



## Police Legitimacy and Legal Cynicism Why They Matter and How to Measure in Your Community

Rifts in community-police trust have been at the forefront of the national consciousness since high-profile events in Ferguson, Baltimore, Chicago, and elsewhere. These issues are important to any community-based public safety initiative, because residents' sentiments about the police have consequences for how effective police can be in responding to crime and disorder problems and for the capacity for a community to establish capable partnerships between police and resident groups.

Peoples' trust in the police may be most compromised in the very communities where public participation is needed for law enforcement interventions to be effective. Some Byrne Criminal Justice Innovation Program (BCJI) partners have referred to this perspective as the "narrative" around crime and policing that is the undercurrent to all of their community safety efforts.

As local leaders examine the dynamics of community-police relations in their jurisdictions, they may find it useful to measure local sentiments about police and understand their significance to authentic community engagement. This paper reflects major research that is being used by BCJI sites to inform decisions about law enforcement and community-building activities, listed in the References and Recommended Reading section.

### Key Concepts

Two frameworks for understanding community sentiments about the police and the law are police legitimacy and legal cynicism. The two are connected, but each represents a specific concept for researchers of how residents view law enforcement.

Police legitimacy is usually understood to have two components: 1) trust and confidence in the police; and 2) a feeling of obligation to obey the police. Research has shown that when police officers treat people with dignity and respect and are fair and neutral in their actions, those people are more likely to cooperate with the police and obey the law more generally. Researchers have also found the opposite: When police act in a way that does not inspire trust and confidence, people are likely to respond with fear and alienation and avoid future contact with the police.

### The BCJI Approach

These powerful themes run through all BCJI projects.

#### DATA-DRIVEN

BCJI targets crime hot spots – often streets, properties or public spaces in communities that have struggled with crime for years. Researchers are engaged in the day-to-day work, helping partners examine problems, assess evidence-based solutions, and monitor progress.

#### COMMUNITY-ORIENTED:

BCJI champions active roles for residents in identifying problems, selecting strategies and creating safe and healthy environments.

#### SPURS REVITALIZATION:

BCJI tackles problem properties, unsafe streets and parks, unemployment, transit barriers and service gaps related to crime.

#### BUILDS PARTNERSHIPS:

BCJI taps the resources of public, nonprofit and community leaders to bring more resources and different approaches to bear on longstanding crime challenges for lasting change.

## Police Legitimacy and Legal Cynicism, *continued*

Legal cynicism is “a cultural frame in which the law and agents of its enforcement...are viewed as illegitimate, unresponsive, and ill equipped to ensure public safety,” as Kirk and Papachristos explained in their paper, “Cultural mechanisms and the persistence of neighborhood violence.” People who are cynical about how laws are administered often fear the police and do not want their neighbors to see them cooperating with law enforcement. Studies of legal cynicism often focus on areas where residents routinely confront public safety problems that have not been effectively addressed by public officials, including crime, perceptions of over- or under-enforcement of the law, and discriminatory policing tactics.

Perceptions of the police are often shaped by direct experiences that people have with police officers, as well as indirect experiences, including stories relayed by family and friends or seen in media. Over time, people develop stable perceptions about police legitimacy and the law based on these factors, which are not the same for all people and in all places. People’s perceptions of the police and the law are strongly influenced by the nature of the community in which they live, the distribution of crime problems, and the history of local residents’ relationships with the police.

Police use of order maintenance strategies like stop and frisks where there are concentrated and routine disorder problems are a prime example of how strategies can have a different meaning in different communities. These tactics can be misused by police officers or perceived to be misused. When interpreting why a police officer made a particular stop, someone may perceive it is motivated by racial bias or police harassment rather than because of legitimate crime prevention concerns.

### Measurement Approaches

It is possible to measure police legitimacy and legal cynicism in a community. With this data, the BCJI team can provide critical information to the police or broader cross-sector teams about how to approach problems of crime and disorder.

### Sample Measures

Common mechanisms for gathering information about perceptions of police include phone, online, or in-person surveys. Table 1 shows examples of measures of police legitimacy and legal cynicism drawn from Gau (2014) and

Johnson and colleagues (2014). By using several different questions that focus on similar issues, the survey avoids having a person’s reaction to the wording of a single question unduly influence the measurement of his or her overall trust and confidence in the police.

Usually responses to these statements are collected and tabulated on a Likert scale (e.g., strongly agree, agree, disagree, and strongly disagree). For police legitimacy, items are averaged or combined to produce a single measure of perceptions of legitimacy. While the measures discussed here capture important concepts associated with police legitimacy and legal cynicism, these are not the only options. Practitioners may find an alliance with a researcher useful for finding measures that are valid, reliable, and most strongly related to local interests.

**Table 1.**  
Surveying police legitimacy and legal cynicism

Concept	Sample measures
<b>Police Legitimacy: Trust and confidence</b>	<ol style="list-style-type: none"><li>1. Police protect people’s basic rights.</li><li>2. Police are generally honest.</li><li>3. Most police officers do their jobs well.</li><li>4. Police can be trusted to do what’s right for my neighborhood.</li></ol>
<b>Police Legitimacy: Obligation to obey</b>	<ol style="list-style-type: none"><li>1. When the police issue a formal order, you should do what they say even if you disagree with it.</li><li>2. You should accept police officers’ decisions even if you think they’re wrong.</li><li>3. It would be hard to justify disobeying a police officer.</li></ol>
<b>Legal cynicism</b>	<ol style="list-style-type: none"><li>1. It’s okay to do anything that you want, as long as you don’t hurt anyone.</li><li>2. Laws are made to be broken.</li><li>3. To make money, there are no right or wrong ways, only easy and hard ways.</li><li>4. Fights among rival gangs should be ignored by the police.</li><li>5. Fighting between friends or within families is no one else’s business.</li></ol>

# Police Legitimacy and Legal Cynicism, *continued*

## Conducting surveys

When deciding how to contact community members to gather information about legal cynicism and police legitimacy, consider:

- 1 What research question needs to be answered?
- 2 What funding and personnel are available to carry out the research?
- 3 How will research design decisions impact the quality of the data collected for the study?

Who is selected to participate in the study should be defined by the nature of the research question. For instance, a study of the impact of a community-based crime prevention effort should focus on understanding of a representative sample of community members. A study of whether a police training program influences citizens' perceptions of the police might focus on people who have had direct experiences with trained officers after the program is implemented. Other studies that are focused on programs aimed at special populations, such as juveniles, the mentally ill, or former offenders, should survey members of these groups.

Funding and personnel considerations often have an impact on how a survey is carried out, such as online, by telephone, in-person, in areas of the community where crowds tend to congregate (such as shopping malls or mass transit centers) or during routine meetings between the population of interest and public service organizations (such as regularly scheduled meetings between the police and the community). Engaging people in the process who are deeply knowledgeable about the community context is critical.

Funding and personnel availability also play a role in determining who administers the surveys: community volunteers, criminal justice professionals, nonprofit or public service agencies, or teams of trained researchers. In general, it is less expensive to use volunteers or to incorporate collection into routine, pre-existing meetings between criminal justice or public service professionals and the desired population.

These personnel and funding concerns must be balanced against the need to produce quality data that is unbiased and representative of the population of interest. Bias could occur during survey administration, for example, if some surveys were carried out by trained researchers and others by criminal justice professionals—a person is likely to respond to questions about police legitimacy differently when those questions are being asked by a police officer. And if the methods used to contact respondents differed, it could impact respondents' answers.

When the sample is not selected randomly or when the response rate is low, survey data is likely to be non-representative. Random selection ensures that every person in a population of interest has an equal chance of being asked to complete a survey, but it requires comprehensive data about the study population and can be expensive. For instance, to draw a random sample from a community, an accurate list of addresses or phone numbers for community members is needed. This is much more demanding than carrying out surveys in a mall or mass transit area with whomever happens to be nearby.

Compared to in-person interviews, phone, online, or emailed surveys generally produce lower response rates—the ratio of people who participate compared to the number of people who are asked to participate. A low response rate raises a concern that the people who have been surveyed might differ in some respects from people who did not respond. For example, survey researchers who carry out household surveys during normal weekday business hours could speak to fewer working people as compared to retirees, whose opinions on various community issues may not be representative of the whole community.

## Research partnerships

To carry out meaningful studies of legal cynicism and police legitimacy, practitioners can be helped by establishing a long-term relationship with research partners, who can help define research questions, identify appropriate measures, and define a sampling strategy that gathers data from the appropriate population. BCJI research partners can fill this role, or they may be able to suggest other resources associated with their organization if their professional expertise and experience does not include survey methodology.

## Police Legitimacy and Legal Cynicism, *continued*

A research partner cannot work in a vacuum, however. Practitioners often provide critical insights about the feasibility of various research designs, fine-tune measures according to local needs and interests, and identify the data and strategies that can be used to contact community members. In keeping with the core principles shaping BCJI, multiple parties need to contribute for a data collection effort to be successful and for the results to have a substantive effect on practice.

### References/ Recommended Readings

To delve more deeply into the research and theories behind police legitimacy and legal cynicism, consider these leading studies and white papers.

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The Local Initiatives Support Corporation (LISC) is the national technical assistance provider for BCJI, working in cooperation with the Bureau of Justice Assistance. LISC appreciates the Police Foundation's partnership to produce this paper.

This paper was supported by Grant No. 2012-AJ-BX-K046 awarded by the Bureau of Justice Assistance to LISC. The Bureau of Justice Assistance is a component of the Office of Justice Programs, which also includes the Bureau of Justice Statistics, the National Institute of Justice, the Office of Juvenile Justice and Delinquency Prevention, the Office for Victims of Crime, and the Office of Sex Offender Sentencing, Monitoring, Apprehending, Registering, and Tracking. Points of view or opinions in this document are those of the author and do not necessarily represent the official position or policies of the U.S. Department of Justice.