ethnicity, age, education level, public housing residency, and criminal justice history (results are shown in Appendix 2). For both past year and lifetime stop experience, the respondent's educational attainment (high school graduate or above) and self-reported criminal justice history (arrest or conviction) predicted stop experience. Predicted values for these equations were generated and served as propensity scores in each of the analyses that focused on personal experiences where only those with a past year or lifetime stop provided assessments of conditions of specific stops.

1. General and Personal Experiences with Police

We assessed several questions on the effects of both personal experience and generalized perceptions of police stops on perceived legitimacy of the police. The full sample was included, and controls were introduced to adjust for the probability of police contact as a potential influence on those assessments.

Was street and car stop contact with the police associated with views about legitimacy? At the margins, those with personal contact ranked the police significantly lower in legitimacy (2.84 vs. 2.93, on a 1–4 scale, with high scores indicating high legitimacy; $t(1,259) = 3.23$, $p < 0.001$). The result was significant but with a modest effect size. The estimated effects of personal contact may have been attenuated, given that all study participants, including those without personal contact, had the opportunity to observe police stop activity in their neighborhoods and likely formed opinions about police legitimacy based on these observations as well as their personal experiences. They also could have vicarious experiences through police stops of their friends, family members, neighbors, and others moving about in their neighborhoods. This first set of analyses considered both these potential influences on police legitimacy, unconditioned by situational or individual factors.

The conditional question of street stop influences on legitimacy was addressed through an OLS regression of the influence of the number and nature of stops on legitimacy. In this case, the dependent variable was respondents' overall perceived legitimacy of the police. Two models of legitimacy were considered. First, the analysis considered the role of personal history of stops and estimates of the frequency of stops in the respondent's neighborhood. Second, it estimated the effects of observed or generalized

Table 2:   OLS Regressions of Lifetime Personal and General Stop Experience on Police Legitimacy (b, SE, p)

	Personal Experience		General Neighborhood Experience	
	b (SE)	p	b (SE)	p
Lifetime street stops	−0.006	ns	—	
	(0.008)			
Lifetime car stops	−0.001	ns	—	
	(0.010)			
Police stops in neighborhood	—		−0.057	0.003
			(0.018)	
Police stop intrusiveness (personal or general)	−0.558	0.015	−0.157	0.000
	(0.162)		(0.033)	
Intrusiveness * Frequency of stops	0.003	ns	−0.017	ns
	(0.006)		(0.011)	
Constant	3.298	0.000	3.147	0.000
	(0.362)		(0.386)	
N	549		1,234	
Adj. R^2	0.149		0.290	

NOTE: Respondent's judgments about the frequency and intrusiveness of street and car stops that they have experienced and that occur shape their views about police legitimacy. All models estimated with standard errors clustered by respondent neighborhood. Models control for respondent age, race/ethnicity, education level, public housing residency, and criminal justice history. Models also control for probability of lifetime stop and probability of past year stop.

experiences with the police. Predictors included the number of stops and the degree of police intrusion, both in the respondent's own prior personal experience and as a perception of general police behavior. An interaction between stop frequency and police intrusiveness controlled for the density of harsh police stops.

   The analysis controlled for two background factors. The first was the propensity to be stopped. This variable was constructed using race, age, education, public housing residence, and criminal justice history. Public housing was singularly important because it has been the locus of intensive police enforcement, and because the patrol tactics in those high-rise buildings have been conducted in a manner different from patrols in other areas (Fagan et al. 2012; Carlis 2009). The models included fixed effects for neighborhood and standard errors were clustered by neighborhood. Table 2 shows the results.

   For personal experiences, more intrusive police contact was associated with more negative evaluations in terms of legitimacy, suggesting that people reacted to the intrusiveness of their prior experience, not the number of stops. In other words, whether the police threatened or used force or were humiliating or disrespectful were the strongest predictors of respondents' assessments of police legitimacy.

   Results for general neighborhood experience are also shown in Table 2. The amount of explained variance (adjusted R^2) for this general level model is 0.290, suggesting that general-level judgments mattered more than personal experiences, for which the adjusted R^2 was 0.149. Again, legitimacy was significantly explained by the intrusiveness of police stops. Both believing that there were many stops and that they were intrusive appear to

shape legitimacy in a negative direction, with general judgments about what the police were doing in the neighborhood estimated to be stronger influences than personal experience. At the general level, respondents were influenced by the perceived number of police stops, the intrusion of those stops, and the number of harsh stops (the interaction).

Among this community sample, more intrusive police actions were associated with lower ratings of police legitimacy. Overall, the view that there is more police intrusion of any type in the lives of people in the neighborhood was linked to lower legitimacy. The results with this sample from a limited age range (18–26) of persons with the highest probability of being stopped comport with results from other studies. For example, Fagan and Piquero (2007) have shown that among young criminal offenders in the same age range, the basic concepts of legitimacy and "positive" policing are robust predictors of legitimacy. Further, the results follow the pattern found by Fagan and Tyler (2005) in a study of the interactions of younger adolescents ages 10–16 with the police.

2. Neighborhood Police Behavior and Legitimacy

How were evaluations of the justice of police behavior related to the impact of that behavior on legitimacy? The issue here was whether police intrusion was directly related to legitimacy or whether the relationship was mediated by evaluations of the justice of police actions. This question was addressed by examining the influence of personal experience on the perceived legitimacy of the police. To assess this reaction, respondents were asked to provide more detailed information about the recent experience that "stands out most clearly in [their] mind, or that affected [them] the most." It is that critical experience that is central to this analysis. Controls included background factors and the probability of experiencing a stop in the past year. Results are shown in Table 3.

Respondents reported lower police legitimacy when stops were assessed as being procedurally unfair, illegal, and leading to unfair outcomes. These findings suggest that the level of exposure to policing did not significantly predict legitimacy, once the fairness of treatment during the stop and police legality were introduced. Respondents saw the police as more legitimate when the police were viewed as having acted fairly and lawfully.

3. Police Practice and Police Legitimacy

The previous analysis suggested that respondents' recent *personal* experiences shaped their reactions to police authority, particularly the manner in which they experience the procedural fairness in the "critical" stop. It is similarly possible to consider how people's *general* judgments about the police behaviors that they observe in their neighborhood have shaped their views about police legitimacy. OLS regressions were again used to examine the influence of these general judgments on assessments of police legitimacy.

One reason for stratifying and oversampling by neighborhood was the fact that there are strong differences in policing by neighborhood and race, especially with respect to proactivity, including stop and frisk activity (Fagan et al. 2012; Geller & Fagan 2010; Fagan 2010, 2012). This broader spatial pattern suggests that exposure to policing—specifically, to police stops—varies by race. Accordingly, we disaggregated the third model in Table 4—

Table 3:   OLS Regressions of Personal Past Year Stop Experiences on Legitimacy (b, SE, *p*)

	Legitimacy	
	b (SE)	p
Past year street stops	0.004	ns
	(0.005)	
Past year car stops	−0.002	ns
	(0.009)	
Police intrusiveness	−0.147	ns
	(0.120)	
Police procedural fairness	0.205	0.000
	(0.036)	
Legal stop reason	0.024	ns
	(0.019)	
Fair outcome	−0.006	ns
	(0.025)	
Criminal justice history	−0.152	ns
	(0.802)	
Constant	1.921	0.001
	(0.537)	
N	570	
Adj. R^2	0.248	

NOTE: The perceived procedural justice of stops shapes their impact on police legitimacy.

estimating legitimacy—by race and examined separate regressions. Models were estimated both for the full sample and then for each race/ethnicity group.[5]

Table 4 shows that this set of general judgments about police behavior during street or car stops explains 41.4 percent of the variance in estimating perceived police legitimacy. Police legitimacy was found to be significantly higher among respondents who felt that the police used fair procedures that gave neighborhood views a chance to be heard to determine their policies and if the police acted fairly when they implemented them. In addition to procedural justice, the legality of police actions and police performance mattered.

The race-specific models in Table 4 show similar results, with minor differences between population groups. For African Americans, intrusive stops were associated with lower legitimacy, while procedurally just stops were associated with greater police legitimacy. Safety was important as well, with effective performance raising legitimacy. For Hispanics, safety, fairness, and legality were important. Whites reacted to procedural justice in forming and implementing policies, but not to police performance. Perhaps their views were shaped by the fact that they live in relatively safer areas and have less exposure to crime—through both personal experience and generalized observations—than other population groups in the city.

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[5]Other racial and ethnic groups were omitted due to small sample sizes. These primarily were East Asians and South Asians.

Table 4: OLS Regressions of Respondent Perceptions of Neighborhood Stop Actions on Perceived Legitimacy (b, SE, p)

	Total		African American		Hispanic		White	
	b (SE)	p	b (SE)	p	b (SE)	p	b (SE)	p
Frequency of police stops in neighborhood	0.043 (0.012)	0.001	0.059 (0.031)	ns	0.025 (0.016)	ns	0.056 (0.031)	ns
Intrusiveness of police stops in neighborhood	−0.060 (0.022)	0.008	−0.117 (0.040)	0.006	−0.019 (0.023)	ns	−0.052 (0.050)	ns
Police performance	0.149 (0.029)	0.000	0.190 (0.053)	0.001	0.145 (0.048)	0.005	0.079 (0.060)	ns
Perceived legality in stops	0.066 (0.010)	0.000	0.043 (0.026)	ns	0.052 (0.017)	0.004	0.094 (0.025)	0.001
Police policy reflects neighborhood views	0.032 0.005	0.000	0.015 (0.035)	ns	0.078 (0.026)	0.005	0.068 (0.031)	0.036
Procedural justice of police in stops	0.114 (0.015)	0.001	0.116 (0.027)	0.000	0.138 (0.026)	0.000	0.232 (0.052)	0.000
Constant	2.335 (0.974)	0.000	2.157 (0.197)	0.000	1.814 (0.197)	ns	1.958 (0.321)	0.000
N	1140		339		385		218	
Adj. R^2	.414		.394		.341		.538	

NOTE: Several judgments about police actions in the neighborhood shape views about police legitimacy. Those include whether the community plays a role in deciding about police policies; whether those policies are implemented fairly; whether the police are effective; and whether their actions are lawful. All models estimated with standard errors clustered by respondent neighborhood. Models control for respondent age, race/ethnicity, education level, public housing residency, and criminal justice history. Models also control for probability of respondent having past year stop.

Our estimate of the effects of police actions on perceived police legitimacy may be skewed by the unique context of stop and frisk tactics as practiced in New York for the past 20 years. Over this time, police have placed a premium both on the saturation of high-crime communities with stop and frisk activity (Bratton & Knobler 1998; Zimring 2011) and the aggressiveness of those stops (Maple & Mitchell 2000; Spitzer 1999; Kelling & Sousa 2001; Howell 2009). In a broader context, we would expect these stops to range from benign and nonintrusive to aggressive and physically rough, varying with the police regime (Brunson & Weitzer 2009). But in this regime, these stops may have leaned toward the nonpolite end of the continuum (Geller 2014). So the truncated style of policing is a potentially important limit on the substantive conclusion on style in the piece.

Still, there is sufficient variation within these data to estimate the effects of stop interaction quality at the extremes from very polite and respectful to harsh and demeaning. Figures 1 and 2 show the responsiveness of respondents' perceived legitimacy along a continuum of reports of police quality of treatment. We estimated Lowess smoothed graphs (Cleveland 1979) of perceived legitimacy both for general police treatment in the neighborhood (Figure 1) and for police treatment during respondents' personal contacts with the police (Figure 2). Both figures show sensitivity of legitimacy estimates to quality of police treatment across the range of both general and personal police treatment. Across the range of police treatment, perceived legitimacy increases as legitimacy scores

Figure 1: Legitimacy and fair treatment by police in neighborhood.
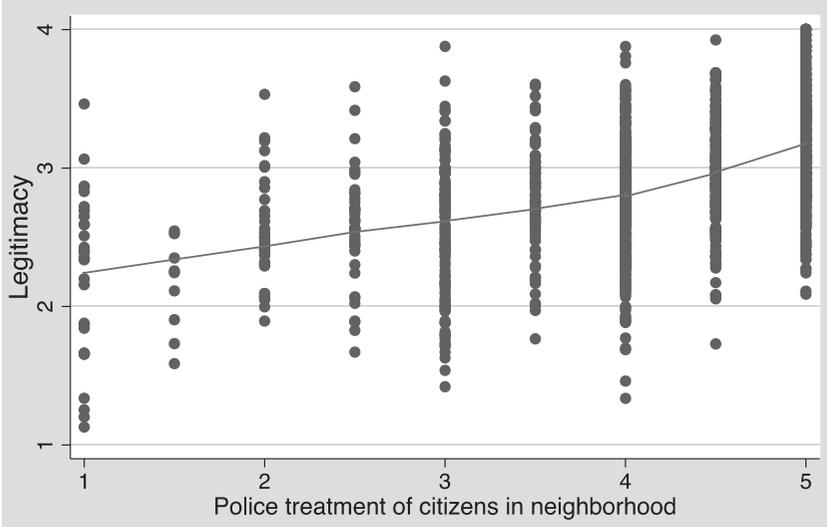
NOTE: There are positive effects of fair treatment by police on perceived legitimacy across the range of reported fair treatment by police in their general interactions with neighborhood residents.

Figure 2: Legitimacy and fair treatment by police in personal experience.
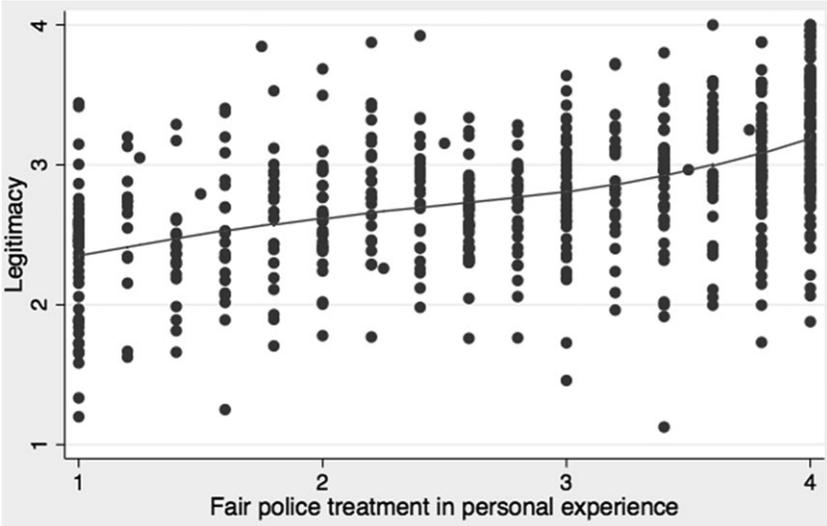
NOTE: There are positive effects of fair treatment by police on perceived legitimacy across the range of reported fair treatment during personal experiences with police.

Table 5:   OLS Regression of Stop Exposure on Personal and General Evaluations of Police Behavior (b, SE)

	Personal Experience		Neighborhood Experience	
	Legality of Stop	Procedural Justice During Stop	Legality of Stops	Procedural Justice During Stop
Past 12 Months				
Number of street stops	−0.033	−0.057**	−0.045***	−0.045***
	(0.025)	(0.019)	(0.013)	(0.126)
Number of car stops	0.014	−0.040**	−0.017	−0.029
	(0.013)	(0.016)	(0.028)	(0.153)
R^2	0.143	0.257	0.121	0.138
Lifetime Stops				
Number of street stops	−0.023**	−0.018**	−0.012	−0.011*
	(0.007)	(0.006)	(0.007)	(0.005)
Number of car stops	−0.118*	−0.012*	−0.014*	−0.013***
	(0.056)	(0.005)	(0.006)	(0.003)
R^2	0.167	0.233	0.119	0.158

NOTE: The more experiences that people have with the police the less likely they are to view police actions as lawful and procedurally just. All models estimated with controls for race/ethnicity, age, educational attainment, and criminal justice history. Models estimated with neighborhood fixed effects and standard errors clustered on neighborhood. Significance: ***$p < 0.001$, **$p < 0.01$, *$p < 0.05$.

rise from their minimum value (poor treatment) to their highest value. In this setting, then, while polite cops generate far greater perceived legitimacy, even incremental changes at the extremes of impolite treatment produce a positive response in perceived legitimacy. Even in a rough regime of proactive policing, the dose response of legitimacy to fair treatment is evident.

Given the influence of performance judgments on legitimacy, it is important to ask what people mean by effective performance. An examination of the underlying correlations indicated that the police were viewed as more effective when they were seen as engaging in fewer street and car stops ($r = −.0267$), and seen as less intrusive ($r = −0.424$). Perceived effectiveness was also linked to following the law ($r = 0.333$) and using fair procedures to determine ($r = 0.387$) and implement ($r = 0.457$) policing in the community. Of particular relevance to the current discussion, the perceived effectiveness of the police performance against crime was negatively related to the number and intrusiveness of police stops.

The important lesson in the race- and ethnicity-specific models in Table 4 was the universal importance of procedural justice both in policy implementation and in the manner in which stops take place. White and Hispanic respondents' perceptions of legitimacy were also tied to whether or not they believed that the police generally used appropriate and legal criterion when deciding to make stops. The intersection of both procedural fairness and legality, together with sensitivity to intrusive and harsh police stops, in perceptions of legitimacy suggests a detailed picture of an ecology of policing in a diverse city.

Table 5 tests for changes in responses to four types of views about police actions as a function of the respondents' prior exposure to policing in their lives and in their

neighborhoods. This analysis was separately conducted for neighborhood experiences in the past year and in the respondent's lifetime, both for personal experience and for general neighborhood experience with police stops. The analyses examined the influence of prior exposure on: (1) whether respondents viewed the "critical" stop they experienced as legal (i.e., did the police have a "good reason for the stop"), (2) whether they were treated unfairly in the "critical" stop in the past year (i.e., "treated unfairly"), (3) whether the police generally made stops legally ("police legality in stops"), and (4) whether stops were generally conducted in procedurally fair ways ("police procedural justice during stops").

For past year experiences, Table 5 suggests adverse effects of an increasing number of police stops on perceptions of fairness and legality, both in terms of views about personal experience and with general judgments about police behavior. The analysis considers four dimensions of experience with police as the dependent variable: whether there was a "good reason for the stop," the procedural fairness and interaction quality of police during the stop, whether the respondent felt that the police treated him fairly, and the respondents' judgments about the legality of the stop. *Legality* included questions about whether the stop was racially neutral and whether police followed the law in making the stop and theircomportment during the stop. *Fair treatment* included questions about fair treatment and treatment with dignity and respect. *Good reason* was a subjective appraisal of the adequacy of the police reasons for making stops generally in the respondent's neighborhood. *Police procedural justice* asks respondents to rate police conduct generally during stops with respect to fair and respectful policing.

For both generalized and personal experiences, the evaluation of police conduct showed negative effects with increasing stop experience. In each instance, respondents with more experience were more inclined to see each additional stop as unjustified, legally questionable, and characterized by unfair and poor treatment. Perceptions of the legality and appropriateness of police stops were increasingly negative with each additional stop reported. Perceptions of police procedural fairness also were increasingly negative with each marginal stop.

These negative views of police conduct suggest that once subjects have a personal benchmark or basis of comparison, future stops appear to be seen as increasingly unreasonable and antagonizing. In the context of the very low "hit rates" in these stops for arrests or summons (Fagan 2012; Gelman et al. 2007) and the nearly total failure to seize guns or other contraband (Fagan 2010, 2012; Geller & Fagan 2010), each marginal stop appears to increase the negative emotional freight of a stop with respect to how citizens experience the law.

These increasingly negative views are shown in Figures 3 and 4. The figures show the ratings of fairness and legality also shown in Table 5, but they examine the range ofrespondent experiences. As is clear from the figures, more experiences lead respondents to view the police more negatively.

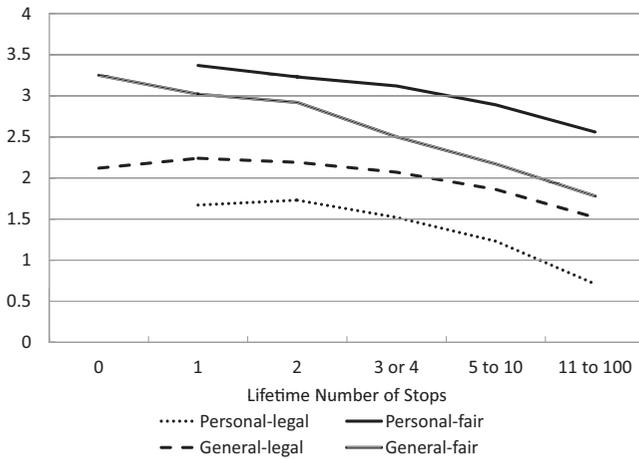## 4. Police Legitimacy and Law-Related Behavior

Does legitimacy shape personal law-related behaviors? The premise of this article is that police legitimacy matters because it shapes behavior. To test this argument, we estimated

Figure 3: Personal and generalized perceptions of police and frequency of stops in last year.
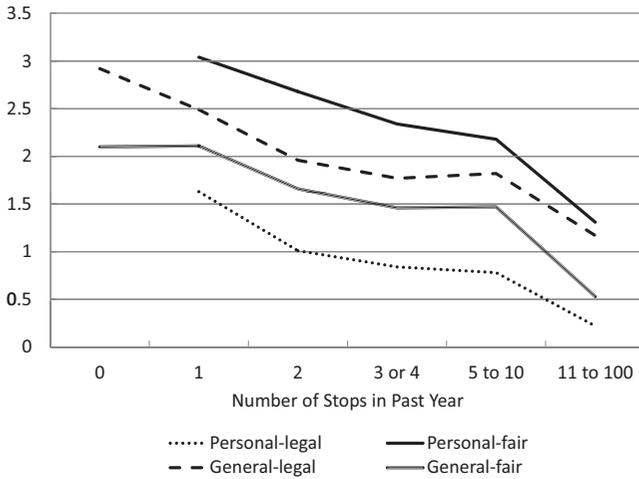
NOTE: Judgments about the fairness of police actions are more negative as persons see and experience more stops in their lifetime.

Figure 4: Personal and generalized perceptions of police and frequency of stops in lifetime.

NOTE: Judgments about stop legality and the fairness of police actions become more negative as the number of lifetime police stops increases.

Table 6:   OLS Regressions of Legitimacy of Police on Law Related Behaviors (b, SE, *p*)

	Criminal Activity (Logged)		Cooperate with Police		Serve on a Jury	
	b (SE)	p	*b (SE)*	p	*b (SE)*	p
Legitimacy of police	−0.031	0.041	0.576	0.000	0.478	0.000
	(0.015)		(0.051)		(0.072)	
Fear of crime in neighborhood	−0.003	ns	0.122	0.000	0.048	ns
	(0.006)		(0.026)		(0.041)	
Legality of police stops	−0.006	ns	0.002	ns	−0.068	0.020
	(0.004)		(0.021)		(0.028)	
Police performance in public safety	0.000	ns	0.079	0.030	−0.115	ns
	(0.009)		(0.030)		(0.074)	
Police intrusiveness in neighborhood stops	0.014	0.029	0.071	0.025	0.011	ns
	(0.006)		(0.030)		(0.045)	
Frequency of police stops in neighborhood	0.002	ns	−0.015	ns	−0.009	ns
	(0.003)		(0.022)		(0.040)	
Constant	0.300	0.001	−0.333	ns	0.227	ns
	(0.084)		(0.322)		(0.407)	
N	1,206		1,199		1,205	
Adj. R^2	.098		.331		.464	

NOTE: Police legitimacy influences law-related behaviors. All models estimated with standard errors clustered by respondent neighborhood. Models control for respondent age, race/ethnicity, education level, public housing residency, and criminal justice history. Models also control for number of personal stop experiences and prevalence of stops in neighborhood.

OLS regressions for three specific law-related behaviors: recent criminal activity;[6] cooperation with the police; and cooperation with the legal system. The latter was measured by respondents' willingness to serve on a jury if asked.

Of the three dependent variables it is recent criminal activity that is most problematic as a self-report measure (Piquero et al. 2002, 2014). However, there is substantial evidence that self-report is a good proxy for actual behavior (Thornberry & Krohn 2000). In addition, the analysis controls for long-term criminality by controlling for criminal justice history, which is included in the propensity score.

The predictors included legitimacy and factors related to the manner in which police conduct stops in the respondent's neighborhood, for example, frequency, intrusiveness, and legality. We also included a measure of police effectiveness in crime control as well as fearof crime, two robust predictors of police legitimacy from earlier analyses. Table 6 shows the results.

Perceived police legitimacy significantly predicted each of the three behaviors, supporting the premise of the project. Legitimacy of the police and frequency of stops, police intrusiveness in stops, police performance, and fear of crime were significant predictors of

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[6]Criminal activity was highly skewed: about one in five reported any criminal activity in the past year or lifetime. Accordingly, we used the natural log of the scale to estimate the models in a regression model. Respondents reporting no criminal activity were recoded to 0.01 to approximate zero criminal activity in the log scale. We also used a dichotomized variable (activity; no activity) and performed a logical regression.

criminal behavior. Similar conclusions regarding legitimacy emerge irrespective of whether the study uses a dichotomized measure of activity and a logistic regression analysis (results not shown)[7] or a regression analysis on the log of activity.

The univariate connection between legitimacy and criminal activity is striking. Among those low in legitimacy (below the mean), 30 percent engage in some form of criminal activity. Among those high in legitimacy, 15 percent engage in some form of criminal activity. Hence, low legitimacy doubles the risk of involvement in recent past year criminal activity.

In considering the connection of legitimacy to criminal behavior it is important to recognize that the causal direction is uncertain. Police may well be harsher with an individual whose criminal activity is known to them. More information about suspect demeanor and background would be helpful in sorting this out. Further, criminally involved individuals may be harsher in their judgments of the police. Nonetheless, it is striking that legitimacy and criminal behavior are connected and, as has been noted, the analysis controls for lifetime criminal history, providing a lower boundary on the effects of personal history on the legitimacy-criminality relationship.

The results for cooperation with police were also strong and confirm the core notion that legitimacy influences law-related behaviors. Legitimacy promotes cooperation, while the view that the police conduct was intrusive undermines it. Cooperation with the courts—in the form of jury service—again suggests the importance of perceived legitimacy of the police in law-related behaviors. In addition to legitimacy, police effectiveness was also a significant predictor of cooperation with the police, suggesting that respondents' behaviors were shaped by their perceptions of both legitimacy and effectiveness. The separate combination of effectiveness and legitimacy suggests that these may be distinct factors in the ways that police stops affect law-related behaviors.

IV. Conclusion

Discussions of street stops typically focus on two issues: the legality of police actions and the effectiveness of street stops in shaping the rate of violent or other crime. The purpose of this study is to raise and examine a third potentially important criterion for evaluating police interactions with young men on the street. Those interactions can potentially shape the views of these young men about the legitimacy of the police and, through those evaluations, influence a variety of behaviors important to the legal system.

By focusing on legality and performance, legal authorities define the law in a top-down hierarchical framework in which elite decisions define policies and practices and the goal is to secure public compliance via the threat of punishment and/or the promise of performance in service delivery of safety. This command and control model contrasts starkly with the concerns of earlier eras in which legal culture, and in particular the popular legitimacy of the police and courts, was central to discussions about the law and the policies and practices of the police and courts (Sarat 1977). Questions of legality engage lawyers and

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[7]Results available from authors.

effectiveness police professionals, leaving the public out of discussions about how law is practiced in their own communities. This analysis points to the costs of such an approach.

The results of this study suggest that legitimacy matters, and that legitimacy deficits are real in their consequences for public safety. They show that higher legitimacy is related to lower levels of criminal behavior and also demonstrate that cooperation with the police is greater when legitimacy is high. Hence, models of policing that are insensitive to issues of popular legitimacy are unsuccessful in their own terms (i.e., in terms of crime reduction). They are further unsuccessful in terms of the emerging goals of motivating public cooperation with the police and engagement in communities (Tyler & Jackson 2014). These findings suggest that while studies indicate that risk perceptions, performance evaluations, and legitimacy all motivate compliance, the goals of cooperation and engagement are more strongly linked to legitimacy.

Given the importance of perceptions of legitimacy in predicting law-related behavior, the factors predicting legitimacy are also important. This study suggests that several factors were relevant, including, notably, the behavior of the police. In the case of personal experience, police intrusions in the form of use of force/arrest had negative consequences for feelings, acceptance of police authority, and legitimacy. The degree of intrusion was linked to reactions, with more intrusion undermining legitimacy to a greater degree.

A second factor was performance. It is clear that police performance was important. For example, perceptions of general police competence in fighting crime shaped perceived legitimacy, as did judgments of the appropriateness of police conduct. In the case of personal experience, people were more accepting of street stops when they saw an appropriate legal reason for their stop. With general judgments about police behavior in the neighborhood, people cared whether the police generally used appropriate legal criterion when making stop decisions. In both cases, therefore, people cared about the appropriateness of police conduct.

People also put heavy weight on the fairness of police behavior, including the fairness of the outcome of encounters with the police and the fairness of the way the police exercise their authority. The justice of police actions (i.e., perceived procedural justice) was especially important. It was typically the most important observed element that respondents reacted to when they had a personal experience with the police. In particular, people focused on the quality of their interpersonal treatment. Justice judgments were central to reactions both to personal experiences and to general judgments about the behavior of the police. This suggests that it was not street stops per se, or even the intrusions that they make into people's lives, but whether people evaluate police actions as involving fair interpersonal treatment and appropriate justification.

A separate issue is whether fairness mattered to respondents after they had a stop history. The results suggest that being treated fairly remained central to the impact of police actions on views about police legitimacy. The nature of procedural justice in police stops mattered greatly, no matter how many prior stops a person had had. People became upset and formed more negative views if they felt that the police were treating them without "dignity and respect," not "respecting their rights," and not "trying to do what was right." This is true irrespective of the number of prior stops. To illustrate this we can look at the

correlation between legitimacy and whether a person was treated fairly among those people who have been stopped over 10 times. That correlation is $r = 0.42$, $p < 0.001$. In contrast, the same correlation for people being stopped the first time is $r = 0.40$, $p < 0.001$. In other words, whether the police are seen as acting fairly shapes the reactions to a pivotal experience both for those with little and for those with substantial prior experience with the police. However, we also showed that assessments of procedural justice during stops decline with increasing exposure and experience. Accordingly, procedural justice matters greatly, but is fragile and declines with high stop exposure. To the extent that legitimacy is an important outcome of police contact, legitimacy is quite sensitive to the manner in which these contacts unfold and the overall exposure of citizens to involuntary police stops and street detentions.

Put another way, the findings indicate that the more experiences respondents had with the police, the less likely they were to indicate that the police treated them fairly and that police actions were lawful. Although it is possible that people with more negative views about the police have more negative opinions about their treatment, controls were included for criminal justice history and demographic features. Hence, these findings suggest that people who have more contact with the police evaluate their later contacts as less fair and lawful, in turn leading to a corrosive influence of contact on the psychological judgments underlying legitimacy.

These findings bear directly on the question of whether the police can stop people as often as they want as long as those people feel that they are being treated fairly and respectfully (Epp 2013). In this study, being repeatedly stopped by the police on the street or in a car led people to experience their direct encounters with the police as both less fair and less lawful. There are several possible explanations for this result. The first is that people who experience multiple stops increasingly question the reasonableness of police actions. The other is that respondents' actions change and they act differently when dealing with the police on later occasions, provoking different behavior from the police.

And, the findings suggest that these results are hardly abstract: there are consequences of the effects of legitimacy for full participation of young persons in the co-production of security for all residents of their neighborhoods and of the city. Those who view the police as less legitimate are more likely to engage in criminal conduct and less willing to cooperate with the police and the courts.

The study's limitations suggest caution in interpreting the results. In particular, this was a cross-sectional analysis and all the questions were answered at one point in time based on retrospective reports of police contacts and interactions. Therefore, we fall short of the necessary conditions to identify causal effects (Sampson et al. 2013). This is particularly important in the case of recent criminal activity, where the hypothesized relationship would require legitimacy to influence, rather than being influenced by, criminal activity. To attempt to control for this reverse influence the analysis included respondents' broader criminal justice history as a factor in the equation. Despite the effort to introduce such relevant controls, the correlational nature of the relationships shown should be recognized and appropriate cautions should be made in understanding the findings. The study's strengths are important to note as well: its focus on the neighborhoods and persons most likely to experience involuntary police contact in a proactive policing regime.

REFERENCES

Alpert, G. P., J. M. MacDonald, & R. G. Dunham (2005) "Police Suspicion and Discretionary Decision Making During Citizen Stops," 43 *Criminology* 407.

Alschuler, A. W. (2002) "Racial Profiling and the Constitution," 2002 *Univ. of Chicago Legal Forum* 163.

Amar, A. R. (1998) "*Terry* and Fourth Amendment First Principles," 72 *St. John's Law Rev.* 1097.

Ayres, I., & J. Borowsky (2008) *A Study of Racially Disparate Outcomes in the Los Angeles Police Department.* ACLU of Southern California.

Bang, H., & J. M. Robins (2005) "Doubly Robust Estimation in Missing Data and Causal Inference Models," 61 *Biometrics* 962.

Banks, R. R. (2003) "Beyond Profiling: Race, Policing, and the Drug War," 56 *Stanford Law Rev.* 571.

Beckett, K., K. Nyrop, & L. Pfingst (2006) "Race, Drugs and Policing: Understanding Disparities in Drug Delivery Arrests," 44 *Criminology* 105.

Beckett, K., K. Nyrop, L. Pfingst, & M. Bowen (2005) "Drug Use, Drug Possession Arrests, and the Question of Race: Lessons from Seattle," 52 *Social Problems* 419.

Belvedere, K., J. L. Worrall, & G. T. Stephen (2005) "Explaining Suspect Resistance in Police-Citizen Encounters," 30 *Criminal Justice Rev.* 30.

Berk, R. (2003) *Regression Analysis: A Constructive Critique.* Newbury Park, CA: Sage Publications.

Berk, R., A. Li, & L. Hickman (2005) "Statistical Difficulties in Determining the Role of Race in Capital Cases: A Re-Analysis of Data from the State of Maryland," 21 *J. of Quantitative Criminology* 365.

Boydstun, J. E. (1975) *San Diego Field Interrogation: Final Report.* Washington, DC: Police Foundation.

Bradford, B. (2014) "Policing and Social Identity: Procedural Justice, Inclusion and Cooperation Between Police and Public," 24(1) *Policing & Society* 22.

Bradford, B., J. Jackson, & E. A. Stanco (2009) "Contact and Confidence: Revisiting the Impact of Public Encounters with the Police," 19(1) *Policing & Society* 20.

Brame, R., M. G. Turner, R. Paternoster, & S. D. Bushway (2012) "Cumulative Prevalence of Arrest from Ages 8 to 23 in a National Sample," 129 *Pediatrics* 21.

Bratton, W., & P. Knobler (1998) *Turnaround: How America's Top Cop Reversed the Crime Epidemic.* New York: Random House.

Brunson, R. K., & R. Weitzer (2009) "Police Relations with Black and White Youths in Different Urban Neighborhoods," 44 *Urban Affairs Rev.* 858.

—— (2011) "Negotiating Unwelcome Police Encounters: The Intergenerational Transmission of Conduct Norms," 40 *J. of Contemporary Ethnography* 425.

Carlis, A. (2009) "The Illegality of Vertical Patrols," 109 *Columbia Law Rev.* 2002.

Carr, P. J., L. Napolitano, & J. Keating (2007) "We Never Call the Cops and Here is Why: A Qualitative Examination of Legal Cynicism in Three Philadelphia Neighborhoods," 45 *Criminology* 445.

Cleveland, William S. (1979) "Robust Locally Weighted Regression and Smoothing Scatterplots," 74 *J. of the American Statistical Association* 829.

Collins, R. (2007) "Strolling While Poor: How Broken-Windows Policing Created a New Crime in Baltimore," 14 *Georgetown J. of Poverty Law & Policy* 419.

Delgado, R. (2008) "Law Enforcement in Subordinated Communities: Innovation and Response," 106 *Michigan Law Rev.* 1193.

Eith, C., & M. R. DuRose (2011) *Contacts Between Police and the Public, 2008* (NCJ 234599). Washington, DC: U.S. Department of Justice, Bureau of Justice Statistics.

Epp, C., S. Maynard-Moody, & D. P. Haider-Markel (2013) *Pulled Over: How Police Stops Define Race and Citizenship.* Chicago, IL: Univ. of Chicago Press.

Fagan, J. (2010) "Report to the Court in *David Floyd et al. v. The City of New York*, October 15, 2010," U.S. District Court, Southern District of New York, Civ 08-1034 (2008).

—— (2012) "Second Supplemental Report to the Court in *David Floyd et al. v. The City of New York*, November 29, 2012," U.S. District Court, Southern District of New York, Civ 08-1034 (2008).

—— (2013) "Testimony in *David Floyd et al. v. The City of New York*, April 4, 2010," U.S. District Court, Southern District of New York, Civ 08-1034 (2008).

Fagan, J., Davies, & A. Carlis (2012) "Race and Selective Enforcement in Public Housing," 6 *J. Empirical Legal Studies* 697.

Fagan, J., & Geller, A. (forthcoming) "Following the Script: Narratives of Suspicion in Terry Stops in Street Policing," *Univ. of Chicago Law Rev.*

Fagan, J., A. Geller, G. Davies, & V. West (2010) "Street Stops and Broken Windows Revisited," in S. K. Rice & M. D. White, eds., *Race, Ethnicity and Policing*. New York: NYU Press.

Fagan, J., & J. MacDonald (2013) "Policing, Crime, and Legitimacy in New York and Los Angeles: The Social and Political Contexts of Two Historic Crime Declines," in D. Halle & A. Beveridge, eds., *New York and Los Angeles: The Uncertain Future*, pp. 243–99. Oxford: Oxford Univ. Press.

Fagan, J., & A. Piquero (2007) "Rational Choice and Developmental Influences on Recidivism Among Adolescent Felony Offenders," 4 *J. of Empirical Legal Studies* 715.

Fagan, J., & T. R. Tyler (2005) "Legal Socialization of Children and Adolescents," 18(3) *Social Justice Research* 217.

Fratello, J., A. Reigifo, & J. Trone (2013) *Coming of Age with Stop and Frisk: Experiences, Self-Perceptions, and Public Safety Implications*. New York: Vera Institute.

Friedman, L. (1975) *The Legal System: A Social Science Perspective*. New York: Russell Sage Foundation.

Gau, J. M., & R. K. Brunson (2009) "Procedural Justice and Order Maintenance Policing: A Study of Inner-City Young Men's Perceptions of Police Legitimacy," 1 *Justice Q.* 1.

—— (2010) "Procedural Justice and Order Maintenance Policing," 27 *Justice Q.* 255.

Geller, A. (2013) "Policing America's Children: Policy, Practice, and Juvenile Justice," grant application to the William T. Grant Foundation. New York: Columbia Univ., Mailman School of Public Health.

—— (2014) "The Process is Still the Punishment: Front-End Punishment in Criminal Case Processing," *NYU Population Center Working Paper* (available from authors).

Geller, A., & J. Fagan (2010) "Pot as Pretext: Marijuana, Race, and the New Disorder in New York City Street Policing," 7 *J. of Empirical Legal Studies* 591.

Geller, A., Fagan, J., Tyler, T. R. & Link, B. (in press) "Aggressive Policing and the Mental Health of Young Urban Men," *American Journal of Public Health*.

Gelman, A., J. Fagan, & A. Kiss (2007) "An Analysis of the New York City Police Department's "Stop-and-Frisk" Policy in the Context of Claims of Racial Bias," 102 *J. of the American Statistical Association* 813.

Gould, J. B., & S. D. Mastrofski (2004) "Suspect Searches: Assessing Police Behavior," 3 *Criminology & Public Policy* 315.

Greene, J. A. (1999) "Zero Tolerance: A Case Study of Police Policies and Practices in New York City," 45 *Crime & Delinquency* 171.

Hagan, J., C. Shedd, & M. Payne (2005) "Race, Ethnicity, and Youth Perceptions of Criminal Injustice," 70 *American Sociological Rev.* 381.

Harcourt, B. E., & T. L. Meares (2011) "Randomization and the Fourth Amendment," 78 *Univ. of Chicago Law Rev.* 809.

Harmon, Rachel A. (2009) "Promoting Civil Rights Through Proactive Policing Reform," 62 *Stanford Law Rev.* 1.

Hindelang, M. J., T. Hirschi, & J. G. Weis (1981) *Measuring Delinquency*. Washington, DC: Center for Studies of Crime & Delinquency, NIMH.

Hinds, L. (2009) "Youth, Police Legitimacy and Informal Contact," 10 *J. of Police & Criminal Psychology* 10.

Howell, B. K. (2009) "Broken Lives from Broken Windows: The Hidden Costs of Aggressive Order-Maintenance Policing," 33 *New York Univ. Rev. of Law & Social Change* 271.

Huq, A., T. R. Tyler, & S. Schulhofer (2011) "Mechanisms for Eliciting Cooperation in Counter-Terrorism Policing: Evidence from the United Kingdom," 8 *J. of Empirical legal Studies* 728.

Indurkhya, A., N. Mitra, & D. Schrag (2006) "Using Propensity Scores to Estimate the Cost-Effectiveness of Medical Therapies," 25 *Statistics in Medicine* 1561.

Jackson, J., B. Bradford, M. Hough, A. Myhill, P. Quinton, & T. R. Tyler (2012a) "Why Do People Comply with the Law?: Legitimacy and the Influence of Legal Institutions," 52 *British J. of Criminology* 1051.

Jackson, J., B. Bradford, B. Stanko, & K. Hohl (2012b) *Just Authority?: Trust in the Police in England and Wales.* London: Routledge.

Jackson, J., H. Huq, B. Bradford, & T. R. Tyler (2013) "Monopolizing Force?: Police Legitimacy and Public Attitudes Toward the Acceptability of Violence," 19(4) *Psychology, Public Policy & Law* 479.

Kelling, George L., & William H. Sousa (2001) *Do Police Matter? An Analysis of the Impact of New York City's Police Reforms.* New York: Center for Civic Innovation, Manhattan Institute.

Kelman, H. C., & V. L. Hamilton (1995) *Crimes of Obedience.* Yale.

Kirk, D. S., & A. V. Papachristos (2011) "Cultural Mechanisms and the Persistence of Neighborhood Violence," 116 *American Sociological Rev.* 1190.

Knowles, J., N. Persico, & P. Todd (2001) "Racial Bias in Motor Vehicle Searches," 109 *J. of Political Economy* 203.

Kubrin, C. E., S. F. Messner, G. Deane, K. McGeever, & T. D. Stucky (2010) "Proactive Policing and Robbery Rates Across U.S. Cities," 48(1) *Criminology* 57.

Kupchik, A. (2010) *Homeroom Security: School Discipline in an Age of Fear.* New York: NYU Press.

Langton, L., & M. Durose (2013) Police Behavior During Traffic and Street Stops, 2011 *(NCJ 242937).* Washington, DC: Bureau of Justice Statistics, U.S. Department of Justice.

Lauritsen, J. L. (1998) "The Age-Crime Debate: Assessing the Limits of Longitudinal Self-Report Data," 77 *Social Forces* 127.

Lyons, W. (2002) "Partnerships, Information and Public Safety," 25 *Policing: International J. of Police Strategy & Management* 530.

Manbeck, John, & Kenneth Jackson (1998) *The Neighborhoods of Brooklyn.* Yale Univ. Press.

Maple, Jack, & Chris Mitchell (2000) *The Crime Fighter: How You Can Put the Bad Guys Out of Business and Make Your Community Safe.* New York: Broadway Books.

Meares, T. L. (in press a) "The Law and Social Science of Stop and Frisk," *Annual Rev. of Law and Social Science.*

—— (in press b) "Programming Errors: Understanding the Constitutionality of Stop and Frisk as a Program, Not an Incident," *Univ. of Chicago Law Rev.*

Meares, T. L., T. R. Tyler, & J. Gardener (in press) "The Two Different Worlds We Live In: Lawfulness and Perceived Police Misconduct," *J. of Criminal Law & Criminology.*

Merelman, R. J. (1966) "Learning and Legitimacy," 60 *American Political Science Rev.* 548.

Papachristos, A. V., T. L. Meares, & J. Fagan (2012) "Why Do Criminals Obey the Law–The Influence of Legitimacy and Social Networks on Active Gun Offenders," 102 *J. of Criminal Law & Criminology* 397.

Peppers, J., & C. Petrie (2003) *Measurement Problems in Criminal Justice Research.* Washington, DC: National Academy of Science.

Persico, Nicola (2009) "Racial Profiling? Detecting Bias Using Statistical Evidence," *Annual Rev. of Economics* 229.

Piquero, A. R., R. Macintosh, & M. Hickman (2002) "The Validity of a Self-Reported Delinquency Scale: Comparisons Across Gender, Age, Race, and Place of Residence," 30(4) *Sociological Methods & Research* 492.

Piquero, A. R., C. A. Schubert, & R. Brame (2014) "Comparing Official and Self-Report Records of Offending Across Gender and Race/Ethnicity in a Longitudinal Study of Serious Youthful Offenders," 51 *J. of Research in Crime & Delinquency* 525.

Powell, M. (2012) "A Summer of Easy Guns and Dead Children," September 3 *New York Times.*

Richardson, L. Song (2010) "Arrest Efficiency and the Fourth Amendment," 95 *Minnesota Law Rev.* 2035.

Rios, Victor (2011) *Punished: Policing the Lives of Black and Latino Boys.* New York: NYU Press.

Rosenbaum, D. P., A. M. Schuck, S. K. Costello, D. F. Hawkins, & M. K. Ring (2005) "Attitudes Toward the Police: The Effects of Direct and Vicarious Experience," 8 *Police Q.* 343.

Rosenbaum, P. R., & D. R. Rubin (1983) "The Central Role of Propensity Scores in Observational Studies of Causal Effects," 70 *Biometrika* 41.

Ruderman, W. (2012a) "Rude or Polite, City's Officers Leave Raw Feelings in Stops," June 26 *New York Times*.

—— (2012b) "For Women in Street Stops, Deeper Humiliation," August 6 *New York Times*.

Sampson, R. J., & D. J. Bartusch (1998) "Legal Cynicism and (Subcultural?) Tolerance of Deviance," 32 *Law & Society Rev.* 777.

Sampson, R. J., C. Winship, & C. Knight (2013) "Translating Causal Claims," 12(4) *Criminology & Public Policy* 587.

Sarat, A. (1977) "Studying American Legal Culture: An Assessment of Survey Evidence," 11 *Law & Society Rev.* 427.

Schulhofer, S., T. R. Tyler, & A. Huq (2011) "American Policing at a Crossroads: Unsustainable Policies and the Procedural Justice Alternative," 101(2) *J. of Criminal Law & Criminology* 335.

Shedd, C. (2012) "What About the Other 99%?," in *Key Issues in the Police Use of Pedestrian Stops and Searches*. Washington, DC: Urban Institute.

Skogan, Wesley, and Kathleen Frydl, eds. (2004) *Fairness and Effectiveness in Policing: The Evidence*. Washington, DC: National Academies Press.

Skogan, W. G., S. M. Hartnett, N. Bump, & J. Dubois (2008) *Evaluation of CeaseFire-Chicago*. Final Report, Grant 2005-MU-MU-0033, U.S. Department of Justice, Office of Justice Programs.

Spitzer, Eliot (1999) *The New York City Police Department's Stop & Frisk Practices: A Report to the People of the State of New York from the Office of the Attorney General*. Albany, NY: Office of the Attorney General.

Stoudt, B., M. Fine, & M. Fox (2011/12) "Growing Up Policed in the Age of Aggressive Policing Policies," 56 *New York Law School Law Rev.* 1331.

Stuntz, W. J. (2011) *The Collapse of American Criminal Justice*. Cambridge, MA: Harvard Univ. Press.

Sunshine, J., & T. R. Tyler (2003) "The Role of Procedural Justice and Legitimacy in Shaping Public Support for Policing," 37(3) *Law & Society Rev.* 555.

Tapp, J. L., & F. J. Levine (1977) *Law, Justice and the Individual in Society*. New York: Harcourt.

Thompson, Anthony C. (1999) "Stopping the Usual Suspects: Race and the Fourth Amendment," 74 *NYUL Rev.* 956.

Thornberry, T. P., & M. D. Krohn (2000) "The Self-Report Method for Measuring Delinquency and Crime," In D. Duffee, R. D. Crutchfield, S. Mastrofski, L. Mazerolle, D. McDowall, & B. Ostrom, eds., *CJ 2000: Innovations in Measurement and Analysis*, Vol 4, pp. 33–83. Washington, DC: National Institute of Justice.

Toobin, J. (2013) "Rights and Wrongs: A Judge Takes on Stop and Frisk," May 27 *New Yorker*. Available at: <http://www.newyorker.com/magazine/2013/05/27/rights-and-wrongs-2>.

Tyler, T. R. (2006a) *Why People Obey the Law: Procedural Justice, Legitimacy, and Compliance*. Princeton, NJ: Princeton Univ. Press.

—— (2006b) "Legitimacy and Legitimation," 57 *Annual Rev. of Psychology* 375.

—— (2009) "Legitimacy and Criminal Justice: The Benefits of Self-Regulation," 7 *Ohio State J. of Criminal Law* 307.

—— (2011) "Trust and Legitimacy in the USA and Europe," 8 *European J. of Criminology* 254.

Tyler, T. R., & J. Fagan (2008) "Why Do People Cooperate with the Police?" 6 *Ohio State J. of Criminal Law* 231.

Tyler, T. R., & Y. J. Huo (2002) *Trust in the Law: Encouraging Public Cooperation with the Police and Courts*. New York: Russell-Sage Foundation.

Tyler, T. R., & J. Jackson (2014) "Popular Legitimacy and the Exercise of Legal Authority: Motivating Compliance, Cooperation and Engagement," 20 *Psychology, Public Policy & Law* 78.

Tyler, T. R., S. Schulhofer, & A. Huq (2010) "Legitimacy and Deterrence Effects in Counter-Terrorism Policing: A Study of Muslim Americans," 44 *Law & Society Rev.* 365.

Tyler, T. R., & C. Wakslak (2004) "Profiling and the Legitimacy of the Police: Procedural Justice, Attributions of Motive, and the Acceptance of Social Authority," 42 *Criminology* 13.

Weber, M. (1968) *Economy and Society*, G. Roth & C. Wittich, eds. Berkeley, CA: Univ. of California Press.

Weitzer, R., & S. A. Tuch (2006) *Race and Policing in America*. Cambridge: Cambridge Univ. Press.

Zimring, F. E. (2011) *The City that Became Safe: New York's Lessons for Urban Crime and its Control*. New York: Oxford Univ. Press.

Cases Cited

Bailey v. City of Philadelphia, Settlement Agreement, Class Certification and Consent Decree. C.A. Civ 10-5952, U.S. District Court for the Eastern District of Pennsylvania (2011)

City of Indianapolis v. Edmond, 531 U.S. 32 (2000)

Davis v. City of N.Y., U.S. District Court, Southern District of New York, 10 Civ. 0699 (SAS) (2010)

Floyd v. City of N.Y., U.S. District Court, Southern District of New York, 08 Civ. 1034 (SAS) (2008)

Illinois v. Wardlow, 528 U.S. 119 (2000)

Ligon v. City of N.Y., U.S. District Court, Southern District of New York,12 Civ. 2274 (SAS) (2012)

Michigan Dep't of State Police v. Sitz, 496 U.S. 444 (1990)

People v. DeBour, 40 NY2d 210 (1976)

Terry v. Ohio, 368 U.S. 1 (1968)

Whren v. United States, 517 U.S. 806 (1996)

Appendix 1:   Variables and Measures

Legitimacy

A 35-item scale was created with 13 positive and 12 negative items, each with a four-point "agree strongly" to "disagree strongly" format (alpha = 0.86). The positive items were: "Overall, the police are honest"; "People's basic rights are well protected by the police"; "The police usually make decisions that are good for everyone in the community"; "The police treat everyone equally regardless of their race"; "I am proud of the work the police do in my neighborhood"; "I feel that people should support the police"; "People should accept the decisions made by the police"; "If the police tell you to do something, you should do it"; "It is your duty to accept the decisions made by the police even when you disagree with them"; "It is your duty to do what the police tell you to do, even if you do not understand or agree with their reasons"; "It is your duty to do what the police tell you to do, even if you do not like the way they treat you"; "The police usually act in ways that are consistent with your sense of right and wrong"; and "You generally agree with the values the police defend." The negative items were: "Laws are meant to be broken"; "It is ok to do anything you want"; "There are no right or wrong ways to make money"; "It is alright to break a law if you think the law is wrong"; "Sometimes you have to bend the law to get things to come out right"; "There are times when it is ok to ignore what the police tell you to do"; "The law represents the values of the people in power, rather than the values of people like me"; "People in power use the law to try to control people like me"; "The law does not protect my interests"; "It is alright to get around the law as long as you don't actually break it"; "It is hard to blame someone for breaking the law if they can get away with it"; and "People do not need to obey a law if they had nothing to do with making that law."

Recent Criminal Activity

Respondents were asked to indicate: "Over the last 12 months how often have you" (frequently, sometimes, seldom, almost never or never) been: "injured someone in a fight" (85 percent said

never); "taken money or goods from someone by force or threat of force" (96 percent said never); "carried a weapon such as a gun or knife" (91 percent said never); "stolen something worth over $50" (98 percent said never); and "sold marijuana or other drugs" (96 percent said never). Because the scale was skewed toward noncriminal activity, it was transformed in two ways. First, an overall scale was constructed with three levels: no criminal behavior (77 percent; $n = 975$); low levels (11 percent; $n = 144$); and high levels (11 percent; $n = 142$). Second, an alternate scale was created using the log of the criminal behavior scale.

Cooperation

Help the Police

Respondents were asked three questions, with responses scaled "very likely" (1) to "very unlikely" (4). The questions were: "If you knew of someone from your neighborhood who had broken a law and was wanted how likely would you be to report them to the police" (27 percent said very likely); "If you witnessed a crime or knew about a crime that took place how likely would you be to report it to the police" (46 percent said very likely); and "If you witnessed a crime or knew about a crime that took place how likely would you be to provide information or help the police in an investigation of the crime" (43 percent said very likely). These three items were combined into a single scale using the mean scale scores (Alpha = 0.78).

Help the Legal System

Respondents were asked: "If called, how willing would you be to serve on a jury" (26 percent said very willing; 43 percent said somewhat willing; 17 percent said somewhat unwilling; and 13 percent said very unwilling). These three items also were combined into a single scale using the mean scale scores (Alpha = 0.79).

Generalized Neighborhood Experience with Police

Frequency of Stops

"Stop people in the street and ask them questions or search them?" and "Stop people in cars to ask them questions or search them?"

Degree of Intrusion

The intrusiveness of police stops was assessed along several dimensions. The questions asked about general police behavior rather than personal experience with police, which was asked separately. For the generalized assessment, subjects were asked how often the police in their neighborhood: "Physically search people"; "Use harsh or insulting language"; "Threaten to use physical force"; "Take out a weapon, such as a gun, a club or a taser"; "Treat people disrespectfully"; and "Bully or intimidate people." A factor analysis indicated that these judgments all loaded into a single factor so they were averaged into a single score.

Experiential and Performance-Based Evaluations of the Police

Police Performance

Respondents were asked four questions, two about crime control and two about service delivery. The items used a "very successful" (1) to "not successful at all" (4) format. The items were: How successful are the police at "preventing crime in your neighborhood"; "catching the people who commit crimes"; "solving people's problems when they call the police for help"; and "responding in a timely way to calls for help" (Alpha = 0.75).

Police Use Legal Reasons for Deciding Whether to Stop People

Two items were used, each with a response scale ranging from "frequently" (1) to "never" (5). The items were: "How often do the police" "stop people without a good reason" and "stop people based on their race" (Alpha = 0.68).

Police Procedural Justice During Policy Implementation

Four items were used, with a response scale ranging from "frequently" (1) to "never" (5). The items were: "How often do the police" "use fair procedures when making decisions about what to do"; "make decisions that are consistent with the law"; "treat people fairly"; and "treat people with courtesy and respect" (Alpha = 0.70).

Police Procedural Justice During Policy Creation

Respondents were asked: "How much do police consider your views and the views of people like yourself when deciding how the police should handle crime in your neighborhood" (16 percent said a great deal; 42 percent said somewhat; 21 percent said a little; and 20 percent said not much at all).

Personal Experience During the Stop

Affect

Respondents were asked about their feelings at the time of the experience using four items ("strongly agree" (1) to "strongly disagree" (4)). They were asked: "Did you feel": satisfied; safe; scared (reverse scored); and/or angry (reverse scored) (Alpha = 0.73).

Decision Acceptance

Respondents were asked: "How willing they were to accept the decision made by the police" ("very willing" (33 percent); somewhat willing (43 percent); somewhat unwilling (12 percent); and "very unwilling" (13 percent)) and "How much they considered going to others to complain" (a great deal (19 percent); somewhat (12 percent); a little (15 percent); and "not much at all" (54 percent)). The second item was reversed and a scale constructed (Alpha = 0.52).

Legal Reason for Your Stop

Respondents were asked to strongly agree (23 percent); somewhat agree (35 percent); somewhat disagree (11 percent); or strongly disagree (31 percent) that "[t]he police had a legitimate reason to stop you."

Outcome Fairness

Respondents were asked two questions and responded on a scale ranging from "strongly agree" (1) to "strongly disagree" (4). The questions were: "You received a fair outcome" and "You received the outcome you deserved according to the law" (Alpha = 0.83).

Quality of Decision Making

Respondents were asked five questions and responded on a scale ranging from "strongly agree" (1) to "strongly disagree" (4). The questions were: "The police used fair procedures when making decisions about what to do"; "The police let you tell your side of the story"; "The police explained why they stopped you in a way that was clear to you"; "The police got the facts they needed to make good decisions"; and "The police made their decisions in a neutral and unbiased way" (Alpha = 0.85).

Quality of Treatment

Respondents were asked five questions and responded on a scale ranging from "strongly agree" (1) to "strongly disagree" (4). The questions were: "The police treated you fairly"; "The police gave consideration to your views when deciding what to do"; "The police tried to do what was fair"; "The police treated you with dignity and courtesy"; and "The police respected your rights" (Alpha = 0.88).

Degree of Police Intrusion

Questions about police behavior were: Did the police: "ask your name" and/or "ask for some form of identification"; search/use force "frisk or pat you down"; "search your bags"; "threaten to use physical force"; "actually use physical force"; "handcuff you"; "take out a weapon, such as a gun, a club or a taser"; and/or "threaten to use a weapon"; and (3) arrest "take you to the police station"; and/or "arrest you."

Appendix 2:   Selection Models for Past Year Stops and Lifetime Stops

Table B1:   Logistic Regression for Lifetime and Past Year Stops ($N = 1,261$) (b, SE, p)

	Lifetime			Past Year		
	b	SE	p	b	SE	p
African American	0.397	0.291	ns	0.440	.235	ns
Hispanic	0.105	0.316	ns	0.221	.198	ns
Other race	0.161	0.293	ns	−0.017	.267	ns
Age	−0.021	0.040	ns	−0.025	.023	ns
Education level	0.106	0.049	0.030	0.092	.042	0.028
Public housing resident	−0.387	0.291	ns	0.198	.229	ns
Criminal justice history	5.108	0.835	0.000	2.611	.329	0.000
Constant	0.952	0.784	ns	−0.711	.494	ns
Log likelihood	−563.5			−792.7		
Pseudo R^2	0.086			0.063		