

11 Stop-and-frisk and trust in police in Chicago¹

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Introduction

This chapter examines some of the consequences of stop-and-frisk as a law enforcement strategy. This is important because stop-and-frisk has become the crime prevention strategy of choice in American policing. Stop-and-frisk embodies the theory of general deterrence. The idea is that a relentless focus on presumably “hot people” concentrated in crime “hot spots” increases the risks involved in carrying drugs or weapons. This, in turn, will deter crimes that stem from holding contraband, including shootings and drug dealing. In this view, stop-and-frisk increases the perception among potential offenders that they face a high risk of being apprehended if they commit a crime or are provisioned to do so, and thus reduces offending.

Of course, there may be collateral consequences of turning to an aggressive stop-and-frisk style of policing, and that is the focus of this chapter. One possible consequence is that—from the point of view of the citizens involved—these stops may seem unwarranted. Even in crime hot spots, most people, most of the time, are just going about their daily lives. The ability of the police to accurately select suitably hot people from among them is very limited, further reducing the “hit rate” for seizing contraband and making arrests. These rates are typically quite low, so the risk of unwarranted intrusion into people’s lives seems a real one.

Another collateral consequence is that stops may be unfairly distributed. The vision of stop-and-frisk underlying the law and decisions of courts in the United States is that they are preceded by careful surveillance and a nuanced analysis of the situation by experienced officers who are wise to criminal opportunities near the scene and the ways of those who are up to no good there. This was the understanding of policing evidenced by the US Supreme Court in one of its leading endorsements of stop-and-frisk, *Terry v. Ohio* (1968). But when stop-and-frisk as a policy scales to hundreds of thousands of encounters per year in a single city and when the pressure from management is for volume and not their quality, few may be emulating the good police work of Officer McFadden in front of the jewellery store on his regular beat in downtown Cleveland, Ohio. Instead, a risk is that their apparent race, age, social class and gender may provide the principal flags by which officers identify hot people.

Third, the collateral damage of a crime prevention strategy generating large numbers of unwarranted stops of persons targeted for being who they are may include undermining the legitimacy of the police and perhaps that of the state. Legitimacy is one of the fundamental cornerstones of democracy. It underlies obedience to the law and to the directions of the authorities who protect it. It keeps them from needing an officer on every corner to secure order. If by their actions police undermine their own legitimacy—including by heedlessly sweeping through neighborhoods in a thin blue line—the broader political consequences of SQF (“stop, question, and perhaps frisk” as it has been labeled by a Chicago chief of police) could be significant.

But while there are skeptics, stop-and-frisk has vocal and active supporters and it is the strategy that many American police departments point to as evidence that they are trying to prevent crime. William Bratton, the Commissioner of the New York City Police at the time, put it this way:

Stop-and-frisk is such a basic tool of policing. It’s one of the most fundamental practices in American policing. If cops are not doing stop-and-frisk, they are not doing their jobs. It is a basic, fundamental tool of police work in the whole country. If you do away with stop-and-frisk, this city will go down the chute as fast as anything you can imagine.

(Toobin 2013)

In New York as in Chicago and other places, euphemisms are occasionally employed to relabel stop-and-frisk. A New York City term is “investigative stops,” and this will be used widely in this chapter. In Chicago, the chief of police—who served in New York City for 25 years—insisted on calling it “stop, question, and perhaps frisk,” to signal that people could perhaps give a good enough account of themselves when they are approached. Since this research was conducted in Chicago, I will frequently label these stops “SQFs.”

Stop-and-frisk as a policing strategy is certainly not confined to the United States. In the UK, searches are regulated and reported nationally. In 2008–2009, which is the last year that stops not leading to a search were recorded in the UK, police recorded more than 2.2 million stops and almost 1.1 million searches in a 12-month period (Shiner and Delsol 2015). Summarizing the results of a national survey of young people in France, Jobard et al. (2012) report that 28 percent of respondents recalled being stopped at least once in the course of the previous year. (As will be discussed below, the comparable stop rate for Chicago residents under age 35 was 40 percent.) Non-governmental survey studies of encounters are important in France as officially available data do not include information on the race of individuals (Zauberman and Lévy 2003). Some US cities release reports of their stopping practices, but surveys like that described here link people’s stop-experiences to a broader range of process and outcome measures that may not reliably be recorded by the police, and probably will not be considered by them at all.

By 2013, SQF had become the primary crime prevention strategy in Chicago.² There, the most relentless stop-and-frisk pressure was not in the field; rather,

1 it was internal, from police headquarters and directed at unit commanders, and
2 from them down to line officers. The CompStat management system that was in
3 place stressed hard numbers. The hardest number was the homicide count,
4 which—unlike murder in other big American cities—was rising. The comple-
5 mentary number that seemed under the control of top management was the
6 SQF count. The chief of police, who had arrived in the city from New York in
7 late 2011, brought with him both CompStat (which he had been in charge of)
8 and a firm belief in the redemptive power of stop-and-frisk. The weekly Comp-
9 Stat sessions, at which he grilled his unit commanders, sometimes became shout-
10 ing sessions as he turned up the heat, exhorting them to produce ever-greater
11 numbers of stops. As will be detailed below, 2014 featured an extremely large
12 number of SQFs but closed with higher numbers of shootings and murders than
13 the year before. The following year began as a virtual mirror of 2014, and by its
14 conclusion shootings were up almost 30 percent over 2013, and the number of
15 homicides rose from 2014 to 2015 by 13 percent. There was a sense of panic at
16 police headquarters which was feeling the drumbeat of media criticism aimed at
17 their inability to “do something” about this deadly trend. This chapter examines
18 the consequences of Chicago’s strategic response for the city’s residents at this
19 very moment, when SQFs reached their crescendo and then collapsed in the face
20 of scandal and (perhaps) reform.

Measuring encounters with police

24 There are no national statistics on the frequency or outcomes of stop-and-frisk
25 policing. Individual cities define these encounters in radically different ways.
26 For example, New York City police complete a form for everyone they stop, and
27 any further actions—including ticketing or arresting them, or seizing contra-
28 band—link to the stop record. In Chicago, on the other hand, police complete
29 their local report only when there are *no* further consequences of the stop; if a
30 stop-and-frisk is recorded, that is all that happened. Cities also use different
31 forms of electronic and paper records. New York City’s form includes many
32 check-box responses to particular data needs, making it easy to analyze them
33 statistically. In Chicago, by contrast, most of the form is a blank space into
34 which officers key whatever text occurs to them to describe the event. As there
35 are millions of these forms, analyzing them in any systematic way is virtually
36 impossible. So while there are a few studies of individual cities, national trends
37 are currently impossible to assemble using official records.

38 This examination of stop-and-frisk and its consequences is based on a survey
39 of Chicago residents conducted during 2015. The sample to be questioned was
40 selected to represent residents of seven race and class clusters that make up most
41 of Chicago. The clusters were revealed by analyzing recent demographic and
42 economic data for the city’s 788 small census tracts. This identified geographic
43 concentrations of poor and better-off African Americans, better-off and working-
44 class Whites, long-settled and recently arrived Hispanics, and other recent
45 immigrants, many of who are Asian. Representative samples of residential

blocks located in each of these clusters were selected proportionate to their population size. Survey staff members next walked the sample areas, adding any residential addresses that did not appear on the United States Post Office's list for the block and removing incorrect or non-residential addresses. Then, sample addresses were randomly selected from the list for each block. Interviewers knocked on those doors and conducted personal interviews with a randomly selected resident age 16 and older. To encourage participation, potential respondents were offered a cash incentive of \$40. The interviews could be conducted in either English or Spanish. This was significant for more than 30 percent of the Hispanics interviewed for this study were questioned in Spanish.

Up to ten contact attempts were made at each sample address, at varying times of day and days of the week, with the bulk of the attempts being made in the evening or on weekends. Follow-up validations were conducted for 10 percent of each interviewer's completed cases. The response rate for the survey was 28 percent, calculated according to American Association of Public Opinion Research standards. The factor that most affected the response rate was the frequency of sample addresses at which no contact could ever be made to determine if anyone eligible to participate lived there, or—in some cases—whether anyone was living there at all. Chicago's declining population and the high level of building abandonment characterizing many poor neighborhoods doubtless contributed to this. Another group that proved difficult to approach was affluent Chicagoans living in high-rise residential buildings. At addresses where someone could actually be contacted the cooperation rate was 52 percent.

A total of 1,450 residents were interviewed: 457 Whites, 436 African Americans, 437 Hispanics, and 121 persons of other races. Chicago's Hispanic community primarily has its origins in Mexico, and 44 percent of the Hispanics interviewed for this study were foreign born. Of all Hispanics, 26 percent reported they were not citizens. The terms Hispanic and "Latino" are used interchangeable in this report, as they are in daily life in the city. Respondents classified as "others" on race were 44 percent Asian in origin, primarily from the Philippines and Southeast Asia. Other blocs of respondents came from the Middle East and North Africa. Almost 40 percent of all "others" were foreign born, and in total 10 percent were not citizens.

Sampling weights were developed for the survey. They can be used to adjust the data for several factors. One component corrects for differences in the probability of selection for residents of multiple-adult households. Otherwise, individuals living in larger families would be less likely to be selected than adults living alone, who would always be chosen. In addition, respondents in each neighborhood cluster can be weighted to bring them into their correct demographic proportions across the seven study areas. In general, the descriptive statistics presented here are based on weighted data, but the multivariate analyzes that are reported are based on unweighted data. Weighting had little effect in the findings, in any event.

One purpose of the survey was to examine the frequency with which Chicagoans contact and are stopped by the police. Respondents were first presented

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1 with a number of questions about crime and disorder in their neighborhood, fear
2 of crime, their participation in community organizations, and their responses to
3 local problems. Next, they were asked about their neighbors and things they may
4 have done to prevent crime. Further questions gathered their general impressions
5 of the police on several dimensions, including how much they trusted them.
6 Only then did the survey turn to their personal experiences with the police.
7 Respondents were presented with multiple and redundant verbal cues to aid them
8 in thinking about their involvement in police-initiated encounters. Respondents
9 were first asked if they had *ever* been involved in a vehicle stop.

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11 Next I'm going to ask you about times that you may have been stopped or in
12 contact with the Chicago police. Have you ever been in a car or on a motor-
13 cycle that was stopped by the Chicago police, or have you never been in a
14 car or motorcycle that was stopped by the Chicago police? You could have
15 been the driver or passenger.
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17 This was followed by a similar question about having ever being stopped "when
18 you were out walking, or shopping, or just standing around?" There were also
19 open-text questions about being stopped in other circumstances or for other
20 reasons; responses to these were hand-coded. In response to the "have you
21 ever..."-questions, 72 percent of those interviewed recalled being stopped by
22 Chicago police.

23 Follow-up probes were next used to determine which if any of the encounters
24 respondents recalled had occurred in the past 12 months. A 12-month recall
25 period was used in order to estimate a yearly stop rate. In addition, respondents'
26 ability to recall in detail what happened during these contacts could be greater if
27 they were focusing only on relatively recent events. If respondents recalled being
28 involved in more than one police-initiated encounter during the past year, they
29 were asked which was the most recent of those events. This number was
30 significant—almost 30 percent of those stopped in the past 12 months were
31 stopped more than once during the period. In this circumstance, the most recent
32 of multiple contacts provides a reasonable random selection from among them.
33 Incident details were then gathered in follow-up questions about what happened
34 during their only or most recent encounter, if it had occurred in the past year.
35 The questioning sequence thus captured some data on respondents' experiences
36 further in the past (in response to the "have you ever..."-questions) and the
37 number of times they had been stopped during the year but details concerning
38 what happened were gathered only for a specific incident that occurred within
39 the past 12 months. The interviews were conducted continuously during 2015,
40 so those taking place early in the year referred mostly to events that occurred
41 during the latter part of 2014, while interviews conducted later mostly referred
42 to 2015 events.
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The frequency of SQFs

The analysis presented here examines the frequency and character of SQFs, sometimes in contrast to police enforcement stops, which generate citations and arrests. This distinction is based on respondents’ descriptions of their experiences. If they reported being arrested or taken to a police station or if they received a traffic ticket, the encounter is classed as an enforcement stop. In Chicago, most enforcement encounters involved traffic stops; in 94 percent of enforcement encounters, respondents were either driving or they were a passenger in a car that was stopped. Only 6 percent reported being arrested or taken to a police station after being stopped while on foot. Across all enforcement stops, 97 percent of respondents received a ticket, 13 percent reported being arrested, and 19 percent said they were taken to a police station for further processing.

However, if at the conclusion of their encounter with the police they were not cited or formally sanctioned, and instead were free to walk away, the encounter is categorized as an SQF. The “frisked” component of the category is appropriate, for although no formal action was taken against them, the vast majority were questioned and asked for their identification. Many targets of SQF also reported being searched, threatened, handcuffed, and roughed up or even injured—particularly if they were African Americans, Hispanics or members of other minority groups. In contrast to enforcement stops, 46 percent of all SQFs involved respondents who were on foot rather than driving. A majority (56 percent) were stopped near their home, in contrast to 36 percent of enforcement stops.

Based on this, 29 percent of adult Chicagoans recalled being stopped by police in the past year. Among those who were stopped, 75 percent described what is classified here as an SQF investigatory stop, while 25 percent described being formally sanctioned following an enforcement stop. Methodological differences between surveys makes it difficult to compare this to other cities or other times. A survey I conducted in Chicago by telephone more than a decade earlier using otherwise very similar methods found a 20 percent stop rate (Skogan 2006). This was almost a third smaller than the comparable figure for 2014–2015 and clearly a large number.

As in many American cities, the frequency and social distribution of stop-and-frisk has been a subject of political contention in Chicago. At about the moment that this survey was completed, the Chicago police were engulfed in a tremendous scandal over charges (actually, over the fact) that they were concealing horrific acts of brutality in order to protect themselves and the political ambitions of the city’s mayor. The resulting firestorm of criticism led to the creation of a special commission (the Police Accountability Task Force) to investigate the situation and recommend changes to the city’s policies and practices. Based on administrative records, the Task Force’s 200-page report observed that in the summer of 2014, the Chicago police stopped more than 250,000 people. As a rate per 10,000 residents, this was more than four times the comparable rate for New York City at the peak of its stop-and-frisk era (Police Accountability Task Force 2016: 36).

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Another focus of attention among those concerned about police conduct was the distribution of those stops in the population. Of the 250,000 stops conducted that summer, 72 percent were of African Americans, 17 percent were of Hispanics, and 9 percent were of Whites (Police Accountability Task Force 2016: 10). The Task Force report included extensive documentation of other enormous racial disparities in the actions of Chicago police officers. These ranged from whom they shot (74 percent African Americans) to whom they downed with Tasers (76 percent African Americans). There was an extensive analysis of racial disparities in traffic stops (72 percent African American), arrests for loitering (82 percent African American) and investigatory stops (72 percent African American) (Police Accountability Task Force 2016: 35–47). About one-third or less of the city’s population is African American, in contrast. Disparities targeting Black Chicagoans were so one-sided that one point I took away from the Task Force’s charts was that there was little room left for extra attention to the city’s Hispanic population. They also make up about one-third of the city’s population but on many measures they did not hugely differ from Whites.

The survey was designed to capture many of the experiences that concerned the Task Force and others in the city. It was completed just as the scandal broke, so it and accompanying media coverage of police–community relations could not have affected the survey’s findings. Unlike studies based on administrative forms, it does not “double count” individuals who are stopped more than once; as we shall see, this is quite common. It gathers reports of encounters directly from individual citizens, and these can be related to other analytic variables and to their assessments of how they were treated. Figure 11.1 examines the distribution of SQF (“investigative”) and enforcement encounters described in the

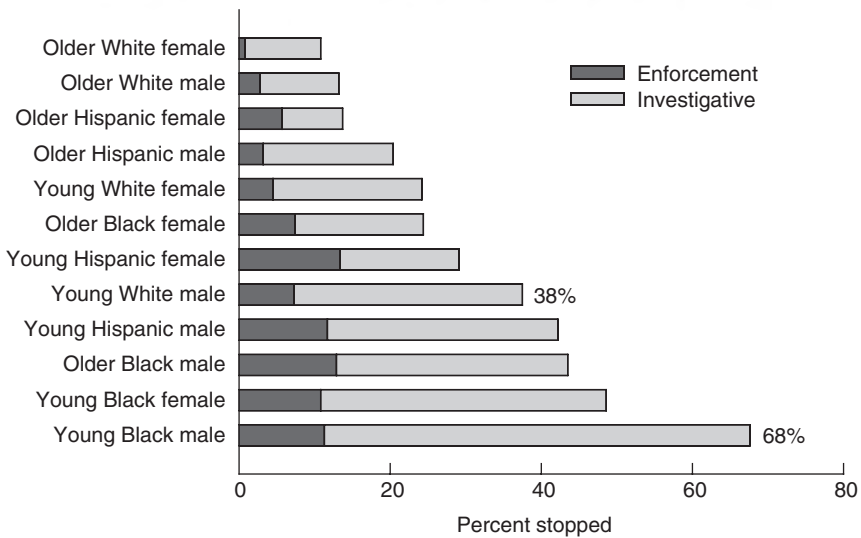


Figure 11.1 Stops by age, race, and sex.

survey. It categorizes Chicagoans by age (“young” is age 16–34), sex and race (persons of “other” races are excluded, as they were too few in number for this detailed analysis). It reports the percentage of respondents in each age-sex-race category who were stopped during the past year, dividing stops between enforcement and investigative encounters. A version of this figure appeared in the final report of the Police Accountability Task Force.

Several important points are illustrated in Figure 11.1. First, in Chicago *being stopped for investigative purposes is the predominant experience residents have with the police*. Every group represented in Figure 11.1 mainly reported being stopped for investigative purposes rather than being ticketed or arrested. The least-often stopped group (11 percent in the course of a year) was older White females, and they were six times more likely to be stopped for investigation rather than for an actionable offence. Among young Black males, 17 percent of those stopped were arrested or ticketed while 83 percent were involved in an SQF. Overall (the bars in Figure 11.1 do not represent equal numbers of people), 22 percent of Chicagoans reported being caught up in an investigative stop and 8 percent were formally sanctioned by ticketing or arrest, almost a 3–1 ratio. The wide net being cast by Chicago’s SQF practices was one of its most surprising features.

A second feature of police–citizen encounters in Chicago is that they *vary widely in frequency, and among young people, men and African Americans being stopped is a common rather than an exceptional circumstance*. Statistically, age was the largest determinant of being stopped; note that being “young” describes six of the seven most-stopped groups in Figure 11.1. Overall, 31 percent of those interviewed who were under age 35 (the “Millennials” in this sample) were caught up in SQF, as were 23 percent of Chicagoans age 35–50. Race came next in terms of predicting the probability of being stopped for questioning. About 30 percent of African Americans were involved in SQF, in contrast to 16 percent of Whites and 20 percent of Hispanics. Gender was the third best predictor of being stopped. In total, 18 percent of females and 28 percent of males recalled being stopped for questioning. In addition, lower-income individuals and short-term residents of their neighborhood were more likely to be involved in SQF encounters (this is not depicted in Figure 11.1). There was also a tendency for foreign-born Chicagoans, and especially non-citizens within this group, to avoid being stopped by the police, either for enforcement or investigative reasons. This is consistent with their general tendency to be circumspect regarding potential encounters with law enforcement officials (Skogan 2009).

Finally, age, race, and sex conspire to create *a huge SQF rate among young African American men*. As Figure 11.1 illustrates, in the course of just one year, 56 percent of young Black males were subjects of SQFs, and 68 percent were stopped overall. They were five times more likely to be stopped for investigation than to be formally sanctioned. A survey I conducted in 2003 came to virtually the same finding—in that year, 71 percent of young African American men reported being stopped for any reason by the Chicago police. The major

1 difference between the two surveys, which were conducted more than a decade
 2 apart, was an increasing stop rate for young African American women, from 39
 3 percent in 2003 to 49 percent during 2015 (Skogan 2006: 295).
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5 **What happens during SQFs?**
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7 Most people stopped by Chicago police are not ticketed, arrested or taken to a
 8 police station. Instead, a very large majority of street stops are investigative
 9 SQFs. They involve ID checks, questioning, and searches of vehicles and
 10 persons. Chicagoans also report being on the receiving end of threats, handcuff-
 11 ing, and physical force even during investigative stops, although in the end there
 12 was no reason to hold them. Being on the receiving end of these intrusive police
 13 actions was much more common among African Americans, Hispanics and
 14 persons of other races.

15 A great deal transpired even during investigative stops; Figure 11.2 details
 16 some of the actions taken by the police during SQFs. As it documents, a majority
 17 of non-White Chicagoans faced an ID check; police demanded identification
 18 from about three-quarters of Blacks and Latinos who were stopped, and from
 19 more than 80 percent of those of other races. For Whites, the comparable figure
 20 was 56 percent. Searches were less common during SQF encounters but they
 21 were also disproportionate in their impact. About 25 percent of African Ameri-
 22 cans who were involved in a vehicle stop reported that their vehicle was
 23 searched. For Hispanics involved in traffic stops, that fraction was 20 percent,
 24 while for Whites it was 6 percent. An even larger percentage of all Blacks and
 25 Hispanics who were stopped—about 30 percent of each group—were personally
 26 searched, in contrast to 9 percent of Whites. Figure 11.2 summarizes both
 27 vehicle and personal searches in the course of SQFs in one number, which was
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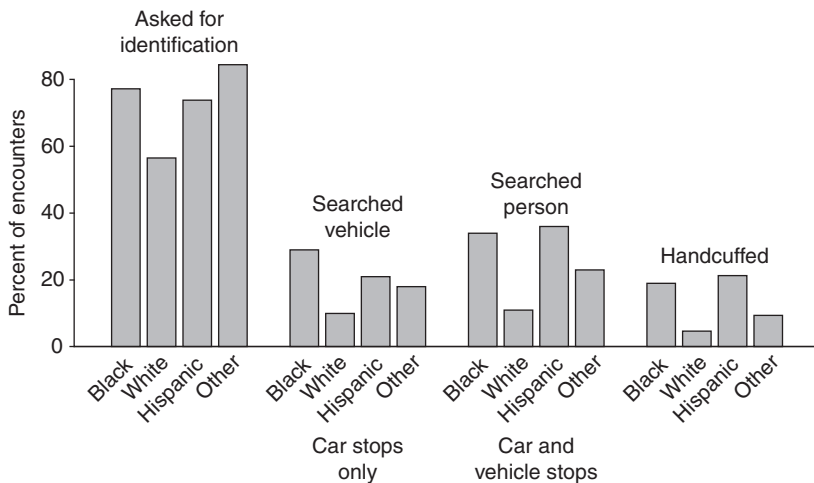


Figure 11.2 Police actions during investigative stops, by race.

in the mid-30s for both Blacks and Latinos. In addition to race, the demographic correlates of being searched included age: Chicagoans age 16-35 were most likely to be searched, as were lower-income and less educated people who were swept up in SQF encounters.

A perhaps surprising fraction of Blacks (19 percent) and Hispanics (21 percent) were handcuffed in the course of being questioned but then eventually released. Although the survey did not probe this point, handcuffing could have been precautionary by the police rather than in response to any violent action by the citizens involved, for in the end none were arrested. Figure 11.2 also reports a summary measure of the use of force in Chicago SQFs; use of force is examined in detail immediately below. In summary, about 35 percent of African Americans and 30 percent of Hispanics and persons of other races reported that they experienced use of force of some sort, including verbal threats, the display of weapons, and being physically accosted. Among Whites involved in SQFs, the comparable figure was 14 percent. In enforcement stops (which are not detailed here), all of these percentages were substantially higher. As for searches, Chicagoans age 16-35 were most likely to report that force was used and that they were handcuffed, as were lower-income and less educated respondents.

Respondents who had been stopped were questioned in some detail about any police use of force during the encounter. Their responses can be classified along a commonly used "force continuum" developed by policing scholar David Klinger (Klinger 1995). At the bottom of this continuum is *shouted commands*. Respondents caught up in SQF encounters were asked: "Did they shout or curse at you, or did they not shout or curse at you?" Overall, 23 percent reported being shouted at. Next on list comes *verbal threats of use of force*. Respondents were asked: "Did they verbally threaten to use force against you, or did they not verbally threaten to use force against you?"; in total, 13 percent were threatened in this way. The frequency of *weapon threats* was measured by responses to two questions: "Did they verbally threaten to use a weapon, or did they not verbally threaten to use a weapon?" and "[d]id they take out a weapon, such as a gun, a club, or a Taser, or did they not take out a weapon?" Officers were described as taking out a weapon in 10 percent of SQFs, and threatening to in another 6 percent. Finally, the use of *physical force* was indicated by positive responses to the question: "Were you pushed, grabbed, kicked or hit, or were you not pushed, grabbed, kicked or hit?" In total, 13 percent of those caught up in investigative stops were pushed or shoved.³

Figure 11.3 arranges these descriptions of use of force, from shouting at the bottom to the use of physical force at the top. Each respondent was placed in their highest position on the scale, based on their description of what happened at the scene. The overall height of each bar illustrates the proportion of each racial group that was subject to any kind of force, and those percentages are reported. Figure 11.3 illustrates the large racial disparities in the use of force reported by our respondents. At the top, the use of physical force was particularly disparate: 14 percent of African Americans and 20 percent of Hispanics who were stopped in an SQF reported being shoved or pushed around, in

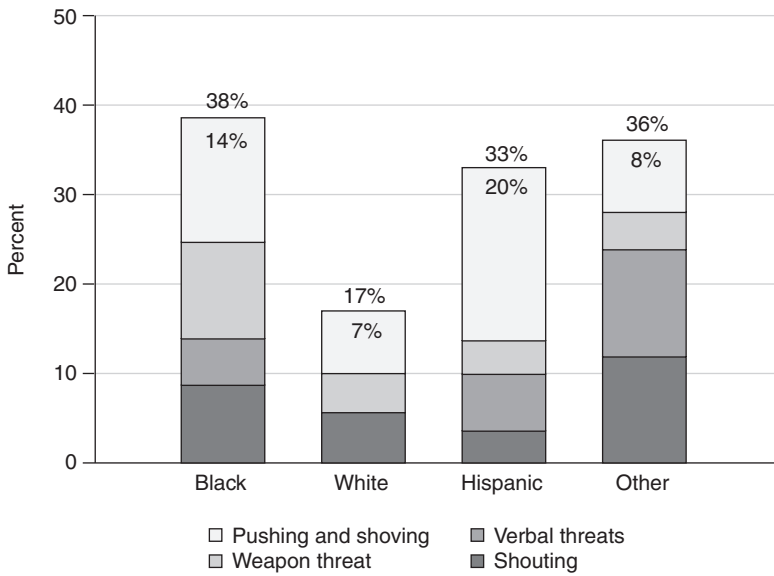


Figure 11.3 Use of force in investigative stops, by race (percent of all investigative stops).

contrast to 7 percent of Whites. (These percentages are also presented in Figure 11.3.) African Americans were almost three times as likely as Whites to be threatened by a weapon (11 percent versus 4 percent).

Overall, compared to Whites (17 percent), Blacks (at 38 percent), Hispanics (33 percent) and persons of other races (36 percent) were about twice as likely to have been subjected to some form of force before being released. It is important to note that very few respondents, 2 percent, reported being injured in any way during an investigative encounter, and that outcome is not presented in Figure 11.3.

Are police in Chicago just “rounding up the usual suspects”? In the popular film *Casablanca*, Captain Renaud of the local police substituted frantic activity for actual police work, ordering his officers to “round up the usual suspects” rather than actually investigate a murder. The political context of this study of SQF made such often-meaningless roundups a distinct possibility. At the department’s CompStat management meetings, the chief of police roared at commanders who failed to produce ever-increasing numbers of stops. This translated into continuous pressure at the district level to make stops for the purpose of “laying hands on people” (conducting a search) and completing forms documenting contacts. Officers in many districts were exhorted at roll call to bring back stop reports. One officer reported being told to go to a park “... and get a couple of kid’s names. I was compared to another officer who will fill out contact cards by the dozen daily.” Another described his strategy: “We contact card the same piss

bums and drunks week after week to keep the numbers up. I data warehouse checked one of our regular beggars and he has over 100 contacts this year.” In some districts, officers reported that they were called in and questioned by their lieutenant if they returned from a tour of duty without any completed stop-and-frisk forms. Making stops was widely understood to be department policy but in the view of many close observers—including me—the actual implementation of the policy had become almost pathological.

In the survey, respondents describing vehicle and pedestrian stops that had occurred during the past 12 months were asked how frequently these kinds of incidents had happened to them in the past year. Blacks and Hispanics who were involved in SQFs proved to constitute the usual suspects. Black targets of SQFs reported experiencing 3.8 stops in the past year; for Hispanics, the stop average was 2.5. Whites reported being stopped an average of 1.7 times in the past year.⁴ Respondents whose SQF was a foot stop rather than a vehicle stop reported experiencing almost twice as many recent encounters. Compared to enforcement stops, targets of SQF were more likely to be stopped multiple times. About 60 percent of those reporting enforcement encounters were stopped only once in the year, while about 60 percent of SQF subjects were stopped more than once.

The impact of SQF on trust in the police

The next question is, what is the impact of SQF encounters on resident’s views of the police? Do they have any larger consequences for policing or for society? Here, I focus on *trust in the police*. In research, trust is viewed as one of the products of policing, caused to an important extent by the quality of service that police deliver to individuals and the reputation they develop in the community as a whole. It is also seen as a key component of legitimacy, one of the bedrock concepts of democratic theory. This section examines the impact of investigatory and enforcement stops on trust. Questions examining trust topics were asked early in the survey, before there was any discussion of recent experiences respondents may have had with the police. Trust questions were mixed among others examining aspects of police performance and the extent of police powers. This section describes in detail the distribution of trust in Chicago and the impact of encounters with the police upon it. A multivariate statistical analysis including a variety of correlates of being stopped is presented which further highlights the important role played by race in evaluating Chicago’s SQF strategy.

Trust is evidenced when citizens believe that police try to do the right thing, acting on behalf of the best interests of the people they deal with. In this view, people may trust police if they seem to embody the norms and values of the community and when they think police are sincere and well-intentioned (Van Craen 2016). Trust is sometimes labeled “motive-based trust” because it is a belief regarding the intentions of the police, that “their heart is in the right place” and they mean well even if they do not always succeed. Trust generates confidence in the future behavior of the police and, when it is strong trust, can help sustain public support when there are occasional breeches and the police do not

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1 manage to live up to expectations, including their own. In procedural justice
2 theory, it is procedurally fair treatment that generates trust in the police because
3 citizens infer from how they are treated whether or not the police have good
4 intentions. In Tyler's (2004) view, trust is one of the most crucial components of
5 procedural justice theory as it underlies legitimacy—which is defined by an
6 obligation to obey police and the law. The more people trust the police, the more
7 likely they are to support them and act in accordance with their requests.

8 Why could involvement in SQFs undermine trust? This question returns to
9 our discussion at the outset of the potential pitfalls of pursuing a crime preven-
10 tion strategy that is based on extensive stop-and-frisk. Police casting a wide net,
11 intervening in the lives of a broad spectrum of citizens in order to announce their
12 presence to the community and send the signal that they are to be feared, could
13 easily undermine any belief that police motives are to be trusted. Claims that
14 SQF stops are being initiated in response to truly suspicious behavior, which is
15 one basis of their legality, lose credibility. Instead, people may feel besieged,
16 even in their own neighborhoods. They can feel that being stopped, and stopped
17 repeatedly, is demeaning, and it certainly can send a signal that people like them-
18 selves are not respected. A high-volume SQF strategy like that adopted in
19 Chicago may also not command careful management of the quality of stops. Pro-
20 cedural justice theory emphasizes the importance of officers letting citizens
21 speak up, listening to what the public has to say, carefully explaining their
22 actions, and being respectful and polite (Van Craen 2016). But, based on this
23 survey, too often SQF in Chicago more resembles “confront and command”
24 policing than procedurally just policing. This is particularly true among African
25 Americans and other large minority groups, who are—as we have seen—more
26 often harshly treated during these stops. Being stopped is also potentially
27 dangerous—recall from Figure 11.3 that among all but White Chicagoans, more
28 than 30 per cent reported being threatened or worse by the police during SQFs.
29 Tyler and Huo's (2002) original formulation of motive-based trust involved the
30 belief that police are doing their best for the people with whom they are dealing.
31 SQFs do not send that message.

32 Enforcement stops could work differently. Note that they likely involved rel-
33 atively clear wrongdoing. Those caught up in them had been speeding, driving
34 while intoxicated or in a reckless manner, or were otherwise involved in actions
35 that got them (mostly) ticketed, arrested, and/or taken in. Tyler and Fagan (2008)
36 argued that under these circumstances, police enforcement actions may not
37 undermine trust, as such stops typically have a clear legal basis. People may not
38 be *happy* about being sanctioned, and it would not be surprising if being ticketed
39 or arrested rebounded against the views of the police held by those on the receiv-
40 ing end. But—especially if police handle the incident in a professional manner—
41 they do not have much cause for complaint, and they probably know that. In
42 contrast, a pernicious feature of SQF is that doing nothing wrong may not inocu-
43 late people against being swept up.

44 In the survey, trust was measured by responses to six questions. They are pre-
45 sented in Table 11.1. The questions focus on perceptions of officers' character

Table 11.1 Measures of generalized trust in police

How often do police try to find the best solutions for people’s problems in this neighborhood?	1
How likely is it that people’s basic rights will be well protected by the Chicago police?	2
How likely is it that the leaders of the Chicago police will make decisions that are good for everyone in the city?	3
How sincere are police working in this neighborhood about trying to help people with their problems?	4
How honest are police working in this neighborhood?	5
How much of the time can the police be trusted to make decisions that are right for the people in this neighborhood?	6

(sincerity and honesty); their responsiveness to community concerns (finding “best solutions” while “trying to help with their problems”); their attention to the common good (making decisions that are “right for the people” and “good for everyone in the city”); and their commitment to lawful policing (“basic rights well protected”). Each question provided respondents with five responses to choose from. The response categories for each question varied appropriately, including positive categories such as “definitely will,” “extremely likely,” “always,” and the like. Responses to the six questions were strongly correlated (an average of +0.59) and they formed one factor that explained 67 per cent of their total variance. Averaging the responses into one index created a trust-in-police scale with an alpha reliability of 0.90. On a five-point scale the average (and median) score was in the positive range (3.3). There was a visible (but not statistically large) grouping of low scores; as we shall see, these were linked to characteristics of our respondents and the experiences that they recently had.

Figure 11.4 illustrates the relationship between race, experience with the police, and trust in the police. It compares the views of respondents who were involved in enforcement stops and those who were the targets of SQF encounters with each other, and with Chicagoans who had not been stopped by the police during the same 12-month period. For Figure 11.4 (but not for the statistical analysis that follows), the measure of generalized trust in the police was categorized, breaking out respondents who averaged in the moderately-trusting range and those scoring in the high-trust range. Other respondents located themselves nearer the distrustful end of the scale, so the overall heights of the bars in Figure 11.4 illustrate the percentage of Chicagoans who held generally trusting views.

First, Figure 11.4 illustrates the *strikingly lower level of trust among Chicago’s African Americans*. Overall only 44 percent of Black Chicagoans evidenced any trust in the police. This figure was much higher for Hispanics (68 percent) and for persons of other races it was 61 percent. More than 80 percent of Whites reported some level of trust in the police.

Second, compared to respondents who did not report a recent SQF, *those caught up in enforcement and investigative stops were less trusting of the police*.

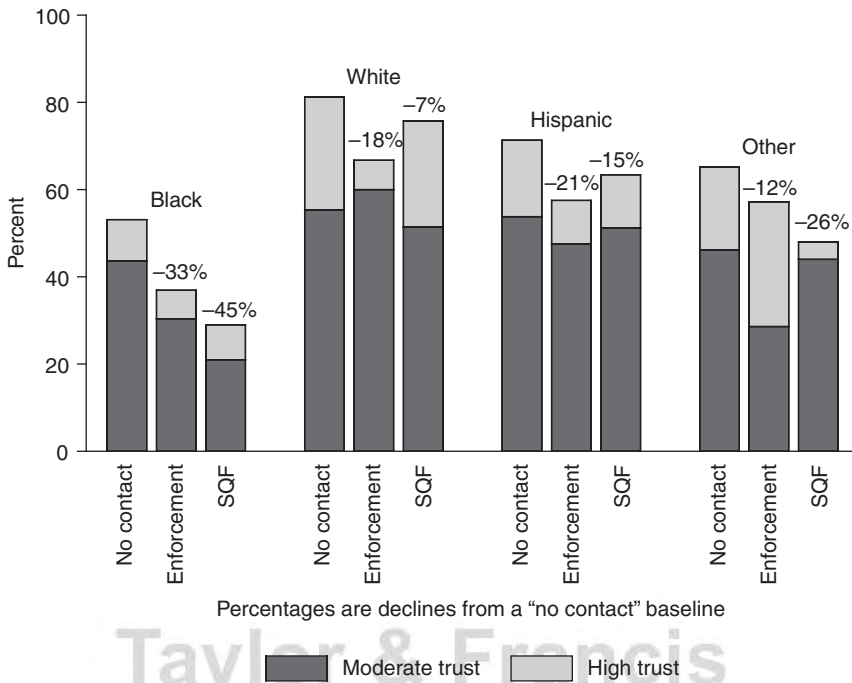


Figure 11.4 Trust in police by stop experience and race.

Figure 11.4 documents the percentage difference in support between baseline “no contact” respondents and those who recalled being stopped by the police. Across the board—and even among Whites—support was lower among those who were targets of enforcement stops and SQFs. The relative effects of SQFs and enforcement stops were mixed among African Americans, subjects of SQF reported lower levels of trust than even those caught up in enforcement stops, and the same was true of the diverse band of Asians, mix-race respondents and foreign-born people gathered in the “other races” category. Among Hispanics, differences in trust between the two targeted groups were small, and for Whites experiencing an SQF had little impact on trust in the police.

It is important to note that many of the “no-contact” respondents depicted in Figure 11.4 were doubtless aware of the character of policing in their community. With stop rates at the high levels described here, word was almost certainly getting around within poor and minority neighborhoods concerning what was happening to their relatives, friends, and neighbors. People draw lessons concerning policing from what they see and hear, and not just from their own direct experiences (Antrobus et al. 2015). This indirect experience would have a negative impact, probably a substantial one, on the views of the no-contact respondents described in Figure 11.4.

Figure 11.4 does not report on the statistical significance of any of the contrasts in levels of trust reported there. Rather, that is incorporated into a multivariate analysis of the impact of encounters with the police on trust that also includes determinants of attitudes toward the police in addition to race. This enables us to jointly compare the relative impact of each type of stop while accounting for differences in how often they occur and differing levels of trust between people of various backgrounds, most starkly among African Americans.

Table 11.2 reports two measures of the impact of all of those factors on trust. The “B” column of Table 11.2 reports standardized regression coefficients. They assess the relative impact of the listed variables on trust, and should be compared to one another down that column. The significance of each of the listed factors is reported as well, and except for gender all of the coefficients reported in the trust columns were reliably different from zero.

Table 11.2 suggests that SQFs in Chicago had about the same negative impact on trust in the police as differences in trust associated with being ticketed, arrested, or taken to a police station for further processing; those “B” coefficients were essentially identical in magnitude. Underplaying the potentially delegitimizing effects of an aggressive SQF crime prevention strategy would be a mistake. The consequences of those stops are as serious as ticketing and arresting people. Not surprisingly, race was the most important factor at play in Table 11.2. Net of other factors African Americans displayed much lower levels of trust than did Whites (who provide the baseline against which all of the race effects in the table are contrasted). They were followed by Hispanics, other racial groups and young people, all of whom were also significantly disenchanted with the police even controlling for their recent experiences with being

Table 11.2 Regression analysis of the impact of encounters

	<i>Trust in the police</i>		
	<i>b</i>	<i>B</i>	<i>sigf</i>
Constant	3.47		0.00
Investigative stop	-0.20	-0.09	0.00
Enforcement stop	-0.29	-0.10	0.00
Black	-0.58	-0.32	0.00
Hispanic	-0.12	-0.06	0.04
Other race	-0.20	-0.07	0.01
Age 15–35	-0.17	-0.10	0.00
Income	0.03	0.09	0.00
Male	0.02	0.01	0.68
	<i>R</i> =0.38 <i>R</i> ² =0.15		
	<i>N</i> =1,450		

Note

Column ‘b’ presents unstandardized regression coefficients; column ‘B’ presents standardized regression coefficients; the ‘sigf’ column presents significance values.

1 stopped. Note, however, that Hispanics and others stood out much less than
2 African Americans in this regard. Social status, represented here by household
3 income, also plays a notable role. Net of these other factors, better-off Chica-
4 goans reported more trust in the police. There were no significant interactions
5 between race and the stop measures, in their relationship with trust.
6

7 **Conclusions**

9 This chapter examined some of the consequences of stop-and-frisk as a crime
10 prevention strategy in Chicago. It first documented that being targeted by stop-
11 and-frisk was not an extraordinary occurrence but an extremely common event.
12 The survey indicates that during that during a one-year period, almost 30 percent
13 of the city's residents reported being stopped. Of those, 75 percent were stop-
14 and-frisk encounters, so in total SQFs swept up 22 percent of the adult popula-
15 tion. Further, stops were far more common among young people and racial
16 minorities. Among young, male African Americans, 68 percent reported being
17 stopped in a year, and most of those were stop-and-frisks. Blacks and Hispanics
18 were also repeatedly targeted and stopped multiple times in the course of a year,
19 especially while they were out walking.

20 Second, when compared to Whites, the city's African American, Hispanic,
21 and other minorities were more likely to be caught up in abrasive encounters
22 with the police. SQFs are not "quick and harmless" encounters. When they were
23 stopped, the city's racial minorities were more likely to be searched, handcuffed
24 and roughed up during investigative stops before they were let go. The force
25 used was largely verbal, involving shouting and verbal threats—unless they were
26 African Americans. In that case about half of the force that officers employed
27 involved threatening them with a weapon or pushing them around.

28 Third, stops influence people's judgements concerning the trustworthiness of
29 the police generally. Being targeted by an SQF had about the same negative
30 impact as being stopped and ticketed or arrested. Trust is threatened when police
31 stop people but do not turn up any reason to hold them. It is undermined by these
32 kinds of demeaning and meaningless experiences. SGFs send the message that
33 their targets are not respected. Casting a broad net that scoops up large numbers
34 of persons to no avail thus undermines public confidence in the police. The
35 effects of stop-and-frisk were greatest among (especially) African Americans,
36 who reported the most frequent and most abrasive contacts with the police, and
37 the smallest among Whites. Hispanics fell between the two on many measures,
38 reporting lower stop rates, and the independent effect of being Hispanic on trust
39 in the police was much smaller than that for African Americans.

40 None of these findings would be a great surprise in Chicago's Black and
41 Brown communities. Just as the survey was completed, a police-brutality scandal
42 led to investigations and a report on the extent of stop-and-frisk and other police
43 operations that confirmed many of the conclusions detailed in this chapter. A
44 *New York Times* poll of Chicago following the release of that report found that
45 dissatisfaction with police conduct was broad as well as deep (Davey and

Russonello 2016). In the poll, only one-third of all city residents thought the police were doing a good job. Whites were more positive than Blacks or Hispanics but even a majority of them would not give the police high marks. Almost 60 percent of Chicagoans thought that officers were not punished harshly enough if they used excessive force. A majority of residents (including 52 percent of Whites) agreed that police are more likely to use deadly force against Black people and more than 40 percent of every group thought that African Americans and Latinos are treated unfairly by the city’s criminal justice system either “always” or “most of the time” (Davey and Russonello 2016). As too often happens in policing, a policy rooted in criminological theory and perhaps cost-effective (in the largest sense of “costs”) when employed judiciously, was scaled up beyond its capacity to be conducted responsibly, in a desperate attempt to stem a resurgent tide of violence in the city. The brutality scandal that then opened SQF to public inspection and debate may have thus magnified its impact on public opinion and the city’s politics. Whether ensuing efforts at reform manage to stem SQFs or if they return to a prominent place in the bag of tactics that constitutes the city’s crime policy, remains to be seen.

Limitations of this research

In assessing encounters with police, the primary alternative to surveys is examining forms filled out by officers, and limitations imposed by survey methods have to be evaluated in that light. The survey may have underrepresented the experiences of city residents who are difficult to find and interview. This is always a challenge in survey research, so in addition to making ten or more personal visits to locate difficult-to-find respondents we also weighted existing respondents so that the analytic sample matched Bureau of the Census estimates of the age, gender, and race composition of each of the seven study areas they were selected from. In this instance, gender proved less important than age and race but generally all three play a role in studies of police–community relations, so representing them proportionally is important. Of course, city residents who were arrested and remained incarcerated for about one month or longer would have been lost to our call-back process. This number was probably small; only 3 percent of respondents reported being arrested in the past 12 months, and most jail stays in Chicago are relatively short. However, no amount of weighting is likely to adequately represent the experiences of those with longer jail stays. Respondents may also have chosen not to tell us about their experiences. To counter that, this study invested significant resources in interviewer training and quality control, and the interviews were conducted privately, in respondent’s homes.

Notes

1 This research was supported by a grant from the John D. and Catherine T. MacArthur Foundation. The survey described here was conducted by the Survey Research Laboratory at the University of Illinois, directed by Jennifer Parsons.

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- 1 This and other descriptions of the inner working of the agency are based on my personal observations of CompStat and other meetings and interviews with participants in the process. The recorded crime statistics cited here are all based on my own analyses of agency data.
- 2
- 3 Responses to a final open-ended question asking about any “other” uses of force were coded into the main categories.
- 4
- 5
- 6 These means are based on a 5 percent trim of the data, a procedure that discounted very high-frequency estimates of the number of times they were stopped that were contributed by a few respondents, especially for SQF encounters.
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