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Trust in Police Motivations During Involuntary Encounters: 
An Examination of Minority Youth Gang Members

BY

Madeleine Novich, Ph.D.
Rutgers University
School of Criminal Justice
123 Washington Street
Newark, NJ 07102

And

Geoffrey Hunt, Ph.D.
Centre for Alcohol and Drug Research
Aarhus University
Denmark
http://crf.au.dk/en/
&
Senior Scientist
Institute for Scientific Analysis
1150 Ballena Blve. #211
Alameda
CA. 94501
Tel: 510 865 6225
http://scientificanalysis.org
ABSTRACT

Problems related to distrust of police, including aggressive and prejudicial police behavior, continue to raise concerns. Using a procedural justice model, the present study examines perceptions of trust or the lack thereof among a sub-population of young disadvantaged minority youth that routinely come in contact with the police: drug-dealing gang members. In this paper, we examine 253 qualitative in-depth interviews comprised primarily of African American and Latino male and female drug-involved gang members, utilizing a comparative analysis, to examine how participants discuss interactions with law enforcement and describe situations where they trust the police or situations where they do not. The findings suggest that the context in which they were stopped operates as a primary differentiating component that shapes their perceptions of trust in the motivations behind police engagement. When stopped by the police for “justifiable” reasons, the participants expressed a trust in the motivations that necessitated the encounter. However, when stopped for reasons, which appeared as unreasonable, our participants voiced a strong sense of distrust in the motivations of the police. These findings suggest that procedural justice scholars should consider the extent to which the type or context of the encounter with the police plays an important role in influencing feelings of trust.
INTRODUCTION

On the street, police behavior is highly discretionary and law enforcement exercise their authority by initiating stops, making arrests, and using force when deemed necessary (Skogan and Frydl, 2004). The level of autonomy granted to police raises concerns about trust of police with regard to impartiality, appropriate behavior, and lawfulness (Goldsmith, 2005). Given the importance of civic engagement in fighting crime, efforts to improve police-citizen relations have focused on improving public trust and confidence in police, as this promotes increased citizen participation (Jackson and Bradford, 2010). Despite these efforts, problems related to distrust of police including aggressive and prejudicial police behavior continue to raise concerns (Durán, 2013; Fratello, Rengifo, and Trone, 2013; Rios, 2011). As a result, there is a growing body of research on procedural justice and legitimacy as it relates to trust in police (Gau and Brunson, 2010; Goldsmith, 2005; Tyler, 1990; Tyler & Wakslak, 2004). Indeed, procedurally just policing—which emphasizes the importance of establishing trust—has been viewed as an important stepping-stone to improving community relations and enhancing police legitimacy, including the degree to which the police earn compliance from citizens (Tyler, 1990; Tyler and Huo, 2002; Tyler and Wakslak, 2004; Sunshine and Tyler, 2003).

While a majority of procedural justice literature examines all four of the theory’s pillars (trust, respect, participation, and fairness) together, there are benefits to exploring, in-depth, the nuances of each one of these components. This is especially so with regards to trust, as perceptions of trust are critical to establishing police legitimacy, enhancing
police effectiveness, and is also connected to the officers’ ability to provide basic citizen protection (Goldsmith, 2005). However, feelings of trust are fragile as they are constantly assessed, established, reestablished, and/or lost during social interactions with officers (Goldsmith, 2005). Police hold a position of power in society yet that power may not be equally distributed and some populations may feel alienated from officer support (Carr, Napolitano, and Keating, 2007; Gau and Brunson, 2015; Hahn, 1971; Kirk and Papachristos, 2011) or may feel that they are disproportionately the focus of police suspicion and disrespect (Brunson, 2007; Durán, 2013, Rios, 2011).

In such cases, these populations may possess greater levels of distrust compared with others (Brunson, 2007; Durán, 2013; Hahn, 1971; Tyler & Wakslak, 2004). Indeed there is a notable deficit in trust of the police, especially among African American and Latino populations, who reside in areas in which there are strong indicators of social disorganization and socio-demographic inequality (Brunson, 2007; Fratello et. al., 2013, Hahn, 1971; Reisig, McClusky, Mastrofiski and Terrill, 2004) as these communities may experience racial profiling (Durán, 2013; Spitzer, 1999; Tyler and Wakslak, 2004; Weitzer, 2000). Of particular salience, groups routinely focused on by police, such as criminally involved, African American and Latino youth gang members (Egley, 2000; Katz and Webb, 2006), may be especially susceptible to negative interactions with police (Durán, 2013; Gau and Brunson, 2010, 2015; Novich and Hunt, 2016). As such, they may be much more likely to express distrust of law enforcement (Brunson, 2007; Durán, 2013). Such feelings of distrust may be particularly detrimental among gang members as it may lead to widespread negative attitudes towards officers among their social networks thereby contributing to an absence of any sense of police legitimacy (Durán, 2008).
Alternatively, trust in police may positively impact perceptions of police and mitigate potential non-cooperation during face-to-face encounters, avoiding situations where officers may resort to using force (Chevigny, 1995). Given there is limited evidence determining the “best” strategy to engage with gangs (Fritsch, Caeti, and Taylor, 1999), understanding gang involved youths’ orientations towards police should be of considerable interest. Officers could then have a more comprehensive understanding of how their behavior is interpreted and what actions may build, maintain, or damage perceptions of trust among a group that comes in relatively frequent contact with law enforcement. While there is much benefit to examining perceptions of trust using a procedural justice framework among African American and Latino gang involved youths, there remains limited research on the topic. In response to this gap, the present study examines 253 qualitative in-depth interviews with predominantly African American and Latino male and female drug-involved gang members and employs a comparative analysis to examine how study participants describe moments of confidence in law enforcement and describe face-to-face encounters where either they trust the police or those situations where they do not.

LITERATURE REVIEW

PROCEDURAL JUSTICE AND LEGITIMACY

Procedural Justice research suggests that citizens comply with legal authorities when they are perceived as legitimate actors of the state (Hinds and Murphy, 2007; Murphy and Cherney, 2012; Murphy, 2009; Sunshine and Tyler, 2003; Tyler, 1990). Legitimacy is defined as “a property of an authority that leads people to feel that the authority or institution is entitled to be deferred to and obeyed” (Sunshine and Tyler,
Notions of legitimacy are best secured among the public when compliance is derived from an internal obligation to follow the law – even when such behavior goes against self-interests (Tyler, 1990; Tyler and Huo, 2002). Tyler (1990) argued that legal authorities establish legitimacy when said actors are perceived as behaving in a procedurally just manner (see also Tyler and Huo, 2002). This typically stems from a symmetrical and mutually beneficial relationship between citizens and police, whereby police encourage support by promoting citizen participation and by acting in a procedurally just manner via impartial decision-making, exhibited through nondiscriminatory and respectful interpersonal treatment (Tyler, 1990; Tyler and Huo, 2002). Citizens typically measure procedurally just behavior during involuntary encounters with officers by assessing the presence or absence of four process-based criteria: voice or participation during the involuntary encounter, perceived fairness of police treatment, respectful interpersonal treatment and trust in police motivations (Murphy, Mazerolle, and Bennett, 2014; Tyler, 1990).

Overall, a large body of research has demonstrated a direct link between procedural justice and perceived legitimacy across an array of settings and populations, including law-abiding citizens (Hinds and Murphy, 2007; Mazerolle, Bennett, Davis, Sargeant, and Manning, 2013; Murphy, 2009; Patek, Brame, and Bachman, 1997; Tyler, 2006; Tyler and Fagan, 2008; Tyler and Wakslak, 2004; Tyler and Sunshine, 2003), victims (Elliott, Thomas, and Ogloff, 2012) and criminals (Papachristos, Meares and Fagan, 2012). Moreover, evidence suggests that certain policing practices, like maintenance order policing and stop, question and frisk policies, can undermine police legitimacy (Gau and Brunson, 2009) and contribute to feelings of distrust of police
This is due to the enforcement of vague or overly broad statutes as there is limited direction provided to individual officers (Roberts, 1999; see also Chicago v. Morales, 1998). In such cases, officers may rely on personal or socially constructed concepts of criminality, making decisions based on a suspect’s race (Durán, 2008; Mastrofski, Reisig, & McCluskey, 2002); gender (Brunson, 2007; Brunson and Miller, 2006), clothing (Miller, 1999) or neighborhood context in which the interaction takes place (Kane, 2002; Terrill and Reisig, 2003). These perceptions raise concerns of arbitrary decision making on behalf of the police, which can damage the public’s trust in law enforcement as fairness is among the most important attributes of policing (Skogan and Frydl, 2004). While Tyler (2006) generally focuses on the single involuntary face-to-face exchange, and indeed a single negative experience can significantly impact an individual’s orientation towards the police (Diaz, 2004), research suggests that opinions, including feelings of trust or distrust, of law enforcement may also be based on a culmination of previous experiences (Waddington, Williams, Wright, and Newburn, 2013), vicarious experiences of friends, family, and community members (Brunson and Miller, 2007; Hurst, Frank, and Browning, 2000; Jones-Brown, 2000; Papachristos et al., 2012; Weizer, 2000), and from media outlets (Weitzer and Tuch, 2004).

TRUST IN POLICE

While the four components of procedural justice theory are typically examined together, the present study will focus on perceived trust of police motivations. According to Tyler (1990), law enforcement and other authorities are judged based on their
perceived motivations for engaging with individuals. Tyler and Huo (2002: 61) described this as motive-based trust: “inferences about the intentions behind actions, intentions that flow from a person’s unobservable motivations and character.” Trust is uniquely connected to perceptions of police legitimacy, contributes to law enforcements’ effectiveness, and is often tied to feelings of safety among citizens (Goldsmith, 2005). Though trust in police is important, it is complex and easily lost (Goldsmith, 2005). Indeed “its extent and very existence depends upon a range of factors both within and outside police control” (Goldsmith, 2005:444). Overall, citizens place a great deal of importance on perceiving trustworthy motivations on behalf of the officer during involuntary encounters (Tyler and Huo, 2002).

However, not all groups perceive the police as being trustworthy or displaying trustworthy motives during these interactions. Differences in opinion may be correlated with factors such as race, gender, age, neighborhood context and criminal involvement as officer behavior tends to vary in response. Most notably, African American populations, followed by Latino populations, have the greatest levels of distrust towards police largely because they perceive and experience different and comparatively more negative police behavior than other groups (Brown and Benedict, 2002, Cheurprakobkit, 2000, Lasley, 1994; Reisig and Parks, 2000). This includes an increased likelihood of reporting personal encounters of discriminatory, disrespectful and abusive police behavior when compared to White populations (Brunson, 2007; Durán, 2008; Mastrofski, Reisig, and McCluskey, 2002; Weitzer and Tuch, 2004; Weitzer, Tusch, and Skogan, 2008). Indeed, individuals who believe that officers behave unfairly, such as engaging in racially
discriminatory practices, express lowered levels of support and trust in the police (Gau and Brunson, 2009; Tyler and Wakslak, 2004).

In addition, women may have greater levels of trust in police because they may have fewer negative face-to-face encounters with law enforcement (Brick et al., 2009; Hurst et al., 2005). Though the contrary has also been found where women have lower levels of trust as a result of vicariously learning about police abuse of force (Hurst and Frank, 2000). Additionally, juveniles have also raised concerns about trusting the police (Hurst and Frank, 2000), citing vicarious experiences of disrespect as a primary reason (Flexon, Lurgio, and Greenleaf, 2009). Community orientation, too, can influence individuals, where a history of ineffective policing and absent police support can contribute to widespread distrust of authorities and legal cynicism (Kirk and Papachristos, 2011).

Finally, and central to this investigation, criminal and gang involvement may also play a role in a person’s level of trust in police. Given that gang involved individuals tend to come in relative frequent contact with law enforcement, their perceptions of trust in police motivations may be uniquely different from other, non-criminally involved persons. Perhaps not unexpected, gang members are highly distrustful of law enforcement (Durán, 2008). This may, in part, be due to gang-involved individuals being subjected to intense scrutiny by police, approached for perceived discriminatory reasons (Durán, 2008; Katz and Webb, 2006) and treated poorly during these points of contact (Novich and Hunt, 2016). Indeed, gang task force officers have been found to focus efforts on African American and Latino male youths (Katz and Webb, 2006) wearing clothing, such as baggy pants, certain colors, brands, or hoodies that may be associated
with gangs (Durán, 2008; Miller, 1995). This style of policing has been interpreted as *legitimated profiling* where officers are perceived as being allowed to stop citizens based on their ethnic background, clothing, age, and demographic status, even when the person stopped was following the law at the time of the encounter (Durán, 2008). For example, Durán (2008) found that the Mexican American youth in his study believed they were stopped by officers because of their Latino background, being male, wearing urban attire, and being in certain neighborhoods. Involuntary encounters premised on perceived profiling created confusion, feelings of harassment, and anger among the youth – suggesting that trust in police behavior may be shaped, in part, by the dynamics of the encounter.

As the review of this literature suggests, trust in law enforcement remains at the core of establishing police legitimacy and cooperation (Tyler, 1990). Yet some populations, like African American and Latinos and criminally involved youths, have a notable trust deficit (Durán, 2013; Fratello et al., 2013; Rios, 2011). There remain important gaps in our knowledge and this investigation aims to narrow those in several ways. First, it will contribute to a small, but growing body of research that investigates procedural justice among minority gang members using qualitative data. Second, it will expand procedural justice literature by investigating the extent to which procedurally just behavior is extended to sub-groups regardless of their criminal involvement. Finally, it will refine our scholarly understanding of the procedural justice tenets by examining more thoroughly how encounter dynamics and context impact perceptions of trust among a group that routinely comes in contact with police. While police may believe that standard gang-task force duties, like routine and targeted stops (Katz and Webb, 2005)
improve public safety, it is possible that there are important disconnects in how such policing strategies are interpreted among these groups. Thus this study aims to expand our understanding by comparing how minority gang involved youth interpret police encounters and officer justifications for engaging with them and how the nature of the involuntary encounters may shape perceptions of trust in police and officer legitimacy more generally.

**METHODOLOGY AND STUDY SETTING**

This investigation uses secondary data from a federally funded research project on gender and drug sales. The data were originally collected in San Francisco, California between 2007 and 2009 and included men and women who self-identified as drug-dealing gang members. The research team partnered with community based organizations (CBOs) and invited gang involved youth to partake in the study. Additional data were collected via chain-referral sampling, where interviewed participants recruited peers to participate in the study (Biernacki and Waldorf 1981; Browne, 2005). According to Hunt and Joe-Laidler, the principal investigators of the original project (2011: 7), “given that the group being explored is hidden, by virtue of illegal activities such as violent crime and drug selling, it was necessary to utilize snowball or chain referral sampling, a method that allows for access and entree into the group and group settings.”

The in-depth, one-on-one interviews had pre-coded quantitative and qualitative questions that captured socio-demographics and background data as well as data regarding the individuals’ specific history including gang involvement and arrests. The interviews lasted approximately two hours and were held at various locations including
libraries and youth centers. The interviews were primarily conducted in English and respondents were given a $75 honorarium for their participation and an additional $25 if they successfully recruited up to two additional interviewees. The interviews were digitally recorded and transcribed verbatim by a project staff member\(^1\). To ensure anonymity, all respondents were assigned a pseudonym by the principal investigators.

The data included men (N=112) and women (N=137). The largest ethnic group was African American (54 percent, N=137) followed by Latino/a (primarily Chicano/Mexicano, but also including Central American) (27 percent, N=68). These groups were followed by Asian American or Pacific Islanders (API) (10 percent, N=25) and the sample included 17 individuals who identified as multi-racial, four Whites, and one that identified as Other. The respondents’ age ranged from 14 to 39 years with the mean age being 21.6 years. The men and women’s experiences with police seemingly differed. In all, 88 percent (N=105) of the men reported being stopped by police at least once with approximately a quarter of the men reporting being stopped 20, 30, or upwards of 50 to 100 times\(^2\). The average number of stops per male was 9.6\(^3\) times. On the other hand, approximately 75 percent (N=100) of the females described experiencing at least one involuntary face-to-face contact with police. The vast majority reported being stopped one, two, or three times, with a smaller number (N=16) being stopped 10 times

\(^1\)It should be noted there were some redaction challenges with the several of the transcriptions. There were two transcribers on the project and one in particular redacted their transcripts extensively. This rendered some portion of the data unreadable and unusable as details, specifics, or context of the interviews could not be established. This was not common and only impacted a small fraction of the entire dataset.

\(^2\)One male respondent described being arrested 302 times of which 300 were for public intoxication. He described wanting to be arrested for public intoxication so that he could have somewhere, like jail, to sleep for the night.

\(^3\) The male respondent who reported being arrested 302 times was omitted from the averages, given that he was an outlier. Including him, the average was 12.5 arrests per male respondent. His experiences were included in the analysis.
or more. The most number of encounters reported by one female was 30 stops with the average number of contacts per female being 4.5 times.

We first evaluated the data through a data-driven inductive strategy (Charmez, 2005) during which we coded for personal and vicarious experiences with police. Once coding was completed, it became apparent that a procedural justice theoretical framework (Tyler, 1990) might explain some of the themes concerning trust in the data. To test this, we engaged in qualitative hypothesis testing by employing a deductive strategy via a template approach (see Crabtree and Miller, 1999). We used themes concerning trust, premised on a procedural justice framework, to guide the deductive analysis. Once complete, the data were arranged into matrices as this ensured patterns, comparisons, trends, and deviant cases could be identified in an organized manner (Maxwell, 2005). We created quasi-statistical tables so as to generate numeric results based on the data (Maxwell, 2005). To be consistent with comprehensive data treatment (see Silverman, 2006), all cases were included.

It is important to note that there were certain limitations to consider. The patterns in the data are not necessarily representative of study participants’ encounters with police given the nature of the data collection and the challenges with using secondary data (Smith, 2008). Though the data was of sufficient quality for this examination, the interviewers did not regularly ask salient follow up questions and this likely contributed to error patterns and bias in the data. Despite these limitations, concerns about trust and

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4 In the analysis sections, the significance levels among the racial groups were measured using Chi-square tests. It is important to note that while we used statistics to make comparisons and draw conclusions about the strength of the relationships, the sample in this study is purposive in nature and violates key assumptions regarding random sampling. Though Chi-square tests were technically inappropriate for our sample, we used this method in attempt to confirm the strengths and weakness of the patterns we found (See also Miller, 2001).
distrust in a procedural justice context were raised organically, and relevant theoretical concepts emerged repeatedly, suggesting they were important aspects of the gang members’ interactions with law enforcement.

**FINDINGS**

Tyler (1990) defined trust as the degree of perceived honesty of police behavior during involuntary encounters. This includes observed credibility in law enforcement’s motivations for interacting with citizens and the overall trustworthiness of their actions. In general, expressions of trust or distrust were articulated by the young participants as being directly tied to the nature of the encounter regardless of race or gender. Specifically, the study participants expressed distrust of the police, on one hand, during involuntary encounters which they perceived as illegitimate (i.e. encounters not seemingly based on involvement in illegal activity or other behavior they believed worthy of police attention). On the other hand, our participants described trusting police motivations if they were approached as a result of their direct involvement in serious criminal behavior such as robbery or drug dealing.

*Distrust of Police Motivations: “They always just harassing people”*

Overall, a slightly greater number of the young men (N=33, 27 percent) than the young women (N=30, 22 percent) raised concerns about police trustworthiness during encounters they considered illegitimate. Among the men in the sample, this was discussed by a similar, though slightly greater number of African American (N=16, 48 percent) men than Latino (N=15, 45 percent) men, followed by a smaller proportion of Asian (N=1 of 11) and multi-racial (N=1 of 7) men. Among the women, African
Americans discussed this the most (N=17, 57 percent) followed by a smaller number of Latina (N=7, 23 percent), multi-racial (N=3 of 11), Asian (N=1, 3 percent) and White (N=1 of 3) women. These findings remain consistent with previous research that African Americans may have the greatest levels of distrust in police followed by Latino populations (Brown and Benedict, 2002, Cheurprakobkit, 2000). Specifically, the study participants distrusted police motivations when approached while “doing nothing”, sitting at a bus stop, sitting or driving a car, or walking or crossing the street. They mentioned this despite recognizing the risks of being subject to unwarranted stops given their gang involvement and participation in illegal activities.

Indeed, some had contraband on them at the time, resulting in their arrest. Still, when these encounters occurred, it was common for them to express confusion, frustration, and distrust as to why they were targeted, stopped, searched, and/or handcuffed by the police. They emphasized that dynamics was important and noted that being stopped for minor violations (i.e. jaywalking, loitering), were not legitimate because they were based on minor infractions related to their gang involvement, or occurred because of unidentified reasons. Suzy, for example, referred to this as being stopped for “little shit” and Chanelle, who was stopped, found with drugs on her person and arrested, believed it was because the police had to “fill a quota.” Patti argued that the police were actually hypocritical in their efforts: “They [are] harassing people all the time….The police is backwards. If you’re doing something, they don’t mess with you, but if you’re [not] doing something…they’re gonna mess with you for nothing.”

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5 A vast majority of the men described first hand accounts. A small (N=4) number provided vicarious stories which were encounters either told to them or based on their own observations.
In general, when approached in such cases, the study participants, like Patti quoted above, commonly referred to this as “being harassed”, “fucked with” or “messed with” by police. Martine, for instance, who was arrested 10 times for loitering, said it was because the police “like to fuck with us.” Alton, too commented on how the police “pulled me over hella times, you feel me, and fucked with me and shit.” Edgar also described his routine, unwarranted stops by police as “harassment”:

I would be out there and then when the narcs would come and everybody would walk away I was the only one that would stay there, because I didn’t have nothing on me. And they would always used to stop me and check me and harass me and I would never have anything, ever.

Neneh went further in her criticism and not only expressed general feelings of harassment but also criticized the police for a lack of effectiveness, suggesting that while their efforts may be helpful in some ways, in other ways, their routine encounters with people did not help the community: “[The police are] making it safe or whatever, but they don’t never be out there when people be shooting, they always just harassing people.”

Interestingly and as alluded to in Neneh’s quote, the majority of interviewees conveyed that these routine in-person experiences were connected to more general negative opinions about the police, a questioning of police use of discretion, and their perceived lack of legitimacy on the streets. Divine, for example, described how she believed that the police were excessively aggressive, a feeling she tied to a specific, negative experience she had when having lunch with her young son: “It’s ridiculous nowadays. We get harassed for nothing. I went to go eat with my son and I got harassed.” Erica, too, commented that her arrest contributed to general negative attitudes towards police work and their legitimacy as law enforcers: “[The] third time [I was arrested] I was just posted on the street….I think the police don’t be doing their job.
They just be trying to mess with...young people like us, like just arrest you for no reason.”

These negative sentiments and the questioning of police authority were especially clear in study participants’ discussions of policing strategies targeted against gang members. While they acknowledged that the police were seemingly effective in making it difficult for the gang members to hang out with each other, their strategies (i.e. routine stopping, arresting of gang members, and adding them to the gang database) were sometimes perceived as illegitimate and a form of harassment6. Bunny, for example, lamented how police practices were excessive in their dealings with gangs. While she understood the police were attempting to make her community safer, she felt their strategies of interacting with gang members based on innocuous crimes were too extreme and criminalized them unnecessarily:

We being watched all the time….[and the police] cracking down on loitering and everything. Like if you don’t live there, you can’t be there….I mean I understand where y’all coming from, y’all trying to get the guns off the street, trying to make sure less people get killed a year…but...I feel like…it’s too much though.

Divine also discussed how the gang task force officers came out every Tuesday and Thursday in an attempt to arrest gang members. While the police were effective in forcing her group to split up, she viewed these efforts as separate from crime fighting and instead as personal attacks on her friends:

We spread out. We’re never in one place because of the police nowadays….They come out, catch homeys, take ’em to jail, put ’em on the fucking gangs list, gang injunction. Just come harass everybody.

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6 Only one female in the study discussed how gang policies were beneficial and made her neighborhood safer.
Diego shared a similar feeling of frustration directed at the police efforts against gangs: “There’s a lot of heat going on [like] gang injunctions. [The police] really been like petty on stuff. Like violating us on every little thing….Anything that takes us off the streets, they are going to violate us for it.”

While not many interviewees specifically commented as to how they responded to the police during these seemingly unjustified exchanges – be it gang related or not – several clearly indicated that they stopped when instructed to do so. Jackie, for example, commented on the routine nature of being pulled over in her car for being in the company of gang members. While she complied with police instructions, these face-to-face experiences were connected to a broader perception that their practices were not legitimate uses of authority and discretion. Instead, she viewed these actions as a mechanism with which to harass her and she seemingly cooperated with to their requests because she believed they could not arrest her:

[The police] pulled me over a few times…cuz who I hang out with, like my crew members and stuff [and] all the dudes be in my car. Like [the police will] pull me over, they’ll be like, “Oh, we thought you had guns, dope, and weed and shit like that.”…I’ll be like, “This is illegal for you to be searching my car like this.”… They be knowing I know my rights. They just be wanting to fuck with me anyway, so I just let ’em fuck with me.

It is also important to note that two study participants described behaving in a non-compliant manner. Perhaps not surprisingly, these rare expressions of non-compliance were directly related to the perceived legitimacy of the interaction, which again was derived from the context of the encounter. Chris, for example, lamented about his random street encounter with police. He was confused as to why he would be approached because he felt he had done nothing to warrant the officers’ attention. Instead
of adhering to their instructions to stop and produce an ID, he continued on his way: “I’m walking down the motherfucking street. Next thing I know, ‘Brrp-brrp [of the police car]’...I ain’t tripping, I keep walking. Like, these motherfuckers can’t be talking to me. I ain’t did shit.” Mia recalled her unprovoked interaction with police while walking. She also refused to stop because she did not perceive any justifiable reason for the encounter:

I’m smoking a cigarette and walking down the street and a police rolled up….They say, “Come here,” and I say, “Naw, I’m not coming here.” And I just kept on walking. You know, cuz they didn’t have a reason to stop me, I didn’t do anything...that was like visible for them to see to jack me, so I just kept walking.

As these narratives illuminate, concerns of trust were generally tied to the perceived legitimacy of the encounter. Being stopped for minor infractions, for reasons related to one’s gang involvement, or for perceived random reasons were not viewed as justified and were seen as illegitimate. These opinions were held irrespective of gender, race, and location, whether it be it on the street, at a bus stop, or in a car, and who an individual was in the company of (i.e. friends, family, or other gang members). These experiences harmed relations between the minority youths and the police because as they directly contributed to general, negative opinions about the police, a questioning of their authority, and an overall lack of legitimacy on the streets. These finding indicatee that experiencing legimated profiling can negatively impact perceptions of trust of police (Durán, 2008).

Trust in Police Motivations: “I got caught hustling”

The adverse responses to perceived illegitimate police encounters are clearest when juxtaposed to descriptions of seemingly legitimate interactions premised on perceived trustworthy motives. If one of our participants was engaged in a serious crime
resulting in an encounter with the police, they appeared to accepted being apprehended and even complied without negative retorts directed towards the officers and the legitimacy of the encounter. In the sample, the majority (N=155, 60 percent) of men (N=72) and women (N=83) described at least one or more perceived legitimate involuntary interaction with law enforcement. The interviewees described being talked to, stopped, searched, and/or arrested by police as a result of their participation in an array of offenses, the most common of which was being involved in drug dealing (N=66), robberies/theft (N=55), and/or fighting/assault (N=36). Among the men in the sample, this was discussed mostly by African American (N=38, 53 percent) followed by a smaller number of Latino (N=24, 33 percent) men and a smaller proportion of Asian (N=5 of 11), multi-racial (N=4 of 7), and White (1 of 1) men. Among the women, African Americans discussed this most (N=50, 60 percent) followed by a smaller number of Latina (N=16, 20 percent), Asian (N=8 of 14), multi-racial (N=7 of 11), White (N=1 of 3), and Other (N=1 of 1) women. These findings suggest that young African American men and women’s attitudes towards what officer behavior is viewed as trustworthy may be impacted significantly, perhaps more so than other groups, by the dynamics of the exchange.

Trusting police motivations for the encounter were commonly described as being caught “red-handed”, observed by police or authority figure, and/or being reported/informed on. While drug dealing, for example, the male and female study participants primarily described legitimate police encounters either prior to selling drugs, during the transaction, or after a sale was completed. Sleepy, for example, described his bust that resulted in a felony conviction: “[The police] saw me about to sell….They
rushed me.” Ruthless too recalled, “I got arrested because I was going to go sell it somebody….I walked up two blocks up and two blocks down, and then [a narcotics officer] pulled up and I had [drugs] in my hand unwrapped.” For those involved in theft, for instance, police encounters reportedly took place in department or retail stores after attempted shoplifting or in their home following an investigation. In these cases, most respondents were either approached while stealing merchandise or while attempting to exit the store with stolen goods. Chelsea, for example, explained, “I did get in contact with the police because I was stealing at Burlington’s. ’Cause I didn’t have no money so I tried to steal some clothes to sell ’em….I got caught and the police took me.” Jade too was arrested for shoplifting: “I got caught stealing. Boosting at Macy’s [and] did two days.” Finally, in terms of fighting or assault, several study participants explained involuntary encounters with police taking place on school grounds or on the streets following altercations. Emilio, for instance, recalled being arrested after the police witnessed him hitting another person:

My friend had ended up getting into a fight…with a couple o’ guys. And I was at the other corner and I ended up seeing it so I ran over there. And then I just ended up like hitting him hard on his head and then he just fell back. And then I guess the cops saw the whole thing….So they arrested me.

During encounters of this nature, our participants generally explained how they understood why they were approached by the police, often admitted to their involvement, and seemingly accepted the encounter as a legitimate use of police authority. In short, they trusted the officers’ motivations for the involuntary encounter because they were involved in criminal behavior prior or during the exchange. Smoker, for example, recalled: “I got caught hustling, you feel me, by the police. And you know, it’s just the
way, caught.” Chewie, too, admitted that he was pulled over for drugs because “[the police] just seen me doing some odd shit.” Debi, similarly, described how she accepted her arrest and accepted accountability for her involvement in illegal behavior after being informed on: “Someone I sold drugs to, he told on me. I’m not gon’ blame him, you feel me, cuz I was in the wrong for selling shit anyway….I take responsibility for myself [and] for my actions.” While most did not explicitly state how they would respond to police during perceived legitimate exchanges, Diandra described openly complying and being honest with police when she was caught, demonstrating culpability for her actions: “[The police] came behind me cuz a girl snitched on me....I gave her the rock, and she sold it to the dude, and [the police] came behind me and just grabbed me….I ain’ go run and lie. ‘Yeah, I gave it to her.’”

As these accounts illuminate, trust in police motivations is seemingly linked to the perceived legitimacy of the encounter. They did not raise concerns about involuntary interactions that occurred while engaged in, or as a result of serious criminal behavior. Their rhetoric was that of understanding police behavior without questioning their legitimacy. These attitudes were held regardless of gender, location, or crime type. Overall, these responses were starkly different from their descriptions of those interactions during which they believed they were approached for illegitimate reasons. In these cases, they distrusted the police and questioned their authority, their discretion, and their power.

CONCLUSION
Tyler (1990) argued that legal actors, including law enforcement, are inherently judged based on their perceived motivations for engaging with individuals and overall trustworthiness of actions. Trust in police is important for establishing legitimacy and promoting cooperation among citizens (Taylor, 2006) and yet remains extremely delicate and easily lost (Goldsmith, 2005). Alternatively, distrust, as a result of negative face-to-face interactions can be detrimental to law enforcement. It can contribute to negative attitudes towards police (Durán, 2013) and lead to an increased likelihood of non-cooperation (Brunson, 2007; Fratello et al., 2013; Gau, 2013), and in some cases, violence (Chevigny, 1995). While the expectation is that law enforcement will display trustworthy behavior during all encounters and across all populations, the present investigation revealed how that may not be the case (Durán, 2013). Overall, and as consistent with previous research, the young men and women were found to have comparable levels of distrust in the police (Brick et. al., 2005) and African Americans expressed the lowest levels of trust in police motivations when compared to the other groups in the sample (Brown and Benedict, 2002, Cheurprakobkit, 2000). Further, gang involved youths have low levels of trust in police as a result, in part, to being approached for perceived discriminatory reasons and experiencing *legitimated profiling* (Durán, 2013, Rios, 2011).

According to the gang members in this study, the context of the stop was a primary differentiating component that shaped perceptions of trust – or the lack thereof – in the motivations behind police engagement. Specifically, when stopped for what they accepted as justifiable reasons, such as being detained as a result of being observed drug dealing, our participants expressed an understanding of the nature of the interaction and
trusted the motivations that prompted the officers’ involuntary encounter. They also frequently admitted to their criminal involvement, and seemingly accepted the interaction as a legitimate use of police authority. Alternatively, both the men and women questioned and distrusted police motivations and behaviors when they were stopped for reasons they viewed as unjustifiable. Though gang and drug involved, many respondents seemed to narrowly define what serious criminal behavior was (i.e. carrying drugs was not viewed as illegal but being observed actively drug dealing was). As such, being stopped while standing on the corner, walking down the street, sitting in a car, and/or sitting at a bus stop were viewed negatively and as situations they believed did not warrant police attention. It is important to note that these opinions also extended to situations in which study participants were approached as a result of their gang involvement when not involved in gang-related behavior at the time of the encounter – even when in the presence of other gang members.

Instead of interpreting the police motivations as crime fighting, anti-gang tactics, they raised concerns about motive-based trust on behalf of the officers (Tyler and Huo, 2002). The gang members were angry and confused by this police behavior, emotions similarly expressed by gang members subjected to legitimated profiling (Durán, 2008). Indeed, the majority perceived these seemingly unwarranted stops as personal attacks and outside the scope of legitimate use of police discretion – a sentiment supported by legal proceedings at the time (City of Chicago v Morales, 1999). Indeed, during the same time the data for this study were collected, the United States Supreme Court required ordinances targeted at gang members to be specific enough for people to reasonably identify what is and is not considered criminal behavior. In Morales’s case, definitional
vagueness of who can be reasonably be identified as a gang member was considered unconstitutional. It is not unexpected then that these types of articulated experiences resulted in overt negative sentiments, distrust of the police (Goldsmith, 2005), and a questioning of their effectiveness and legitimacy more generally (Gau and Brunson, 2010, 2015). In fact, for some, it contributed to outright non-cooperation to police directives – the antithesis of law enforcement goals. These reactions mirror previous research that found aggressive order maintenance policing – specifically the use of stop, question, and frisk – damaged perceptions of procedural justice and undermined police legitimacy (Fratello et al., 2013; see Gau and Brunson, 2010, 2015).

This finding suggests that procedural justice scholars should account for the role that the type of stop plays in shaping trust in police motivations, procedural justice and police legitimacy especially among minority, criminally involved youth. Random traffic stops – commonly investigated in procedural justice research (Mazerolle et al., 2013) – and encounters resulting from criminal involvement may be viewed very differently than targeted stops in which the recipient does not view themselves as engaged in behavior that warrants police attention. As evidenced in this research, the context of involuntary encounters can vary dramatically, from on-campus arrests to street encounters, and this finding urges consideration that policing motivations in different contexts will likely be perceived differently.

Further, interpretations of untrustworthy police behavior may also, in part, be due to differences in backgrounds, demographics, and histories of those being policed. Subgroups, like African American and Latino, drug dealing gang members, may interpret police behavior differently than others (Bottoms and Tankebe, 2012).
especially so given that race (Brown and Benedict, 2002), gender (Hurst and Frank, 2000; Hurst et. al, 2005) and criminal and criminal/gang involvement (Durán, 2013; Papachristos et al., 2012) have all been found to impact perceptions of trust. Though not explicitly stated by the study participants, it is worthwhile to consider how these types of interactions with law enforcement may have been a source of stress and were to be avoided whenever possible for fear of (re)arrest (see Goffman, 2009). Gang members’ reaction to seemingly unwarranted encounters, therefore, may differ greatly from non-gang/drug involved individuals who do not fear arrest, re-arrest, or parole violations. Much of the current procedural justice theory focuses on routine traffic stops among law-abiding citizens (Mazerolle et al., 2013). Our study suggests that not all populations respond to police in the same way, especially minority youths who may have arrest histories.

As this investigation illuminates, trust in police is delicate and complex (Goldsmith, 2005). It may be lost by policing practices designed to effectively combat gangs (Katz and Webb, 2006). To fully understand how trust in police motivations are formed, researchers who utilize theories of procedural justice may find it fruitful to examine the dynamics of the stop and the context in which citizens are approached. While there may be no “best” way to police gangs (Fritsch et al., 1999), certain practices may cause more harm than has been previously understood. Specifically, directed patrols and routine information-gathering stops may harm police-gang member relations and contradict officer efforts aimed at reducing gang activity (see Katz and Webb, 2006). By examining perceptions of trust through a procedural justice lens (Tyler, 1990), this research has hopefully revealed a more nuanced understanding of how trust is
maintained, built, or lost and the consequences of those outcomes – especially among a unique population of young people that routinely encounters the police in a variety of settings.
Works Cited


Sunshine, J. & Tyler, T. R. (2003). The role of procedural justice and legitimacy in


