

2021

Improving African-American Confidence in Law Enforcement: Recruit to Optimize Procedural Justice, not Racial Quotas

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ABSTRACT: Although a common maxim among many practitioners argues that departments should recruit their way out of the African-American confidence race gap by hiring more minority officers, that maxim is unfounded and redirects our recruitment efforts away from hiring to ensure procedural justice and police effectiveness – the two most powerful determinants of African-American confidence in the police.

The author's nationwide survey revealed that African-Americans living in cities with more racially representative law enforcement agencies were no more confident in local law enforcement than those living in cities where African-Americans were underrepresented. That same survey proved, instead, that African-American confidence is far higher where local police forces deliver procedural justice and effective policing than where local police forces are merely racially representative. This article presents the survey findings and explores the policy implications for law enforcement recruitment.

KEYWORDS: African-Americans, civilian confidence, police, diversity, procedural justice, representative bureaucracy, minority recruitment

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Many American law enforcement professionals cling to a purely apocryphal maxim that hiring more African-American law enforcement officers will improve African-American confidence in local law enforcement. That maxim persists among many practitioners and law enforcement administrators to this day with virtually no empirical support. Nevertheless, that maxim did not survive the rigorous, empirical study presented in this article. Exploratory factor analysis, correlational analyses, and ordinal logistic regression were applied to data from the author's online survey of 356 African-American adults across the United States. The participants' degrees of confidence in local law enforcement were assessed based on their responses to about three dozen survey items that explored their attitudes toward local law enforcement, fear of crime, neighborhood contexts, age, and other characteristics. Additionally, each respondent's local law enforcement agency was evaluated using extant government data regarding the degree to which African-Americans were proportionally represented among sworn officers compared to the percent of each community's total population that was African-American. In every ordinal logistic regression model, African-American confidence in local law enforcement was not significantly predicted or affected by the degree to which African-Americans were over- or under-represented on the force. Instead, African-American confidence in local law enforcement was driven by African-American participants' perceptions of both police effectiveness and the quantum of procedural justice meted out by the officers on the force. Thus, the study revealed that African-Americans seek procedural justice and effectiveness from their local law enforcement agencies and the precise racial makeup of the sworn officers on the local force appears to be largely irrelevant at the macro scale.

This finding ought not be used to discontinue efforts to increase law enforcement officer

diversity as supported by the Final Report of the President’s Task Force on 21st Century Policing (2015:2, 17-18). Ignoring diversity would erode the many other benefits that can be realized by increasing officer diversity. Increasing the proportion of African-American officers could reduce police shootings of African-Americans (Dunham & Petersen, 2017; Legewie & Fagan, 2016; Nicholson-Crotty, Nicholson-Crotty, & Fernandez, 2017; Sekhon, 2017) and fear of crime (Hay, 1995, p. 9). African-American officers are less likely to engage in “driving while Black” and “stop-and-frisk while Black” incidents (Fagan, Braga, Brunson, & Pattavina, 2016; Gilliard-Matthews, Kowalski, & Lundman, 2008). Increasing African-American diversity on the force could improve community policing (Hall, Hall, & Perry, 2016, p. 18-19; Schuck, 2014), can reduce the number of excessive force complaints and the number of upheld excessive force complaints (Hong, 2016; Hong, 2017), and can reduce the number of crimes (Hong, 2020). In addition to those direct benefits related to improving African-American officer representativeness, diversity can foster innovation (Lambert, 2016; Rock & Grant, 2016), improve performance (Roberson, et al., 2017), broaden perspectives and worldviews (Galinsky, et al., 2015), better reflect amorphous preferences for a racially diverse police force (Weitzer, 2015), and “increase departmental expertise, range of personnel resources, and community cooperation (Hay, 1995, p. 9).” The “law enforcement community recognizes the need for increasing diversity within their ranks (Wilson, Wilson, & Gwann, 2016, p. 245-246).” Thus, this study does not justify withdrawing from efforts to improve officer diversity.

African-American confidence in law enforcement lags far behind White confidence and that gap is grounded in the country’s early history of slavery and long-standing racial discrimination, White supremacy, and inequality in jobs, criminal justice, politics, power, economics, housing, education, and opportunities. But as this study illuminates, that gap cannot

be eliminated by simply hiring more African-American officers; rather, that gap must be mitigated by infusing a culture of race-neutral procedural justice¹ with law enforcement officers, regardless of color, treating all equally and with dignity, respect, justice, equity, understanding, training, awareness, and patience.

Practitioners' maxim: Hire more minority officers to improve minority confidence in police

Practitioners often repeat the maxim that increasing minority representation will improve minority confidence and satisfaction with local law enforcement. Former law enforcement officer Nicole Cain declared in *PoliceOne*, “Ideally, a police agency's demographics should mirror those of the jurisdiction it serves (Cain, 2019, p. 4).” International Association of Chiefs of Police Diversity Committee member Cassi Fields, writing in the *Police Chief* magazine, repeats the maxim without evidence claiming as a purported truism that a more diverse cadre of officers will improve confidence in the police (Fields, 2015, p. 26). Bruce Kubu of the Police Executive Research Forum and his co-authors asserted that “A police agency whose officers reflect the racial demographics of the community they serve . . . conveys a sense of equity to the public, especially to minority communities (Fridell, Lunney, Diamond, & Kubu, 2008).” Corrine Streit, writing in the trade magazine *Law Enforcement Technology*, argued without evidence that increasing minority representativeness can improve minority confidence in local law enforcement (Streit, 2001). Even the President’s Task Force on 21st Century Policing (Gupta & Yang, 2016, p. ii; Ramsey & Robinson, 2015) glanced off the issue by arguing in circles that “increased diversity within law enforcement agencies – defined not only in terms of race and gender, but also other characteristics including religion, sexual orientation, gender identity,

¹ The public’s perception of the degree to which law enforcement is grounded in ethics, fairness, and due process and not grounded in violence, efficiency, expedience, is a concept often summarized as “procedural justice” (Mazerolle, Antrobus, Bennett, & Tyler, 2013; Mazerolle, Bennett, Davis, Sargeant, & Manning, 2013, pp. 247-248, 257; Murphy, Mazerolle, & Bennett, 2014; Sun, Wu, Van Craen, & Hsu 2018; Taylor & Lawton, 2012, p. 415; Tyler, 2004).

language ability, background, and experience – serves as a critically important tool to build trust with communities. This finding is bolstered by decades of research confirming that when members of the public believe their law enforcement organizations represent them, understand them, and respond to them – and when communities perceive authorities as fair, legitimate, and accountable – it deepens trust in law enforcement, instills public confidence in government.” Gustafson (2013, p. 720) argued anecdotally that increasing minority representation among law enforcement officers can “destroy stereotypes . . . increase perceptions of legitimacy . . . [and] close broad gaps in social distance . . . [because] the public tends to associate racially mixed policing with impartiality, fairness and trustworthiness.” Hendrix, Taniguchi, Strom, Barrick, and Johnson (2018, p. 54-55) noted apocryphally that “Individuals who share specific traits, such as race or ethnicity, may internalize a sense of belongingness to an ‘in-group’ through which trust and cooperation are easily fostered. . . . minorities who feel unrepresented by their local police department could internalize a sense of disconnect from the police or come to believe that the department is not working on behalf of the minority community’s best interests.” Finally, Retired Police Chief Patrick Oliver, writing in the *Police Chief* magazine (2017, p. 3-4), argued that “Diversity yields many benefits, both internally and externally. . . . While African Americans report perceptions of police bias, even leading to a pervasive fear of police brutality, officer diversity can create confidence in a law enforcement agency’s understanding of local issues and a perception of more positive interactions between officers and minorities.”

These calls for increased minority representation to improve minority confidence are not new as Alderdan, Farrell, and McCarty (2017, p. 43) chronicled: “Since the 1970s, police agencies around the nation have taken efforts to increase the number of racial and ethnic minorities and women in their ranks.” As far back as 1968, the Kerner Commission (Kerner Commission, 1968)

“recommended hiring more minority officers and assigning them to minority neighborhoods (Brown & Frank, 2006, p. 97). Even earlier, the United States Commission on Civil Rights (1981) called for increased minority representation among sworn officers to improve civil rights protections (not to improve satisfaction or confidence) (Manalili, Reid, Park, Smith, & Wiggins, 2000). The National Advisory Commission on Criminal Justice Standards and Goals in 1973 called for law enforcement agencies to “achieve a ratio of minority group employees in approximate proportion to the makeup of the population (Decker & Huckabee, 2002).” Hochstedler and Conley (1986) also noted the trend to that point that law enforcement agencies had started to focus more attention on racial and ethnic representation. As Benton (2020) bemoaned, “Demographic representation is a typical public administration solution for problems during interactions with minority clients.” And that public administration solution has been pursued by law enforcement management for decades. Bing, Harrison, Branch, and Coston (2017, p. 2) noted, “It is critically important to have a police force that mirrors the population served,” but they also noted that while mirroring reduced tension between minorities and the police, they fell short of arguing that mirroring improved minority confidence in local police.

Exploring the literature arguing that enhanced diversity does not improve minority confidence

The maxim that law enforcement diversity yields improved minority confidence matrix is belied by the history. Diversity among law enforcement officers has grown dramatically over the years, but most diversity improvements involved Hispanic and Latinx officers, not African-American officers. For example, from 2008 to 2014, the percent of all sworn officers nationwide that are African-American remained stable at about 12%. Crucially, however, African-American confidence in local law enforcement fell from 45% to 33% during the same period, 2008 to 2014. Clement (2014); Gallop/USA Today (2008); NBC News/Marist (2014).

The current study fully and empirically supports a conclusion antithetical to the maxim. On the contrary, the findings here betray no significant confidence gain by simply increasing African-American representativeness. Numerous researchers have weighed in on the issue in the past decade. Although one might expect that “demographic and cultural matching” would improve confidence to a small degree, “research supports representation’s positive effects [in other fields, but] . . . it seems that policing is one exception to that rule . . . But if we [want] African Americans to view the police more positively, representation will not be enough.” Benton (2020, p. 816-817). As Ben-Porat and Yuval (2012, p. 239, 247) noted presciently, “Minorities may regard a police force that is made up solely of members of the majority as an alien group. . . . diversification of the police force, therefore, can strengthen the legitimacy of the police . . . [but minorities] were more concerned with the fairness and quality of service than with the ethnicity of the police officers in the neighbourhood.” Indeed, “Today, it appears that Black clients see Black police more as police officers than representatives (Benton, 2020, p. 794).” As far back as 1977-1980, Decker and Smith (1980) found minimal evidence and Sherman (1980) and Walker (1977) found no empirical evidence that increasing African-American representativeness improved African-American satisfaction with local law enforcement. Finland (Egharevba, 2018, p. 284) exhibited the same years later where “police behaviour and actions [i.e., not race] are crucial to forming perceptions of police legitimacy.” As the Pew Charitable Trusts published (Fifield, 2016, p. 2), “As police-involved shootings have increased tensions between police and black communities across the country, some law enforcement agencies have put out similar calls for help in hopes of recruiting a more diverse force as one way to re-establish community trust. . . . research is mixed as to whether diversity helps reduce tensions.” And as a community organizer noted (Fifield, 2016, p. 5), “Calling for

more diversity in police departments simply distracts from the real issue [insufficient social services].” Flexon, D’Alessio, Stoltzenberg, and Greenleaf (2019, p. 303) captured the essence: “When minority citizens perceive a lack of procedural fairness and disrespect by the police, it may ultimately influence their perceptions of police legitimacy.” As Skogan and Frydl (2004, p. 6) noted early on, “the more lawful police are, the more likely the outcomes produced by their actions will be accepted and embraced by the public. Lawful policing increases the stature of the police in the eyes of citizens, creates a reservoir of support for police work, and expedites the production of community safety by enhancing cooperation with the police.” The findings herein thus are consistent with Benton (2020) and empirically and quantitatively support the view that procedural justice drives minority confidence in law enforcement and minority representativeness does not.

The law enforcement leadership lesson to draw from these findings: hire for procedural justice and effectiveness and not merely to achieve a race quota. There are other benefits to increasing African-American and other minority representation in law enforcement agencies, but communities with more racially representative police forces do not enjoy greater African-American confidence.

This empirical analysis was grounded on the work of Tankebe (2010, 2013) and Sunshine and Tyler (2003), which identified key perceptions that aggregate to yield confidence in local law enforcement, and on the work of a number of 21st Century scholars, who sought to specify best practices for quantifying confidence in law enforcement.

There is, of course, value in this study’s findings that increasing African-American representativeness on local law enforcement agencies does not materially improve African-American confidence in local law enforcement. But far more important are the lessons to be drawn

from the study. Foremost among them is that agencies seeking to improve African-American confidence in local law enforcement should recruit, hire, train, retain, and promote officers who are focused on procedural justice and effectiveness and should relegate to a subordinate position the perceived importance – perpetuated and overemphasized by repetition of the maxim – of achieving African-American representativeness.

African-American Distrust of American Law Enforcement

African-American distrust of American law enforcement runs deep (Rosenbaum, Schuck, Costello, Hawkins, & Ring, 2005; Wu & Cao, 2018). Some researchers have attributed that distrust, in part, to the country's early history of slavery and long-standing racial inequality (economically, politically, occupationally, in housing, in opportunities, in education, and under the law). Roberson, Ryan, & Ragins (2017). But regardless of the genesis, as seen in Table 1, that African-American confidence gap is substantial, undeniable, and – apparently, at least – largely intractable:

[INSERT TABLE 1 ABOUT HERE]

Other researchers argue that minority distrust of local law enforcement evidences general legal cynicism or beliefs and experiences of unfair or unequal treatment (Hough, 2012; Tyler, 2005), or from problematic prior contacts that people of color had with law enforcement (Callanan & Rosenberger, 2011; Cochran & Warren, 2011; Sargeant, 2017), or from “economic equality, spatial segregation, and political disenfranchisement” (Barker, 2016:11). That racial gap is not a mirage (Posick, Rocque, & McDevitt, 2013). And that racial gap is a public safety threat because “policing is far more difficult without public support . . . Citizen confidence in the police is critical to sustained public safety. . . (Braga, Brunson, & Drakulich, 2019, 6.1, 6.7).” Confidence in local law enforcement serves as every law enforcement agency's spine and we owe our served

populations a local law enforcement agency in which they can be confident. Civilians confident in local law enforcement officers and agencies are more likely to obey and cooperate with the police. Murphy & Cherney (2012); Murphy, Cramer, Waymire, & Barkworth (2018); Shjarback, Decker, Rojek, & Brunson (2017); Tyler, Goff, & MacCoun (2015:81-82); Tyler & Jackson (2014:79-80, 83, 85-87, 89); Wang, Ready, & Davies (2019).

Tankebe, Reisig, and Wang (2016:11, 19) and Ewanation, Bennell, Blaskovits, and Baldwin (2019) found that perceptions of police legitimacy stemmed from concepts of police lawfulness, distributive fairness, procedural fairness, and effectiveness, and affected felt obligations to obey and cooperate with the police and comply with the law. Harkin (2015) and others have taken to assessing trust, satisfaction, and confidence in terms of legitimacy and perceived procedural justice, although not without detractors (Roché & Roux, 2017).

Some researchers have quantified the widespread and substantial minority underrepresentation in law enforcement (e.g., Governing, 2015). And the 2015 final report of the President's Task Force on 21st Century Policing (2015) called for increased focus on increasing the number and percent of minority officers in law enforcement.

Confounding Variables Identified in Prior Studies

Although the race gap in police confidence clearly exists, race alone may be an imperfect variable here inasmuch as race can be correlated with (or a confounding variable with respect to) other relevant variables including negative contacts with police (Berthelot, McNeal, & Baldwin, 2018; Gau, 2010; Lee, Cao, Kim, & Woo, 2019; Shelley, Hogan, Unnithan, & Stretesky, 2013; Wu, Sun, & Triplett, 2009); fear of crime (Circo, Melde, & Mcgarrell, 2019; Kusow, Wilson, & Martin, 1997; Perkins, 2016); lack of a sense of personal safety or social cohesion within their communities (Auter, 2016; Bradford & Myhill, 2015; Perkins, 2016); lack of mirror image of race

on the local police force (Forster-Towne, 2012); perceptions of decay, disorder, or disadvantage in one's own community (Boateng, Lee, & Abess, 2016; Kwak & McNeeley, 2019; Lord, Kuhns, & Friday, 2009; Perkins, 2016; Reisig & Parks, 2002; Wu, Sun, & Triplett, 2009; Wolfe, Nix, Kaminski, & Rojek, 2016; Wu, Sun, & Triplett, 2009); feeling obligated to obey the law (Baker, et al., 2015); a history of perceived procedural injustice (Baker, et al., 2015; Bradford & Myhill, 2015; Lee, 2017; Nix, Wolfe, Rojek, & Kaminski, 2015; Schulenberg, Chenier, Buffone, & Wojciechowski, 2017; Wolfe, et al., 2016); and civilian beliefs that police are transparent and held accountable (DeAngelis & Wolf, 2016). Deeper inquiries (Bottoms & Tankebe, 2012; Harkin, 2015; Murphy, 2017) have questioned purported links between perceived procedural justice and confidence in law enforcement. Indeed, some argue the race gap in perceptions of procedural justice may be illusory: "[I]t is plausible that these residents [who are members of the majority group] infer from their experiences of being treated fairly by local police that these officers also are operating effectively (Taylor, Wyant, & Lockwood, 2015:238)." In a related sense, Salvatore, Markowitz, and Kelly (2013:11-12) found that recent adverse police contact did not significantly change satisfaction/dissatisfaction with the criminal justice system overall. Still other researchers, including Skogan (2009:301, 314), have argued that direction of the cause-effect relationship between confidence and fear of crime is mistaken and that confidence reduces fear of crime rather than fear of crime decreasing confidence.

Given that research backdrop, the author conducted this study to assess and quantify the impact of African-American underrepresentation on African-American attitudes toward and confidence in local law enforcement. The findings should chasten those practitioners who still believe that minority hiring quotas alone will perforce improve minority confidence in local law enforcement.

METHODOLOGY

The Racial Mirror Index

The study started with the author's own "Racial Mirror Index" ("RMI") concept². RMI measures the degree to which a minority is over- or under-represented among sworn officers on the local police force (LEMAS, 2013) relative to the minority percent among the population served. RMI-AA is the African-American Racial Mirror Index. When RMI-AA=100, the proportion of African-Americans among sworn officers on the local police force matches the proportion of African-Americans in the population served. Concomitantly, RMI-AA greater than 100 indicates African-Americans are overrepresented on the force and RMI-AA less than 100 indicates African-Americans are underrepresented on the force.

Measuring Confidence in Local Law Enforcement

This study measured confidence in local law enforcement using definitions and survey items based on Tankebe's (2010, 2013) work but added confidence, trust, and satisfaction as stand-alone aggregate measures. The study also assessed the impacts of the independent variables on trust in law enforcement and satisfaction with law enforcement (Cao, 2015; Hu, Dai, DeValve, & Lejeune, 2020).

To isolate and quantify the influence of minority representativeness on confidence, confounding variables (Simpson, 2017), including fear of crime, neighborhood contexts, recent adverse police contacts, age, and gender, were included in various model runs as described below.

Participants

After Institutional Review Board waiver was received, the study used an internet-based survey (see Appendix) of just over 500 African-American adults from across the United States

² Consistent with the earlier proportional representation index use by Jordan, Fridell, Faggiani, and Kubu (2009, p. 337).

using the Amazon Mechanical Turk internet survey panel platform³. This study was intentionally limited to African-American confidence in law enforcement to facilitate its focused assessment of that sub-group; future studies could address attitudes of other minority groups. The TurkPrime add-on was used to automatically screen to allow only African-American adults to respond to the survey, as desired. TurkPrime operates in a fashion that precludes the participants from finding out why they were chosen to take the survey; rather, TurkPrime identifies the pool of eligible participants (in this case, African-American adults) then makes the survey available only to that eligible pool. The online administration of that survey required less than 48 hours to complete. A total stipend of about \$2.00 was paid to each participant who successfully completed and submitted the survey. Amazon Mechanical Turk paid the participants directly; no money was exchanged between the researcher and the participants. The reported cities of residence and locational information contained within the IP addresses were combined to identify the local law enforcement agency serving each participant. After data cleaning, 356 participants' survey responses remained. Each of the 356 respondents had a demonstrated history of prior qualified survey responses on Amazon Mechanical Turk. The 356 survey participants (Figure 1) came from across the United States:

[INSERT FIGURE 1 ABOUT HERE]

All MTurk participants were adult African-Americans. The participant characteristics varied

³ Online and panel surveying have recently grown in popularity among social science and criminal justice researchers (Gottlieb, 2017; Perkins, 2016; Redfern, 2014; Riccucci, VanRyzin, & Lavena, 2014; Simmons & Bobo, 2015; Sousa, Miethe, & Sakiyama, 2018). Sousa, Miethe, and Sakiyama (2018) used the Amazon Mechanical Turk ("MTurk") online survey panel platform to generate respondents for their attitudinal survey, finding that although some of the demographics did not consistently mirror the population's demographics, the results were consistent with prior studies (p. 102, note 2). In settling on the MTurk survey panel approach, Sousa, Miethe, and Sakiyama (2018) considered the consistent and positive MTurk survey panel approach assessments reached by Heen, Lieberman, and Miethe (2014). Gottlieb (2017) thoroughly investigated studies regarding the use of MTurk in social science scholarship. He found that MTurk's internal and external validity were similar to classic survey methods at a far lower cost and at much faster turnaround times (pp. 643-644). In application, Gottlieb (2017) posed several attitudinal questions to his MTurk panels to assess their between-group responses to reforming the criminal justice system for non-violent offenders. He randomly assigned his respondents to one of six sub-groups based on the cue or messaging frame that each received prior to responding to the survey, such as "structural causes of crime," impact of parental incarceration on children, and costs of incarceration. His results, using ordinal logistic regression modeling, showed that MTurk sampling could yield reliable and meaningful results when assessing respondents' criminal justice-related attitudes. It has been reported that African-Americans are underrepresented among MTurk respondents but that shortcoming is mitigated here since TurkPrime was used to ensure all participants were African-American adults.

somewhat from the characteristics of the total African-American population in the United States: male (40% in the sample compared to 48% in the general population; thus, 40% / 48%); female (60% / 52%); 18-29 years (34% / 46%), 30-49 years (53% / 28%), 50+ years (13% / 26%); Hispanic (4% / 2.5%) (Black Demographics, 2019; Census 2010). Thus, the participants were more female, older, and somewhat more Hispanic than the total African-American population in the United States. Future research could use weighted sampling or after-the-fact weighting to correct for any potential representativeness issues. The number of sworn officers per participant city ranged from 8 officers to nearly 35,000 ($\bar{x} = 3,299$). The RMI-AA (Figure 2) for the participant cities ranged from 0-334 ($\bar{x} = 66.1$).

[INSERT FIGURE 2 ABOUT HERE]

Fully 87% of participants lived in cities with RMI-AA less than 100, that is, where African-Americans were underrepresented on the local police force. That is consistent with the widespread and consistent African-American underrepresentation found in the largest surveys and studies (Governing, 2015; LEMAS, 2013). The researcher did not select the cities to be surveyed; rather, the survey was administered to African-Americans nationwide and respondents' residence data were captured within the survey and then verified against each respondent's IP address.

Finally, these survey participants were *a priori* aware of the racial under- or over-representativeness of their local law enforcement agencies. Their responses to the survey item, "The racial makeup of the officers is consistent with the racial makeup of the people in my community," were strongly and positively correlated with RMI-AA for their communities without regard to the correlational statistic computed ($r=.115, p=.030$; $\tau_b=.126, p=.002$; $\rho=.162, p=.002$).

Statistical Analyses

Exploratory Factor Analysis, Confirmatory Factor Analysis, Correlational Analyses,

graphical analysis, and Ordinal Logistic Regression were then sequentially applied to the African-American survey responses and the RMI-AA calculations from the Law Enforcement Management and Administration Statistics data (LEMAS, 2013).

RESULTS

Exploratory and Confirmatory Factor Analyses

Given the large number of attitude items in the survey and their substantial multicollinearity, Exploratory Factor Analysis (“EFA”)⁴ was applied to coalesce or load the large number of attitude items onto fewer but homogeneous factors for use in later stages of the statistical analyses. The sample size was clearly sufficient ($KMO = .950$; Bartlett’s Chi-Square Test of Sphericity = 5007, $df=231$, $p<.000$). Items with low communalities (that is, with low affinities to other survey items), such as “There are not many instances of crime in my neighborhood,” were excluded from further EFA modeling. After several different EFA runs with differing assumptions and rotational approaches, this study settled on a Promax-rotated EFA without the neighborhood context variables. The factor loadings matrix for that final EFA model is presented in Table 2.

[INSERT TABLE 2 ABOUT HERE]

The survey items that clustered on each of the two factors permitted clear assessments of the concepts captured by each of the two factors: EFA Factor 1 captured “Procedural Justice” and EFA Factor 2 captured “Police Effectiveness.” Confirmatory Factor Analysis revealed that both factors were very reliable as measured by Cronbach’s alpha (α) (as a rule of thumb, $\alpha>.7$ is deemed acceptable for social science research (Nunnally, 1978)):

⁴ A similar statistical approach was simultaneously used by Morrell, Bradford, and Javid (2019) in divining their “trust, fairness, presence model” of civilian confidence in law enforcement.

EFA Factor 1 (Cronbach's $\alpha=.948$) captured the twelve key Procedural Justice-related survey items: law enforcement honesty, courtesy, respect, fairness, respect, sincerity, and rules and procedures that yield equitable and just law enforcement actions.

EFA Factor 2 (Cronbach's $\alpha=.888$) captured the Police Effectiveness-related survey items: law enforcement acts within the law, responds promptly, is always able to assist, handles situations well, and is doing a good job controlling crime.

Correlational Analyses

Since the variables were a mixture of ratio (continuous or interval) and ordinal data, a variety of parametric and nonparametric correlational approaches were applied. The notable correlational findings were:

- EFA Factor 1 (Procedural Justice) was significantly correlated with Confidence ($\rho=.767$; $p=.000$); Trust ($\rho=.741$; $p=.000$); and Satisfaction ($\rho=.753$; $p=.000$);
- EFA Factor 2 (Police Effectiveness) was significantly correlated with Confidence ($\rho=.746$; $p=.000$); Trust ($\rho=.760$; $p=.000$); and Satisfaction ($\rho=.815$; $p=.000$); and
- RMI-AA was *not* significantly correlated with Confidence ($\rho=-.043$; $p=.425$); Trust ($\rho=-.035$; $p=.481$); or Satisfaction ($\rho=-.207$; $p=.609$).

The lack of significant association between RMI-AA and Confidence, Trust, and Satisfaction indicates that whether African-Americans are underrepresented, overrepresented, or proportionately represented on the local police force and the degree of that underrepresentation are not significantly associated with the degree to which African-Americans have confidence, trust, or satisfaction in local law enforcement. Since that result contradicted the practitioners' common maxim, that lack of correlation between minority representativeness and minority attitudes toward law enforcement bore further analysis; therefore, to ensure the lack of significant correlation was

not a mere statistical artifact, the study findings were presented graphically using stacked histograms of low confidence, neutral confidence, and high confidence participants' RMI-AA scores on identical axes depicted in the following Figure 3:

[INSERT FIGURE 3 ABOUT HERE]

Note that the three sub-groups of respondents, low confidence, neutral confidence, and high confidence, all exhibited virtually identical RMI patterns. Thus, correlationally and graphically, African-Americans exhibit consistent confidence in local law enforcement whether African-Americans serving as officers in their local law enforcement agency are overrepresented, underrepresented, or equivalently represented relative to the African-American proportion of the general population.

Ordinal Logistic Regression Modeling

A series of Ordinal Logistic Regression models were then run to identify those independent variables that significantly predict African-American confidence, trust, and satisfaction in local law enforcement. The variables that were sequentially added to and removed from the successive models were RMI-AA, EFA Factor 1 (Procedural Justice), EFA Factor 2 (Police Effectiveness), Recent Adverse Police Contact, Neighborhood Context, and participant age, sex, and Hispanic status. A number of representative model runs are presented in Table 3.

Explore, if you will, just two of the model runs (models 1, 7) in Table 3 to better understand this table. In model 1, the dependent variable ("Confidence") is African-American confidence in local law enforcement. The model fit (.677) and pseudo- R^2 (.001) indicate that model 1 is insignificant: model fit is a p estimate and should be as close to zero as achievable and pseudo- R^2 is an estimate of the percent of variance in the dependent variable (Confidence) that is accounted for by the lone independent variable in model 1, RMI-AA. Thus, model 1 reveals that RMI-AA is

not a significant predictor of African-American confidence.

Model 7 explores whether RMI-AA becomes a significant co-predictor of Confidence when EFA Factor 1 (Procedural Justice) and EFA Factor 2 (Police Effectiveness) are added to the Ordinal Logistic Regression model. Here, the model fit is significant ($p=.000$), the pseudo- R^2 indicates the three-variable model accounts for 67.5% of the variance in Confidence, the two factor variables, EFA Factor 1 (Procedural Justice) and EFA Factor 2 (Police Effectiveness) are both significant predictors of Confidence (at the $p=.000$ level), but RMI-AA remains insignificant even when added to this model 7 ($p=.594$).

Glancing down Table 3, one can see that RMI-AA never becomes a significant predictor of African-American confidence in local law enforcement just as the correlational and graphical analyses had previously indicated. The other independent variables either never become significant in these models or come in and out of significance but never materially improve the predictive power of using just EFA Factor 1 (Procedural Justice) and EFA Factor 2 (Police Effectiveness).

[INSERT TABLE 3 HORIZONTALLY ABOUT HERE ON ITS OWN PAGE]

POLICY IMPLICATIONS

At the macro scale, African-Americans do not crave more African-American police officers; instead, they crave more procedural justice and effective police services in their local area. The predominant policy implication is that law enforcement agencies should focus recruitment, hiring, advancement, and discipline efforts on selecting and supporting those officers dedicated to ensuring procedural justice for all. That requires nothing more than a recommitment to the social contract: Americans agreed to forgo forming a posse and exacting personal revenge for criminal wrongs committed against them and instead created a criminal justice system that therefore must be dedicated to providing equivalent justice for all citizens without regard to age, gender, race, religion, income, socio-economic circumstances, birthplace, immigration status, or any other factor. All Americans are entitled to exactly the same quantum of justice; African-Americans are entitled to and crave only that same quantum.

These findings reflect that African-American distrust of local law enforcement does not appreciably vary based on African-American underrepresentation or overrepresentation on the local police force. Rather, it is clear now that improving African-American confidence in law enforcement and reducing the race gap in trust requires predominantly that law enforcement recruits and hires new officers who are dedicated to procedural justice; that senior officers consistently model and reward procedural justice across the organization; and that agencies seek effective law enforcement, protection, and service that are equivalently provided to all served communities. Law enforcement's path forward is paved with those stones.

Finally, when communities experience high-profile police misconduct against African-Americans or exhibit low African-American confidence, those communities must not be "let off the hook" by merely requiring the affected departments to hire more officers of color. After all,

two minority officers (Tou Thao, of Hmong descent, and Alexander Kueng, an African-American) reportedly spoke up but failed to intervene in Minneapolis in May 2020 while the senior White officer, Derek Chauvin, held his knee on George Floyd's neck and ended Floyd's life (Condon & Richmond, 2020). Instead, those departments must be required to do the heavy lifting to ensure that commitment to procedural justice and the social contract are (1) modeled consistently from the highest levels of the department, (2) the predominant characteristics in all recruitment and hiring, (3) among the factors most likely to yield swift and public discipline if violated, (4) drivers in promotion and retention decisions and performance reviews, and (5) key public reporting topics exhibiting transparency and sharing missteps and successes in procedural justice at every turn. If the quest is to improve confidence in local law enforcement, there must be commitment to a concerted and public campaign to publicly share both good news and bad regarding procedural justice.

The other key factor improving African-American confidence was police effectiveness. To ensure progress in that regard, departments must continue community policing efforts and ensure that the reality of effective policing matches the public reporting of police effectiveness – in all communities and neighborhoods and with all cohorts and sub-groups. All must be served equivalently to honor that social contract.

CONCLUSIONS

Many practitioners believe the maxim holding that hiring more African-American officers will perforce improve African-American confidence. But, as this empirical research demonstrates, after decades of economic inequality, racially disparate criminal justice system outcomes, and the long recovery from the shared shame of slavery, African-Americans see African-American police officers as police officers and not as their African-American representatives. And African-

Americans do not require more African-American officers to have increased confidence in local confidence. On the contrary, African-Americans merely want local law enforcement officers, regardless of race, that are effective and treat African-Americans with equal dignity and procedural justice. Thus, hiring officials should identify and select those new recruits who embrace a procedural justice mindset and should adjust discipline and advancement procedures to ensure those officers who exhibit procedural justice are retained and advanced and those who fail to exhibit procedural justice are disciplined or, without satisfactory improvement, discharged.

Of course, this study was conducted at the macro scale – comparing cities with varying levels of RMI-AA against one another regarding African-American confidence. And the findings make clear that African-American adults living in cities with higher or lower RMI-AA do not vary significantly in the degree of confidence they have in local law enforcement. This study, then, did not address the micro scale – whether a single city, by increasing the proportion of African-American recruits, might materially improve that city's African-American confidence. In addition, the study arguably suffers from the fallacy of exception since the relatively small sample size (although sufficient for all statistics applied) may skew the results because so few respondents were drawn from each city.

This study used 356 African-American adult respondents generated using MTurk and TurkPrime. That yielded a sample somewhat inconsistent with the African-American adult population's demographic profile. Future studies could weight to correct for this, could survey a larger sample or stratified sample, could use other respondent generation approaches, and could include an array of minority groups.

In the final analysis, for any law enforcement officer, the one law that should be enforced above all others is the supreme law: The United States Constitution. The Constitution and its

amendments are not “technicalities” that trap unsuspecting but well-meaning officers trying to “get the bad guys off the street.” Instead, the Constitution is the document that enables law enforcement officers to use the tremendous powers they have subject to specific and largely inviolable due process protections for the accused and for all citizens. We can all live with that and must hire and manage and model to ensure that constitutional rights and procedural justice are delivered on every shift to every community and every person in our jurisdictions. We owe them no less.

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APPENDIX The Survey Items

Q1 Indicate your age range in years.

Q2 Indicate your sex.

Q3 Indicate your predominate race.

Q4 Indicate whether you are Hispanic.

Q5 Please type the zipcode of your residence in the box below.

For questions Q6-Q29, rate whether you agree or disagree with each of the following statements about the law enforcement officers and agencies serving the community in which you live.

Q6 The racial makeup on the officers is consistent with the racial makeup of the people in my community.

Q7 The officers are trustworthy.

Q8 The officers are often dishonest.

Q9 The officers are usually honest.

Q10 The officers usually act within the law.

Q11 I am proud of the officers who serve my community.

Q12 I have confidence in the officers who serve my community.

Q13 The officers treat everyone with respect.

Q14 The officers treat everyone with dignity.

Q15 The officers treat everyone equally.

Q16 The officers respect people's rights.

Q17 The officers follow through on the decisions and promises they make.

Q18 The officers always act within the law.

Q19 The officers take account of the needs and concerns of people they deal with.

Q20 The officers sincerely try to help people with their problems.

Q21 The officers clearly explain the reasons for their actions.

Q22 The officers try to find the best solutions for people's problems.

Q23 The officers provide opportunity for unfair decisions to be corrected.

Q24 The officers use rules and procedures that are fair to everyone.

Q25 The officers respond promptly to calls about crimes (for example, robbery, assault).

Q26 The officers are always ready to provide satisfactory assistance to victims of crime.

Q27 The offices are always ready to provide the assistance the public needs from them.

Q28 The officers are doing well in controlling violent crime (for example, armed robbery).

Q29 The officers are doing a good job overall in my neighborhood.

For questions Q30-36, rate whether you agree or disagree with each of the following statements about the community in which you live:

Q30 Crime levels in my neighborhood have changed for the better in the last year.

Q31 There are not many instances of crime in my neighborhood.

Q32 I trust the law enforcement officers who serve my community.

Q33 I feel safe walking in my neighborhood at night.

Q34 My neighborhood is a good place to live in terms of personal security.

Q35 When law enforcement officers in my community stop people they usually handle the situation well.

Q36 I am satisfied with the law enforcement officers serving my community.

Q37 Have you had professional contact with a law enforcement officer in the past twelve months (do not include social contact)?

Q38 [If the answer to Q37 is YES, then] Considering only the most memorable (non-social) contact you had with law enforcement in the past twelve months, please select one of the following (it was a positive contact, it was a negative contact, it was neither positive nor negative).

TABLE 1

Table 1. Trust/Satisfaction/Confidence in Local Law Enforcement (in percent)

	Black	White	Difference
Ekins (2017)	40	68	28
Norman (2017)	30	61	31
Auter (2016)	66	82	16
Morin and Stepler (2016)	55	81	26
Newport (2016)	29	58	29
Jones (2015)	30	57	27

FIGURE 1

Figure 1: RMI-AA for All Study Agencies – Circle Diameter Reflects RMI-AA



Note: Each circle indicates a participant city and the diameter of each circle indicates the RMI-AA of each city. The larger the circle diameter the larger that city's RMI-AA.

FIGURE 2

Figure 2: Racial Mirror Index-African-American for Cities in Study

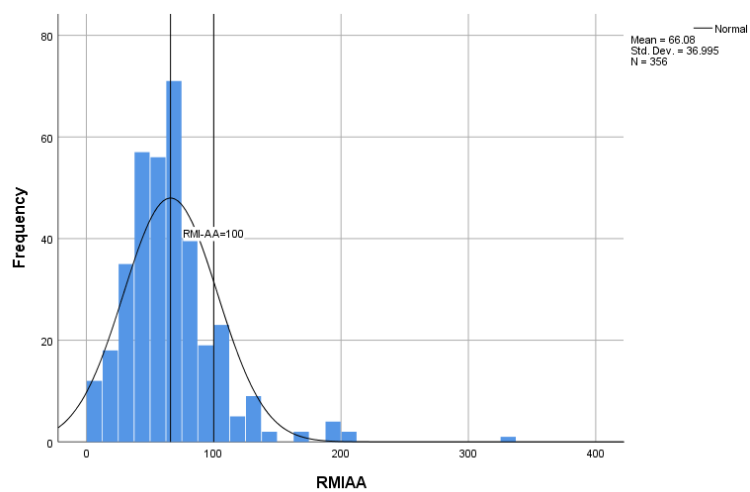


TABLE 2

Table 2. Promax-rotated Factor Matrix without Neighborhood Context Variables

	Factor	
	1	2
Usually Honest	0.410	
Usually Act Within the Law		0.438
Treats Everyone With Respect	0.912	
Treats Everyone With Dignity	0.918	
Treats Everyone Equally	0.917	
Respects Peoples' Rights	0.815	
Follows Through on Promises	0.479	
Always Acts Within the Law	0.678	
Takes Account of Needs of Civilians	0.494	
Sincerely Tries to Help	0.440	
Clearly Explains Reasons for Acts	0.554	
Provides Opportunities to Correct Errors	0.528	
Rules and Procedures are Fair	0.788	
Responds Promptly		0.714
Always Ready to Provide for Victims		0.609
Always Able to Provide Assistance		0.581
Doing Well in Controlling Violent Crime		0.837
Doing a Good Job Overall		0.802
Usually Handle Situations Well		0.635

Extraction Method: Principal Axis Factoring.

Rotation Method: Promax with Kaiser Normalization.

a. Rotation converged in 3 iterations.

FIGURE 3 [must be presented on a single page]

Figure 3: Histograms of RMI-AA by Confidence Category (Low, Neutral, High)

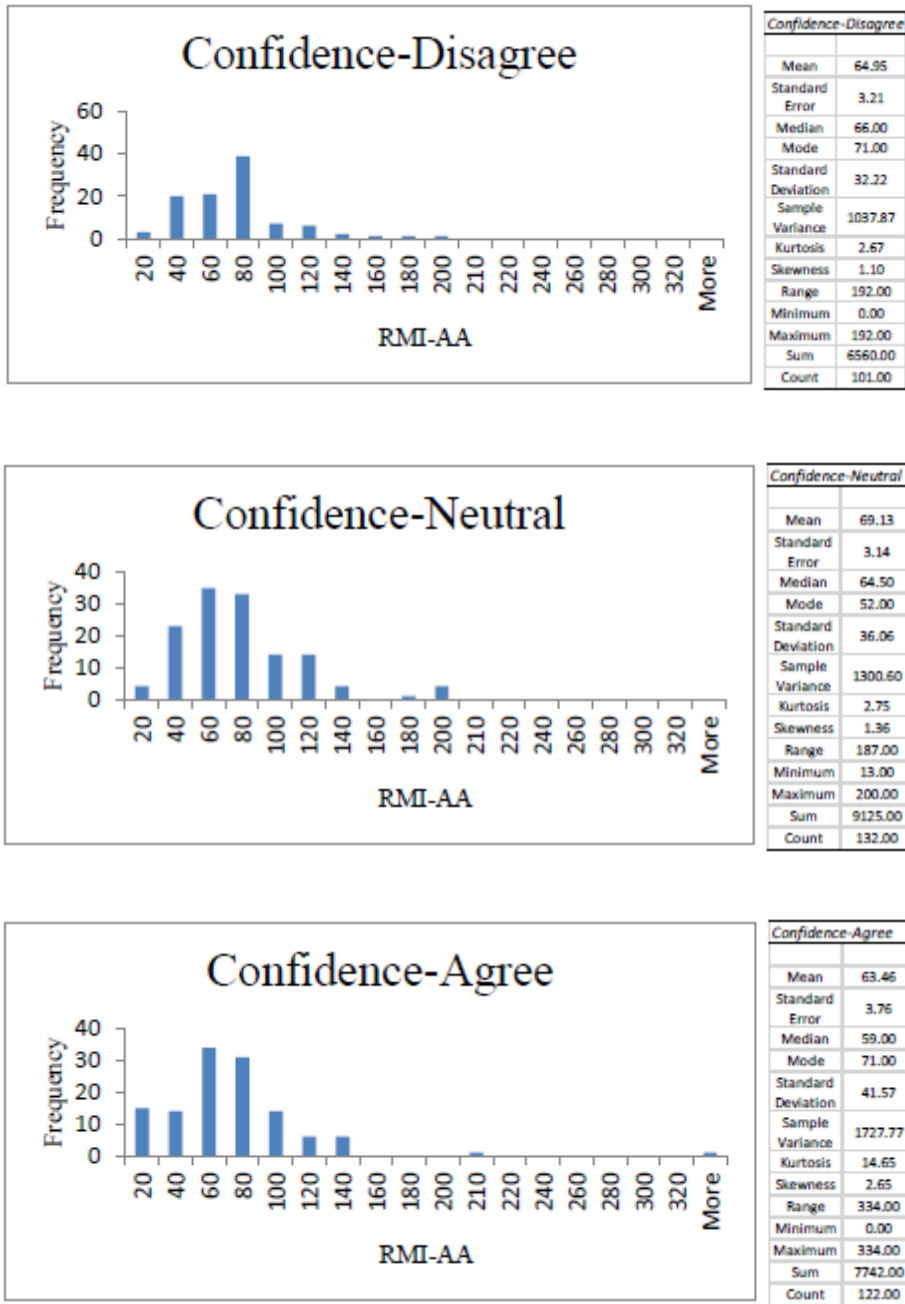


TABLE 3 [must be presented horizontally on its own page]

Table 3: Selected Ordinal Logistic Regression Model Runs and Key Statistics

Model #	Dependent Vbl	Model Fit <i>p</i>	Pseudo R ²	T-P-Lines <i>p</i>	Variables in the Model Run with Significance of Each Parameter Estimate, <i>p</i> =							
					RMI-AA	FactorPJ	FactorPE	Police Contact	Neighborhood	Age	Sex	Hispanic
1	Confidence	0.677	0.001	0.216	0.675							
2	Trust	0.494	0.001	0.627	0.514							
3	Satisfaction	0.986	0.000	0.619	0.986							
4	Confidence	0.000	0.674	0.067		0.000	0.000					
5	Trust	0.000	0.672	0.389		0.000	0.000					
6	Satisfaction	0.000	0.743	0.312		0.001	0.000					
7	Confidence	0.000	0.675	0.096	0.594	0.000	0.000					
8	Trust	0.000	0.672	0.595	0.725	0.000	0.000					
9	Satisfaction	0.000	0.743	0.484	0.618	0.001	0.000					
10	Confidence	0.000	0.697	0.810	0.779	0.000	0.000	.178-.570	.104-.999	.014-.026	0.000	.270-.610
11	Trust	0.000	0.717	0.633	0.312	0.000	0.000	.000-.039	.033-.546	.002-.032	0.000	0.000
12	Satisfaction	0.000	0.783	0.683	0.751	0.000	0.000	.001-.016	.002-.629	.176-.620	0.000	.993-.994
13	Confidence	0.000	0.700	0.679	0.855	0.000	0.000	.287-.826	.095-.951	.009-.021	0.000	
14	Trust	0.000	0.715	0.753	0.259	0.000	0.000	.001-.164	.045-.527	.001-.023	0.000	
15	Satisfaction	0.000	0.777	0.713	0.927	0.000	0.000	.001-.183	.001-.690	.125-.407	0.000	
16	Confidence	0.000	0.698	0.608	0.783	0.000	0.000		.900-.927	.016-.029	0.000	
17	Trust	0.000	0.700	0.763	0.393	0.000	0.000		.049-.671	.003-.029	0.000	
18	Satisfaction	0.000	0.765	0.697	0.819	0.000	0.000		.001-.772	.225-.409	0.000	
19	Confidence	0.000	0.688	0.372		0.000	0.000			.011-.035	0.000	
20	Trust	0.000	0.688	0.912		0.000	0.000			.008-.065	0.000	
21	Satisfaction	0.000	0.749	0.709		0.000	0.000			.241-.401	0.000	

Note. Gray boxes indicate significance at *p*<0.05 level.
Model Fit is the *p*-value for the χ^2 statistic for model fit.
Pseudo R-squared uses the Nagelkerke calculation (estimate of variance in the dependent variable accounted for by the model).
T-P-Lines is the *p*-value of the Test for Parallel Lines (should be non-significant).