

Chapter 6

Ethnicity and Other Demographics Associated with Perceived Police Fairness



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Introduction: Ethnicity and Other Demographics Associated with Perceived Police Fairness

In theory, police action symbolizes the collective will of society to suppress disorder and crime, but history also suggests that conflict may occur between police officers and the community members they serve. Blacks frequently assume that the police engage in racial profiling as a means to stop, search, and question them more frequently than other racial/ethnic groups (Engel 2008; Weitzer and Tuch 2002), and past research has documented that such discriminatory practices by police are experienced more by racial minority individuals (Howell et al. 2004; Kent and Jacobs 2005; Smith and Holmes 2003; Weitzer et al. 2008). Historically, the civil protests that occurred in the 1960s by minority groups and their advocates were partly the result of unequal treatment of Black citizens by the police (Bayley and Mendelsohn 1969), with the growing belief that police organizations more racial representative of their communities would be less likely to engage in such discriminatory practices (President's Commission on Law Enforcement and Administration of Justice 1967). A similar historical pattern has affected the Hispanic population. As border security and control of illegal immigration become key policy objectives in Congress, the potential for unfair treatment of Hispanics by police may have increased. In fact, it may be that Hispanics now distrust police even more than do Blacks, especially in the Southwest where border concerns are more prominent. Unfortunately, no available study of perceptions of police fairness includes consideration of such regional differences.

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Past Research on Variables Associated with Perceived Police Fairness

Past research consistently finds racial differences in perceptions of police fairness. In general, Whites report more trust in police than do minority ethnic groups (Buckler et al. 2008; Cao and Garcia 2005; Schuck and Rosenbaum 2005; Weitzer et al. 2008), although most available studies have focused on comparisons of Black and White individuals with less inclusion of Hispanics (Franklin 2010; Murty et al. 1990). The Comparative Conflict Theory (Hagan et al. 2005) suggests that the reason that ethnic minority individuals hold more negative views of police is because they have experienced more discriminatory police practices (such as “racial profiling). Alternatively, the Group Position Theory (Blumer 1958) suggests that socioeconomic status is the more important variable that influences perceptions of police fairness, with more economically well-off groups (often Whites) holding the most favorable views toward the police, while the less economically well-off groups (often Hispanics, Blacks) holding less favorable views toward police. Additionally, recent media coverage of conflicts and shooting deaths between White police officers and Black community members in cities across the United States (Nicholson-Crotty et al. 2017; Klahm et al. 2016; Nix et al. 2017) may also increase the percentage of Black individuals reporting low levels of perceived police fairness, and recent media coverage of border conflicts between police and illegal immigrants from Mexico (Durán 2009; Sadler et al. 2012) may increase the percentage of Hispanic individuals reporting low levels of perceived police fairness.

Besides ethnicity and socioeconomic status, past research has identified other variables that are associated with perceptions of police fairness by members of the community. For example, age has been found to be associated with attitudes toward police, with older individuals usually holding more positive views of police (Hurst et al. 2000). Also, gender has been found to be associated with attitudes toward police, with females more likely to hold positive views toward police and courts (Brunson and Miller 2006; Mast 2004; Weitzer and Tuch 2002). Additionally, prior experiences with police or the court system have been documented to be associated with decreased perceptions of police fairness (Buckler et al. 2008; Tyler and Huo 2002), with these prior legal experiences being quite varied and including being the defendant in a criminal case, the defendant in a civil case, or the plaintiff in a civil case.

One variable that has not yet been examined for its association with perceptions of police fairness is region of the country. Regional differences potentially may affect an individual’s perception of what is expected and reasonable behavior on the part of police. For example, past research has documented that media coverage of police injustice and other forms of “vicarious experience” may influence an individual’s later perception of police fairness. Perhaps individuals from different regions of the United States experience differences in the types of crimes that are

most prevalent, in the types of police action taken, and in the extent of media coverage of these police-community relationships, all of which could influence their perceptions of police fairness more than does their ethnicity alone.

Purpose of the Present Study

The purpose of the present study was to examine ethnic differences (Black, White, Hispanic) in perceptions of the fairness of police action, while controlling for other variables suggested by past research to also be associated with perceptions of police fairness (age, gender, income, prior legal experience), with a separate look at these variable relationships for two regions of the United States (Southwest, Pennsylvania). More specifically, perceptions of police fairness were measured for how “reasonable and therefore legal” police searches were perceived to be for actual Supreme Court cases (determined by the Court to be legal and appropriate), with a focus on both searches of the defendant’s home, and searches of the defendant’s vehicle. On the one hand, one of the most recently contentious areas of policing is the issue of racial profiling and police discretion in conducting vehicle stops (Engel 2008), with research suggesting that police are more likely to stop and search Blacks and Hispanics rather than Whites (Alpert et al. 2005; Borooah 2011; Engel and Calnon 2004; Engel and Johnson 2006; Rojek et al. 2012). These findings for vehicle searches may suggest that more significant racial differences (and perhaps other demographic differences) in perceived police fairness would be found for vehicle searches than for home searches. On the other hand, individuals may have a higher expectation of privacy in their homes as opposed to their vehicles in public venues, so perhaps racial differences (and other demographic differences) in perceived police fairness would be more prominent for home searches than for vehicle searches.

One new feature of the present study is that it adds to the limited set of studies that compare three racial groups (Black, Hispanic, White) in their perceptions of the fairness of police action. Another new feature of the present study is that, in its examination of racial differences in perceptions of police fairness, it controls for a number of other demographics suggested by past research to be associated with attitudes towards police (age, gender, income, prior police experience), with separate examinations of these variable relationships for two regions of the United States (Southwest, Northwest). It was hypothesized that ethnic differences in perceived police fairness would be found to be similar to those found in previous research, with White individuals reporting more police fairness than Black and/or Hispanic individuals. Additionally, it was hypothesized that other demographic variables (such as age, gender, income, and/or prior legal experience) would be also found to be significantly associated with perceived police fairness. Finally, it was hypothesized that regional differences in associations between ethnicity and perceived police fairness would be found, suggesting that ethnicity may not be the sole or primary demographic variable predictive of attitudes towards police.

Methods

Participants and Procedures

During the 2015 academic year, an anonymous survey was returned by undergraduate students from two regions of the United States. One region was the Southwest, with 359 students from Texas A&M University at San Antonio returning the surveys, and the other region was the Northwest, with 702 students from two campuses of the Pennsylvania State University (Schuylkill, Harrisburg) returning the survey. The Texas location included 334 students who provided all variables used in the present study (10.8% Black, 24.0% White, 65.3% Hispanic; 181 women, 153 men; mean age = 29.5 years, $SD = 8.1$). The Pennsylvania location included 643 students who provided all variables used in the present study (30.8% Black, 56.8% White, 12.4% Hispanic; 243 women, 400 men; mean age = 21.0 years, $SD = 3.0$). (See Table 6.1 in the Appendix for descriptive statistics of study variables.) Surveys were administered at all locations during normal class hours across a variety of academic programs and included students majoring in criminal justice, business, education, and the natural sciences. Students were offered extra credit points toward their final semester grade, but they were not required to complete the survey, and they could earn similar extra credit points by doing other small projects.

Measurement

Demographic variables – Students were asked to report their race/ethnicity as Hispanic, African-American (Black), Asian, American-Indian, White (non-Hispanic), or other. Only those reporting either Hispanic, Black, or White were included in the present study. Students also reported their gender (female, male), their age in years, and their income using six possibilities, which we later coded to a six-point Likert scale (0 = \$15 K and below, 1 = above \$15 K to \$25 K, 2 = above \$25 K to \$35 K, 3 = above \$35 K to \$45 K, 4 = above \$45 K to \$55 K, 5 = above \$55 K). Finally, students were asked to report (0 = no, 1 = yes) whether they had experienced any of four roles in the legal system during the past 5 years (plaintiff, defendant, juror, witness), with their score for “prior legal experience” calculated as the number of these four roles they reported.

Perceived police fairness – Student perception of the fairness of police action was measured by asking them to use a five-point rating for how “reasonable and therefore legal” they believed police action was (0 = strongly disagree, 1 = disagree, 2 = neutral, 3 = agree, 4 = strongly agree) in eight actual Supreme Court cases of home searches, and in seven actual Supreme Court cases of vehicle searches. Students were not told that the case descriptions came from Supreme Court cases, and they were not told Court decisions for any of the cases. The use actual court cases (Kessler 2009) rather than fictional vignettes (Rossi and Anderson 1982; Piquero 2012) is

relatively uncommon in criminological research. From the United States Supreme Court Media OYEZ database, we selected a random sample of 17 cases involving police searches of homes or vehicles between the years 1999–2009. The facts of each case were summarized succinctly to reflect its central issues. Each participant's score for perceived police fairness in home searches was calculated as the mean rating given to the eight home cases. Each participant's score for perceived police fairness in vehicle searches was calculated as the mean rating given to the seven vehicle cases. Examples of the home and vehicle cases are described below:

(HOME) "Police officers, with a warrant, knocked on the door of suspected drug dealer X. They waited between 15 and 20 s, and when X did not come to the door, they smashed it open with a battering ram."

(HOME) "Responding to a complain about a loud party, police arrived at a house where they saw minors drinking alcohol outside and heard shouting inside. As they approached the house, they saw a fight through the window involving a juvenile and four adults. The officers announced their presence, but the people fighting did not hear them, so they entered the home."

(VEHICLE) "Person X was apprehended by Arizona state police on an outstanding warrant for driving with a suspended license. After the officers handcuffed X and placed him/her in the squad car, they went on to search his/her vehicle, discovering a handgun and a plastic bag of cocaine."

(VEHICLE) "When X approached the United States and Mexico border, Customs inspectors noticed his hand shaking. An inspector tapped on X's gas tank with a screwdriver and noticed the tank sounded solid. A drug-sniffing dog alerted to the vehicle. After a mechanic disassembled the car's fuel tank, inspectors found 37 kilograms of marijuana bricks."

Data Analysis

One goal for data analysis of the present study was to compare student samples from the two regions of the United States (Texas, Pennsylvania) for perceived police fairness. T-tests were therefore used to compare students from Texas and Pennsylvania in their mean rating for how "reasonable and therefore legal" they perceived police searches to be for the eight home cases, and for the seven vehicle cases.

Another goal for data analysis was to examine ethnic differences in perceptions of police fairness, controlling for other demographic variables suggested by past research to be associated with attitudes toward police. Separately for participants from each region (Texas, Pennsylvania), a 3×2 ANCOVA was used to compare perceived police fairness (in home searches, in vehicle searches) across three ethnicities (Black, White, Hispanic), across two genders (female, male), with covariates including age, income (using the six-point Likert rating) and prior legal experience (the number of four legal roles in the past 5 years). Dependent variables for these ANCOVAs were the mean rating for how "reasonable and therefore legal" were the eight home searches, and the mean rating for the seven vehicle searches.

Results

Regional Differences in Perceived Police Fairness

T-tests found no significant differences between Texas and Pennsylvania student participants in their perceptions of police fairness in home searches ($t = 1.62$, $df = 975$, $p = .105$; Texas mean = 2.49, $SD = .58$; Pennsylvania mean = 2.43, $SD = .57$). However, t-tests revealed that Texas participants reported significantly greater perceptions of police fairness in vehicle searches ($t = 6.34$, $df = 975$, $p = .000$; Texas mean = 2.72, $SD = .61$; Pennsylvania mean = 2.45, $SD = .67$).

Demographics Associated with Perceived Police Fairness in Home Searches

For perceived police fairness in home searches, the ANCOVA for Texas participants revealed that income was the only significant demographic variable, with higher income associated with more perceived police fairness in home searches ($r = .13$, $n = 334$, $p = .014$). For Texas participants, ethnicity, gender, age, and prior legal experience were unrelated to perceptions of police fairness in home searches. However, for Pennsylvania participants, the ANCOVA found ethnicity to be significantly associated with perceived police fairness in home searches, with paired comparisons revealing that White individuals perceived more police fairness than did either Black or Hispanic individuals ($t = 4.42$, $df = 561$, $p = .000$; $t = 3.83$, $df = 443$, $p = .000$; respectively), with no differences between Black and Hispanic participants ($t = .78$, $df = 276$, $p = .436$). In addition, Pennsylvania participants with older age reported more perceived police fairness in home searches ($r = .20$, $n = 643$, $p = .000$). (See Table 6.2. in the Appendix.)

Demographics Associated with Perceived Police Fairness of Vehicle Searches

For perceived police fairness in vehicle searches, the ANCOVA for Texas participants found no significant effects for any of the demographics considered (ethnicity, gender, age, income, prior legal experience). However, for Pennsylvania participants, the ANCOVA found ethnicity to be significantly associated with perceived police fairness in vehicle searches, with paired comparisons revealing that White individuals perceived more police fairness than did Black individuals ($t = 3.67$, $df = 561$, $p = .000$), marginally more than Hispanic individuals ($t = 1.75$, $df = 443$, $p = .081$), with no differences between Black and Hispanic participants ($t = .77$, $df = 276$, $p = .443$). In addition, Pennsylvania participants with older age and more

prior legal experience reported more perceived police fairness in vehicle searches ($r = .13$, $n = 643$, $p = .000$; $r = .10$, $n = 643$, $p = .014$). (See Table 6.3. in the Appendix.)

Discussion

The purpose of present study was to provide a more detailed analysis of how ethnicity affects perceptions of police fairness using actual Supreme Court cases of police vehicle and home searches. New features of the present study were that comparisons of ethnicity were made across three ethnic groups (Black, White, Hispanic) instead of the two typically compared in previous research (Black and White), that these ethnic comparisons also controlled for individual demographic variables suggested by past research to be associated with perceptions of police fairness (gender, age, income, prior exposure to the legal system), and that these examinations of how ethnicity is associated with perceived police fairness were conducted separately for two very different regions of the United States (Texas, Pennsylvania). Overall, results from the present study suggest that ethnicity may not be the primary demographic associated with perceptions of police fairness, with *learned* personal and regional experiences just as important as predictors.

According to both the Comparative Conflict Theory (Hagan et al. 2005) and the Group Position Theory (Blumer 1958), we anticipated that Black or Hispanic individuals would hold more negative views of police fairness than would White individuals. However, only for Pennsylvania participants but not Texas participants of the present study did Whites report more perceived police fairness in home and vehicle searches than did Blacks or Hispanics. Additionally, other demographic variables besides ethnicity were found to be significantly associated with perceived police fairness in the present study. For example, regional differences were found in the present study, with Texas participants perceiving more police fairness in vehicle searches than did Pennsylvania participants. One interpretation for this finding could be that the Texas border location and its need for vehicle checks by police, as well as recent media coverage to increase fear concerning illegal immigrants (Huddleston 2016) may have prompted citizens of this region to be more supportive of police action to protect them. As in past research (Hurst et al. 2000), older age was also associated for Pennsylvania participants with more perceived police fairness in both home and vehicle searches. Also as in past research (Buckler et al. 2008; Tyler and Huo 2002), prior experience with the legal system was associated for Pennsylvania participants with more perceived police fairness in vehicle searches. Finally, as suggested by Group Position Theory (Blumer 1958), higher income was associated for Texas participants with more perceived police fairness in vehicle searches.

Results from the present study suggest that ethnicity may not be the sole nor primary demographic variable associated with positive attitudes toward police. Present results also suggest that citizens may *learn* to have better perceptions of police fairness. Perhaps when individuals are exposed to regionally-relevant crime

(as Texas students might be concerning vehicle searches needed at the Texas-Mexican border), they may increase their reliance on police for protection, and increase their perceived trust in the fairness of these police actions. Perhaps when individuals are exposed to the actual procedures of the legal system (by serving as plaintiffs, defendants, jurors, or witnesses in criminal or civil court cases), they reduce some of their stereotypes about police officers that have developed from sensationalized news coverage of police misconduct or from exaggerated social media conversations about it (“groupthink”).

Study Limitations and Directions for Future Research

One limitation of the present study was that it only included participants from two regions of the United States (Southwest, Northeast). Especially because these regions were shown to have significant differences in perceived police fairness, future research should examine these comparisons for a wide variety of regions including the Northwest, the Southeast, and the Midwest, and including exclusively rural areas, suburban areas, and urban areas. Future research should also examine more precisely how participants have been involved with the legal system to determine which particular experiences tend to be associated with increased or decreased trust in police fairness. These experiences could include the number of days they have been in court in various roles (plaintiff, defendant, juror, witness), the percentage of court cases decided in their favor, the dollars they spent on attorneys, the number of days they have been incarcerated, the number of traffic tickets they have received, the number of times they have called 911 for emergencies, and the number of violent crimes they have witnessed in their neighborhood. Future research could also examine how programs to increase positive police-community relationships (Police Athletic League or other athletic projects, Operation Conversation, All Star Project etc.) can improve citizen attitudes toward police fairness.

Appendix

Table 6.1 Descriptive statistics of study variables for participants from Texas (N = 334) and Pennsylvania (N = 643)

Texas	Pennsylvania			
Variable	N	(%)	N	(%)
Ethnicity***				
Black	36	(10.8%)	198	(30.8%)
White	80	(24.0%)	365	(56.8%)
Hispanic	218	(65.3%)	80	(12.4%)
Gender***				
Female	181	(54.2%)	243	(37.8%)
Male	153	(45.8%)	400	(62.2%)

Variable	Mean	(SD)	(range)	Mean	(SD)	(Range)
Age***	29.54	(8.07)	(18–55)	21.02	(3.04)	(18–48)
Income (0–5 rating)***	1.62	(1.58)	(0–5)	37	(.99)	(0–5)
Prior legal experience*** (# of 4 types)	34	(.65)	(0–3)	1.23	(.57)	(0–4)
HOME search fairness (mean 0–4 rating)	2.49	(.58)	(.63–4.00)	2.43	(.57)	(0–4)
VEHICLE search fairness*** (mean 0–4 rating)	2.72	(.61)	(.43–4.00)	2.45	(.67)	(0–4)

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

Table 6.2 Results of 3×2 ANCOVAs to examine demographic variables associated with perceived police fairness in home searches, shown separately for Texas students (N = 334) and Pennsylvania students (N = 643)

Texas				
Effect	<i>F</i>	(<i>df</i>)	<i>p</i>	Effect size
Ethnicity	.15	(2, 325)	.865	
Gender	.61	(1, 325)	.437	
Ethnicity \times gender	.19	(2, 325)	.838	
Age	.02	(1, 325)	.897	
Income	4.03	(1, 325)	.046	.012
Prior legal experience	.13	(1, 325)	.714	
Pennsylvania				
Effect	<i>F</i>	(<i>df</i>)	<i>p</i>	Effect size
Ethnicity	7.28	(2, 643)	.001	.022
Gender	1.58	(1, 643)	.210	
Ethnicity \times gender	1.00	(2, 643)	.342	
Age	9.32	(1, 634)	.002	.014
Income	.82	(1, 634)	.367	
Prior legal experience	2.62	(1, 643)	.106	

Table 6.3 Results of 3×2 ANCOVAs to examine demographic variables associated with perceived police fairness in vehicle searches, shown separately for Texas students ($N = 334$) and Pennsylvania students ($N = 643$)

Texas				
Effect	<i>F</i>	(<i>df</i>)	<i>p</i>	Effect size
Ethnicity	1.05	(2, 325)	.353	
Gender	.06	(1, 325)	.809	
Ethnicity \times gender	.79	(2, 325)	.455	
Age	1.23	(1, 325)	.268	
Income	1.24	(1, 325)	.266	
Prior legal experience	1.04	(1, 325)	.308	
Pennsylvania				
Effect	<i>F</i>	(<i>df</i>)	<i>p</i>	Effect size
Ethnicity	3.59	(2, 634)	.028	.011
Gender	2.47	(1, 634)	.116	
Ethnicity \times gender	.38	(2, 634)	.682	
Age	4.48	(1, 634)	.035	.007
Income	.05	(1, 634)	.826	
Prior legal experience	4.35	(1, 634)	.037	.007

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