

Centering Race in Procedural Justice Theory: Structural Racism and the Under- and Overpolicing of Black Communities

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Objective: We assessed the factors that legitimized the police in the United States at an important moment of history, just after the police killing of George Floyd in 2020. We also evaluated one way of incorporating perceptions of systemic racism into procedural justice theory. **Hypotheses:** We tested two primary hypotheses. The first hypothesis was that perceptions of police procedural justice, distributive justice, and bounded authority were important to the legitimization of the police. The second hypothesis was that perceptions of the under- and overpolicing of Black communities also mattered to the delegitimization of the institution, especially for people who identified with the Black Lives Matter movement. **Method:** A cross-sectional quota sample survey of 1,500 U.S. residents was conducted in June 2020. Data were analyzed using confirmatory factor analysis, structural equation modeling, and latent moderated structural equation modeling. **Results:** People who viewed the police as legitimate also tended to believe that police treated people with respect and dignity, made decisions in unbiased ways, fairly allocated their finite resources across groups in society, and respected the limits of their rightful authority. Moreover, people who believed that Black communities were underpoliced and overpoliced also tended to question the legitimacy of the police, especially if they identified with the Black Lives Matter movement. These results held among Black and White study participants alike. **Conclusions:** At the time of the study, systemic racism in policing may have delegitimized the institution in a way that transcended the factors that procedural justice theory focuses on, such as procedural justice. This was especially so for individuals who identified with a social movement, Black Lives Matter, that had an extremely high profile in 2020.

Public Significance Statement

Just after the murder of George Floyd, at the height of the Black Lives Matter movement, racialized policing seemed to delegitimize the police in the perceptions of White and Black people alike. Calls for reform often revolve around making policing more respectful and less biased in terms of one-on-one encounters with the public, especially in underserved communities of color. Our findings suggest that racially directed under- and overpolicing should also be at the heart of debates around how to improve the popular legitimacy of the police and transform policing policy and practice.

Keywords: procedural justice, structural racism, police, legitimacy, Black Lives Matter


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 The data are available at <https://osf.io/m5epb>.

 The experimental materials are available at <https://osf.io/m5epb>.

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Having long played a role in telegraphing the second-class citizenship of communities of color (Weaver & Lerman, 2010), police agencies in the United States are receiving fresh scrutiny amid a wave of deadly police violence against Black people. The intensity and unprecedented scale of protests against policing since the killing of George Floyd (Buchanan et al., 2020) have revived questions about excesses of the police, their popular legitimacy, and their need to reform (Evans et al., 2020; Horton, 2020). Now more than ever, we need to understand how racialized policing—including both the aggressive policing of Black communities and the lack of police protection in such communities (Bell, 2017; Prowse et al., 2020)—damages the legitimacy of the institution in the eyes of the public.

The U.S. President's Task Force on 21st Century Policing was convened just after civil unrest in Ferguson, Missouri, and elsewhere over the police killing of Michael Brown. Declaring that the first pillar of good policing was trust and legitimacy, the Task Force argued in their report (*President's Task Force on 21st Century Policing*, 2015) that

building trust and nurturing legitimacy on both sides of the police/citizen divide is the foundational principle underlying the nature of relations between law enforcement agencies and the communities they serve Law enforcement culture should embrace a guardian—rather than a warrior—mindset to build trust and legitimacy both within agencies and with the public. (p. 1)

The report referenced *procedural justice theory* (see Sunshine & Tyler, 2003; Tyler, 2006a; Tyler & Jackson, 2014; Tyler, Goff, MacCoun, 2015), which holds that respectful, accountable, and unbiased policing practices are key to winning trust and maintaining legitimacy (Tyler, 1997). By sending relational messages of standing and inclusion, procedurally just policing motivates a sense of identification with the group(s) those authorities represent (Tyler & Blader, 2003). Driven by procedural justice theory, scholars have presented an impressive amount of evidence that respectful, accountable, undiscriminating, and unbiased police behavior predicts legitimacy, cooperation, and compliance (Bolger & Walters, 2019; Jackson, 2018; Walters & Bolger, 2019), which then reduces the need for intrusive, aggressive, and minimally effective policing (Tyler, 2003, 2011).

Yet, tests of procedural justice theory rarely (if ever) directly assess how racialized policing damages police legitimacy; procedural justice scholars rarely (if ever) distinguish between perceptions of general police unfairness and perceptions of racially directed police unfairness. Because survey measures have been somewhat *color-blind*, we do not know whether delegitimizing messages extend beyond the lack of status, dignity, and value, to also include racially motivated diminishment, domination, and the maintenance of established racialized hierarchies.

To address this gap in the literature, we drew on data from a cross-sectional quota sample survey of 1,500 U.S. residents conducted just after the police killing of George Floyd in 2020—a time of mass unrest in response to racially targeted police violence and murders. We examined whether people's perceptions of the under- and overpolicing of Black communities were important to the delegitimization of the police, in addition to more general issues of inclusion and fair process (procedural justice), equality across social groups (distributive justice), and respect for people's agency (bounded authority).

We also assessed whether perceptions of the under- and overpolicing of Black communities were especially important to legitimacy perceptions among people who identify with the Black Lives Matter (BLM) movement. People who identified with BLM may have drawn stronger delegitimizing signals of racialized neglect, domination, and the arbitrary use of power over members of groups that have suffered from centuries of structural racism. We tested whether this was the case for Black and White participants alike.

Overpolicing Black Communities: Structural Racism and Police Contact in Race-Class Subjugated Communities

Most scholarship on racism and police conduct in poor communities of color focuses on the excesses of such conduct. Studies have shown how marginalized communities are subject to excess contact and excess physical aggression from police, and that they bear a heavier share of each of the downstream consequences with which police contact is associated. This is in terms not only of psychological effects (Del Toro et al., 2019) but also of justice system outcomes, from arrest through conviction, imprisonment, and postrelease surveillance.

At the individual level, being Black is associated with an elevated likelihood of police-initiated contact, even after analyses control for individual involvement in criminalized activity and conviction history (Baumgartner et al., 2017; Taniguchi et al., 2017; Unnever et al., 2017). Black youth who are not engaged in criminalized behavior are more likely to be stopped by police than White youth are (Harris et al., 2020). Such targeting seems to be driven in part by racist judgments on the part of police, for example, police tend to overestimate the age of Black male youth by 4 years and to perceive Black boys as less innocent than White boys (Goff et al., 2014). Police activity at the neighborhood level also reflects a similar pattern, with residents of predominantly Black neighborhoods facing heightened risk of police-initiated contact, even after analyses control for local crime rates (Beckett et al., 2006; Fagan et al., 2010; Kirk, 2008). Police judgments of a neighborhood's dangerousness may be distorted by racism, for example, officers' perceptions of neighborhood-level crime risk factors appear to be related to the proportion of minority residents in that neighborhood (Stein & Griffith, 2017).

Excessive police contact in targeted communities is associated with a range of negative outcomes. Men and boys of color in underserved urban communities experience corrosive effects in domains as disparate as educational achievement (Legewie & Fagan, 2019) and mental health (Bennett, 2020; Hatzenbuehler et al., 2015). Widespread, racially targeted field interrogation and arrest also convey powerful relational messages (Justice & Meares, 2014; Meares, 2017; Weaver & Lerman, 2010). The demeaning procedures of arrest and detainment communicate a view of people and communities of color as socially marginal and worthy of suspicion (Ward et al., 2014). The physically invasive experience of everyday physical aggression signals to targeted individuals that the police (and the government they represent) regard them as dangerous and untrustworthy (Delgado, 2008; Gau & Brunson, 2015). Police "tend to view young adults as suspects in need of control rather than potential victims in need of protection" (Graham & Karn, 2013, p. 2).

The developmental timing of excess police contact—which is focused heavily on adolescents and young adults (Hagan et al., 2005)—may also exacerbate its role in perpetuating structural racism. As Weaver and Geller (2019) argue, policing is “a childhood intervention” that “converts existing disadvantage into political marginalization” (pp. 201 and 212, respectively). Scholars have long suggested that such contacts might have a profoundly marginalizing effect (Sherman, 1993; Sherman & Rogan, 1995; Wilson & Boland, 1978). Indeed, youth who experience more police contact report greater legal cynicism (Hofer et al., 2020), are more likely to perceive the legal system as unjust (Hagan et al., 2005), and are more likely to agree with statements such as, “The government cares very little about people like me” (Weaver & Geller, 2019).

“Distorted Responsiveness” and the Overpolicing/Underpolicing Paradox

Although excesses of policing are evident in communities of color, research with such communities also highlights serious deficiencies of law enforcement. Qualitative research in many U.S. cities—including Oakland, Philadelphia, Cleveland, Chicago, Milwaukee, Baltimore, and Los Angeles—suggests that structural racism in policing is experienced by communities of color not simply as a matter of police excesses or police deficits but as a damaging complex of the two (Prowse et al., 2020; Rios, 2011; Rios et al., 2020). The well-documented overregulation to which such communities are subject overlaps with an acute sense of police absence when it comes to protecting residents from harm. As one participant in the Portals project told another participant, looking to police for help is “just like callin’ a phone with nobody on the other end” (Prowse et al., 2020, p. 1436). An 18-year-old girl from Philadelphia interviewed by Carr et al. (2007, pp. 458–459) summarized it this way: “I see cops so often in my neighborhood, but when I see something bad going on, I look around and say, ‘Where are the cops?’” Individuals arrested in Cleveland described feeling neglected by law enforcement precisely when they are most in need of police response (Rios et al., 2020).

Ethnographer Victor Rios describes this racialized complex of law enforcement overattention and neglect as an overpolicing/underpolicing paradox. He showed how Black and Latino boys in California witnessed and were subjected to high-contact, zero-tolerance policing targeted at relatively trivial forms of behavior, alongside a negligent lack of police responsiveness to harm. The state was both deeply and invasively present in their lives for purposes of surveillance and punishment yet also absent from the task of protecting their safety. Drawing on data from the Portals study, Prowse and colleagues dubbed this phenomenon “distorted responsiveness”: Law enforcement in poor communities of color is “everywhere when surveilling people’s everyday activity and nowhere if called upon to respond to serious harm” (Prowse et al., 2020, p. 1423). Rather than understanding, acknowledging, and addressing people’s concerns (communicating reassurance), the police attack and punish (communicating threat; Fratello et al., 2013; Stoudt et al., 2011).

Procedural Justice Theory and Police Legitimacy

How, then, can people’s perceptions of structural racism in policing be incorporated into procedural justice theory? As just

outlined, structural racism may be enacted toward and experienced by Black communities partly in terms of deficiency and excess—in the neglectful lack and absence of protection and responsiveness as well as stigmatizing and aggressive overregulation. Perceptions of the under- and overpolicing of Black communities may thus capture key elements of perceptions of racialized policing. They may also be usefully added to a procedural justice account of police legitimacy in the United States.

As a popular framework for understanding system–citizen relations, procedural justice theory (Tyler, 2006a, 2006b) has garnered substantial attention in policy debates over heavy-handed police tactics and poor police–community relations. It stipulates—and empirical applications support the idea—that if legitimacy is achieved, laws can be upheld without the traditional reliance on force and threat (Tyler & Jackson, 2013). To believe that the institution is a legitimate holder of power is to accept its role as a regulator of behavior (Trinkner, 2019). When people see the institutions that enact and enforce the law as legitimate, they are more likely to abide by legal regulations and cooperate with police (Tyler, 2011). Conversely, when people view the police and law as illegitimate, they are less likely to comply and cooperate.

Tests of procedural justice theory also focus on the sources of legitimacy. If legitimacy is the belief that police have the right to power and authority to govern, legitimization refers to the ways in which people come to the judgment that the institution is legitimate (Jackson & Bradford, 2019; Trinkner, 2019). Central to procedural justice theory is the idea that people judge the legitimacy of the police most keenly on the extent to which officers demonstrate procedural justice in day-to-day interactions with citizens. Procedural justice means treating people with respect and dignity, making neutral and trustworthy decisions, and allowing civilians voice and agency in the process of law enforcement (Murphy et al., 2016; Tyler & Fagan, 2008).

Procedural justice is important for two reasons. On the one hand, procedural justice is a powerful societal norm about the appropriate use of power (Jackson, 2018; Sunshine & Tyler, 2003). On the other hand, fair interpersonal treatment and fair decision-making convey inclusion and status within the group that the police represent, whereas disrespectful treatment and biased and discriminatory decision-making signals exclusion and denigration (Tyler, 2003, 2006a). Procedural justice signals to people that they are part of the prototypical group that police represent (Tyler, 1997) and that power is used on behalf of the group they belong to. Group membership then means that they are more likely to (a) believe that the institution has the moral right to power and (b) feel a moral obligation to comply with officers and accept their right to dictate appropriate behavior (Bradford & Jackson, *in press*; Trinkner, 2019).

Procedural justice theory’s predictions regarding the legitimacy and legitimization of police have been well-supported in research with race–class subjugated communities (Hofer et al., 2020; Madon et al., 2017; Quinn et al., 2019). For example, Tyler et al. (2014) found that young Black men in the five boroughs of New York City who said they had experienced procedurally unjust, demeaning, stigmatizing, and aggressive stop-and-frisk practices also tended to believe that the police lacked legitimacy. Of particular concern are police–civilian interactions that communicate distrust, disrespect, intrusion, and suspicion—a manner of treatment sometimes adopted by police when dealing with adolescents and young adults

of color who are the target of a disproportionate proportion of street stops (Tyler et al., 2014; Tyler, Jackson, Mentovich, 2015) and traffic stops (Baumgartner et al., 2017). Such a style of policing creates the sense that policing is being done *to* people, not *for* them, thereby reducing legitimacy, cooperation, and compliance.

Procedural justice theory suggests that such interactions not only shape the extent to which people are willing to cooperate with or support local police agencies but also inform how they conceptualize the state and their place within it (see also Lerman & Weaver, 2014). Police behavior carries important identity-relevant information: Police officers, through the way they treat citizens they encounter, communicate messages concerning inclusion, status, and value within the social category or categories the police are thought to represent—categories that are usually conceptualized and operationalized in terms of national, community, or citizenship identities (Bradford, 2014; Kyprianides et al., 2021). Fairness promotes a sense of inclusion and value, whereas unfairness communicates denigration and exclusion (Blader & Tyler, 2009; Tyler & Blader, 2003).

Building on this point, Justice and Meares (2014) argue that interactions with police represent a “hidden curriculum” in civics, teaching individuals about their government while communicating to some the subordinated position that government accords them (Meares, 2017, pp. 1525–1526; cf. Wacquant, 2009). When this curriculum is communicated in interactions with the legal system that are “inconsistent with procedural justice,” this sends the message that they “are a class of problem people to be excluded, monitored, and surveilled, treated harshly and punished arbitrarily” (Justice & Meares, 2014, p. 167).

Extending a Procedural Justice Theory Account of Police Legitimacy to Include Perceptions of Racialized Policing

Although procedural justice theory is relevant to debates about systemic racism in policing, tests of the theory rarely address race in a direct way. They typically asking color-blind questions about *general* police activity along the dimensions of procedural justice, distributive justice, and effectiveness. For instance, research participants are asked whether police in their neighborhood or city generally treat people with respect and dignity; they are not asked whether people treat Black people with respect and dignity. If, in these studies, Black communities say they are policed in procedurally unjust ways (e.g., Tyler et al., 2014), then researchers can infer that this indicates experience of racialized policing. But without directly asking about potential racial bias, we as a community of scholars cannot test whether different racial groups (a) think racism is a problem in everyday policing policy and practice and (b) question the legitimacy of the police as a result.

We conducted a national quota convenience-sample survey of U.S. residents (designed to represent the nation according to age, gender, and race) just after the police killing of George Floyd in 2020. We tested four sets of hypotheses. The first set related to the roles that procedural justice, distributive justice, and bounded authority play in the legitimization of the police. The first hypothesis was that procedural justice is positively associated with legitimacy perceptions (Hypothesis 1a; see Bradford et al., 2014; Gau, 2011, 2014). Procedural justice may be important to legitimacy if fair

interpersonal treatment and decision-making are important societal expectations about the appropriate use of power; procedural injustice signals exclusion and a lack of status and value within society.

The second hypothesis was that distributive justice is positively associated with legitimacy perceptions (Hypothesis 1b; see Huq et al., 2017; Jackson et al., *in press*). Distributive justice may be important to legitimacy if allocating scarce resources across aggregate social groups is an important societal expectation about the appropriate use of power; distributive injustice signals the favoring of some social groups over other social groups (e.g., “the rich get better policing than the poor”).

The third hypothesis was that bounded authority is positively associated with legitimacy perceptions (Hypothesis 1c; see Huq et al., 2017; Trinkner et al., 2018; Williamson et al., 2022). Bounded authority may be important to legitimacy if respecting the limits of one’s rightful authority is an important societal expectation about the appropriate use of power; overstepping the limits of one’s authority signals a lack of respect for people’s agency and self-determination.

The second set of hypotheses related to the potential importance of under- and overpolicing of Black communities to legitimacy, in addition to the above factors. On the one hand, underprotecting Black communities may violate an important societal expectation about the appropriate use of power; underpolicing may delegitimize police because of the racially targeted messages of neglect and underprotection being sent (Hypothesis 2a). On the other hand, overpolicing may also be negatively associated with legitimacy perceptions. Overregulating Black communities may violate an important societal norm about the appropriate use of power, sending racially targeted messages of stigmatization, suspicion, and oppression (Hypothesis 2b).

The third set of hypotheses referred to the relationship between traditional procedural justice theory elements of police fairness (procedural justice, distributive justice, and bounded authority) and under- and overpolicing of Black communities. Just after the police killing of George Floyd, systemic racism and the BLM movement were extremely high on the public agenda. In such a context, when many people were talking about the issue, people may have used their prior perceptions of police fairness (procedural justice, distributive justice, and bounded authority) as heuristics through which to draw inferences about the extent to which racialized policing of Black communities was a problem. We assessed whether procedural justice was negatively associated with underpolicing (Hypothesis 3a) and overpolicing (Hypothesis 3b) perceptions, whether distributive justice was negatively associated with underpolicing (Hypothesis 3c) and overpolicing (Hypothesis 3d) perceptions, and whether bounded authority was negatively associated with underpolicing (Hypothesis 3e) and overpolicing (Hypothesis 3f) perceptions.

The fourth set of hypotheses related to identification with BLM. People who identify with BLM may tend to see racism as a bigger problem in policing, compared with people who do not identify with BLM. They may also tend to draw stronger delegitimizing signals from racialized policing. On the one hand, when a person identifies with the BLM cause and supporters (for an exploration of identification with BLM just after the police killing of George Floyd, see Jackson et al., 2022), they may also see the police as

less legitimate (Hypothesis 4a), irrespective of the roles that under- and overpolicing perceptions play in predicting legitimacy perceptions. Moreover, underpolicing (Hypothesis 4b) and overpolicing (Hypothesis 4c) may be more strongly correlated with legitimacy perceptions among people who identify with BLM, compared with people who do not identify with BLM, because of the relational nature of legitimacy. Racialized policing matters more to people who identify with BLM because people attach greater relational content to the matter.

Finally, we tested whether the findings were similar for Black and White participants. There are reasons to suggest that perceptions of the under- and overpolicing of Black communities will be related to legitimacy perceptions among White communities as well as Black communities. BLM is, fundamentally, a movement for racial justice (Khan-Cullors & Bandele, 2018; McKesson, 2019) that has a wider scope than merely the relationships between police and Black and other minority communities. A concern with criminal justice and policing lies at its heart, in terms of its genesis after the death of Trayvon Martin in 2012, the proximate cause of the 2020 demonstrations, the murder of George Floyd by Minneapolis police officer Derek Chauvin (and the many officer-involved deaths of Black Americans in between), and the more explicit and certainly most well-known policy arguments that have emerged from the movement, which revolve around fundamental reform to, defunding, and perhaps even abolition of the police. We tested whether the norms and values encoded in the (perceived) mistreatment of Black communities by police would have a different association with legitimacy depending on the position of the perceiver—in this case, by the strength of their association with BLM. In addition, we tested whether the important factor was identification with the movement, not race per se.

Method

Sampling Procedure

We interviewed 1,500 participants via the online platform Prolific Academic (<https://www.prolific.co/>) using a nonprobability convenience quota sample stratified to resemble the national population on the basis of age, gender, and race. The Prolific platform maintains a large online panel of participants, and in drawing a sample such as the current one from their online panel, Prolific (2019) takes the intended sample size and screens participant eligibility using three self-reported metrics: age, gender, and race. For U.S. samples, they calculate the age by gender by racial group proportions using the 2015 population group estimates from the U.S. Census Bureau. Participants are then screened and entered into the survey to fill each stratification level. Studies are advertised on their platform, where users can decide whether they want to participate.

The survey for the present study was published on Prolific on June 15, 2020, 3 weeks after George Floyd was killed. Participants were paid the equivalent of \$8.42 per hour (on average). Participants were asked for informed consent, and the study was deemed appropriate by the Arizona State University's institutional review board. We needed reasonable statistical power, particularly in terms of having enough Black participants for the study. Therefore,

we asked Prolific for the largest sample possible (they do not allow researchers to request more than 1,500 participants).

Reflecting the U.S. Census Bureau 2015 estimates, 51% of participants in the final sample self-identified as female and 49% self-identified as male. Age ranged from 18 to 84 years ($M = 45$, $SD = 16$). In terms of race, 76% self-identified as White ($n = 1,112$), 13% as Black ($n = 194$), 6% as Asian ($n = 92$), 3% as mixed ($n = 37$), and 2% as "other" ($n = 29$). According to Prolific's records, 92% were defined as U.S. citizens (presumably the remaining 8% were immigrants without a U.S. passport), approximately 90% were born in the United States, and English was the first language of 94% of the sample. We retained the full sample, that is, we did not drop the 8% who were presumably immigrants because we wanted to retain the national representativeness of the sample.

Data Quality

There is some evidence that Prolific Academic participants are more engaged and attentive and less dishonest than Amazon Mechanical Turk participants and may therefore produce higher quality data (Adams et al., 2020; Peer et al., 2017). For example, Peer et al. (2022) found that Prolific produced better quality data than Mechanical Turk, CloudResearch, Qualtrics, and Dynata. Moreover, Prolific claim that they regularly use tools to monitor the use of things such as bots to answer their surveys.

Our survey took an average of 22 min to complete (we dropped 16 cases who were extreme outliers, presumably because they started the survey, walked away from their computer, and returned a few hours later). The minimum time for survey completion was 5 min. To ensure data quality, we dropped 35 people because they failed at least one of the four attention checks we included in the survey (Arechar & Rand, 2021; Aronow et al., 2019, 2020), leaving a final analytical sample of 1,465 participants.

Measures

Table 1 shows all the survey items, descriptive statistics for the sample, and Cronbach's α s for the various scales. We fielded standard measures of people's perceptions of procedural justice, distributive justice, and bounded authority. We picked these three dimensions because (a) procedural justice and bounded authority have been shown to be the most important predictors of legitimacy (Huq et al., 2017; Williamson et al., 2022) and (b) distributive justice seemed relevant to under- and overpolicing of Black communities so it is important to parse out these perceptions.

We assumed that (a) people judge the legitimacy of the police as an institution against the societal norms that dictate what is appropriate conduct and (b) the content of legitimization (i.e., the bases on which legitimacy is justified or contested) is an empirical question (Jackson, 2018; Jackson & Bradford, 2019; Trinkner, 2019). We therefore distinguished between potential sources of legitimacy (how officers are perceived to act) and overarching legitimacy judgments (whether the institution that these officers represent is deemed to have the right to power and authority to govern). We measured legitimacy as normative alignment and duty to obey: The first element represents the belief that the police force is a moral, just, and appropriate institution (perceived right

Table 1*Items Measuring Perceptions of Police, Descriptive Statistics, and Scale Reliabilities*

Construct and indicator	<i>n</i>	<i>M</i>	<i>SD</i>	Cronbach's α
Procedural justice (1 = <i>never</i> to 5 = <i>always</i>)				
How often (if ever) do you think the police in your neighborhood make fair and impartial decisions in the cases they deal with?	1,465	3.47	0.85	
How often (if ever) do you think the police in your neighborhood explain their decisions to the people they deal with?	1,464	3.09	1.02	
How often (if ever) do you think the police in your neighborhood treat people with respect?	1,454	3.61	0.83	.86
Distributive justice (1 = <i>disagree</i> to 5 = <i>agree</i>)				
The police provide the same level of security to all community members.	1,462	2.97	1.27	
The police provide the same quality of service to all community members.	1,464	2.93	1.26	
The police enforce the law consistently when dealing with all community members.	1,464	2.94	1.23	
The police deploy their resources in this city in an equitable manner.	1,464	3.13	1.17	
The police ensure that everyone has equal access to the services they provide.	1,464	3.16	1.19	.96
Bounded authority (1 = <i>always</i> to 5 = <i>never</i>)				
How often do you think the police exceed their authority?	1,462	3.00	0.94	
How often do you think the police get involved in situations that they have no right to be in?	1,463	2.71	0.91	
How often do you think the police bother people for no good reason?	1,463	2.77	0.97	
How often do you think the police overstep the boundaries of their authority?	1,462	2.99	0.94	
How often do you think the police abuse their power?	1,463	2.97	0.95	
How often do you think the police violate your personal sense of freedom?	1,465	2.34	1.02	
How often do you think the police restrict your right to determine your own path in life?	1,463	2.11	1.01	.93
Underpolicing of Black communities (1 = <i>never</i> to 5 = <i>always</i>)				
The police do not protect African American communities.	1,464	3.26	1.35	
The police do not care about solving problems in African American communities.	1,465	3.25	1.36	
The police do not keep African American neighborhoods safe.	1,463	3.43	1.27	
The police do not care about effectively solving crimes in African American communities.	1,464	3.25	1.37	
The police do not care about responding quickly to emergencies in African American communities.	1,465	3.19	1.32	
The police do not put enough officers in African American communities to effectively stop crime.	1,465	3.06	1.24	.93
Overpolicing of Black communities (1 = <i>never</i> to 5 = <i>always</i>)				
The police are generally suspicious of African Americans.	1,464	4.12	1.08	
The police tend to treat African Americans as if they were probably doing something wrong.	1,465	4.01	1.15	
The police tend to treat African Americans as if they might be dangerous or violent.	1,465	4.10	1.11	
Police officers tend to escalate to violence more easily when dealing with African Americans.	1,464	3.98	1.25	
Police enforce the law more strictly when dealing with African Americans.	1,465	3.95	1.24	
The police tend to stop, question, and frisk African Americans more than they should.	1,465	4.04	1.19	.97
Legitimacy: normative alignment (1 = <i>disagree</i> to 5 = <i>agree</i>)				
I support the way the police usually act.	1,464	3.11	1.20	
The police usually act in ways that are consistent with my own ideas about what is right and wrong.	1,464	3.04	1.17	
The police stand up for values that are important for people like me.	1,465	3.11	1.16	.95
Legitimacy: duty to obey (1 = <i>not at all my duty</i> to 5 = <i>completely my duty</i>)				
To what extent is it your moral duty to obey the police?	1,464	3.51	1.28	
To what extent is it your moral duty to support the decisions of police officers, even if you disagree with them?	1,465	2.52	1.32	
To what extent is it your moral duty to do what the police tell you, even if you do not understand or agree with the reasons?	1,464	3.23	1.28	.87
Identification with the BLM movement (1 = <i>disagree</i> to 5 = <i>agree</i>)				
In general, I identify with the BLM movement/cause.	1,459	3.44	1.44	
In general, I feel similar to the people in the BLM movement/cause.	1,459	3.31	1.45	
In general, I feel a sense of solidarity with the BLM movement/cause.	1,459	3.53	1.45	.96
Systemic police racism (1 = <i>not at all</i> to 5 = <i>very much</i>)				
How much is structural racism a problem in the following institutions—police? In terms of breakdown, 7% said “not at all,” 12% said “little bit,” 17% said “somewhat,” 24% said “a lot,” and 40% said “very much.”	1,465	3.78	1.28	

Note. BLM = Black Lives Matter.

to power; see Jackson & Bradford, 2019, for a discussion), and the second element represents the recognition that police have the right to dictate appropriate behavior (perceived authority to govern; see Posch et al., 2021, for a discussion).

We also fielded new scales of under- and overpolicing. Some of the items were customized from the existing literature, drawing on

indicators of distributive justice (Bradford & Jackson, 2018; Sunshine & Tyler, 2003) and bounded authority (Trinkner et al., 2018) as well as Tyler, Goff, MacCoun's (2015) study on the police treating people as objects of suspicion.

All scales had high average intercorrelations (see the Cronbach's α s in Table 1). For a test of the measurement properties of the

various measures and scales, see the online [Supplemental Materials](#). Also note that there is a possibility of response bias—specifically a potential bias toward positively correlated measures and constructs, given that the same method was used throughout the study and that most of the measures were positively worded.

Statistical Modeling

We used confirmatory factor analysis, structural equation modeling, and latent moderated structural equation modeling to perform the analyses (see the online [Supplemental Materials](#)).

Results

How Do Perceptions of Under- and Overpolicing of Black Communities Relate to People's Perceptions of Structural Racism?

We fielded a single indicator of structural racism in policing (see [Table 1](#), for univariate statistics). We found that perceptions of under- and overpolicing of Black communities were strongly and positively correlated with perceptions of structural racism in policing—underpolicing: $r = .75, p < .0005, n = 1,461$; overpolicing: $r = .82, p < .0005, n = 1,463$. For White respondents, the correlations were $r = .76 (p < .0005, n = 1,026)$ for underpolicing and $r = .83 (p < .0005, n = 1,024)$ for overpolicing, and for Black respondents, the correlations were $r = .60 (p < .0005, n = 183)$ for underpolicing and $r = .74 (p < .0005, n = 184)$ for overpolicing. We inferred from these strong associations that perceptions of under- and overpolicing would be a reasonable way of operationalizing perceptions of structural racism in policing.

How Do People Judge the Legitimacy of the Police?

On what bases do people judge the legitimacy of the police? As indicated above, we were especially interested in testing whether perceptions of systemic racism play a role in police legitimacy, above and beyond the traditional procedural justice theory factors. To test Hypotheses 1a–2b, we used structural equation modeling (see [Figure 1](#), for the results). We assessed whether perceptions of procedural justice, distributive justice, bounded authority, and the under- and overpolicing of Black communities each predicted legitimacy (after we controlled for the other factors). We included gender, age, and race (White, Black, and “other”) as controls for all constructs. Unsurprisingly, given the good fit statistics for Model 1 in the confirmatory factor analysis (see [Supplemental Table S1](#)), the approximate fit statistics were good: $\chi^2(578) = 3,075, p < .0005$; root-mean-square error of approximation (RMSEA) = .054, 90% CI [.052, .056]; comparative fit index (CFI) = .989; Tucker–Lewis index (TLI) = .988. The bivariate correlations with the constructs on the left-hand side of [Figure 1](#) were generally consistent with those in the correlation matrix shown in [Supplemental Table S2](#) (any differences are accounted for by the fact that this fitted model also controlled for age, gender, and race).

The findings supported Hypothesis 1a (that procedural justice is positively associated with legitimacy), Hypothesis 1b (that distributive justice is positively associated with legitimacy), Hypothesis 1c (that bounded authority is positively associated with legitimacy), Hypothesis 2a (that underpolicing of Black communities is

negatively associated with legitimacy), and Hypothesis 2b (that overpolicing of Black communities is negatively associated with legitimacy). Each of the five types of police perceptions explained unique variance in legitimacy (with the one exception being that bounded authority did not predict duty to obey). The direction of the partial associations was as expected.

Legitimacy was defined along two connected lines: normative alignment (the perceived right to power) and duty to obey (the perceived right to govern). On the one hand, we found that more than four fifths (84%) of the variation in normative alignment was explained by the five types of police perceptions. Procedural justice was the strongest predictor ($B = 0.42, p = .001$). The next strongest predictor was distributive justice ($B = 0.23, p < .0005$). This indicates the importance to police legitimization of general perceptions of fair interpersonal treatment, fair decision-making, and the just allocation of finite police resources across society. Also important were perceptions of bounded authority ($B = 0.12, p < .0005$), underpolicing ($B = -0.10, p = .003$), and overpolicing ($B = -0.13, p < .0005$). Believing that the police generally respect the limits of their rightful authority was associated with higher levels of perceived legitimacy, and believing that the police under- and overpolice Black communities was associated with lower levels of perceived legitimacy.

On the other hand, less than one half (45%) of the variation in duty to obey the police was explained by the five types of police perceptions. The pattern was generally similar to that of normative alignment. However, bounded authority was not a significant factor ($B = -0.04, p = .320$), and distributive justice was the most important predictor ($B = 0.28, p < .0005$). Procedural justice also played a role ($B = 0.21, p = .001$). This suggests that people tend to feel a moral duty to obey police when they believe that officers deploy resources in an equitable way, provide the same level of security and service to everybody, treat people with respect, and make fair and impartial decisions. Again, underpolicing ($B = -0.15, p = .007$) and overpolicing ($B = -0.16, p = .006$) were negatively associated with legitimacy.

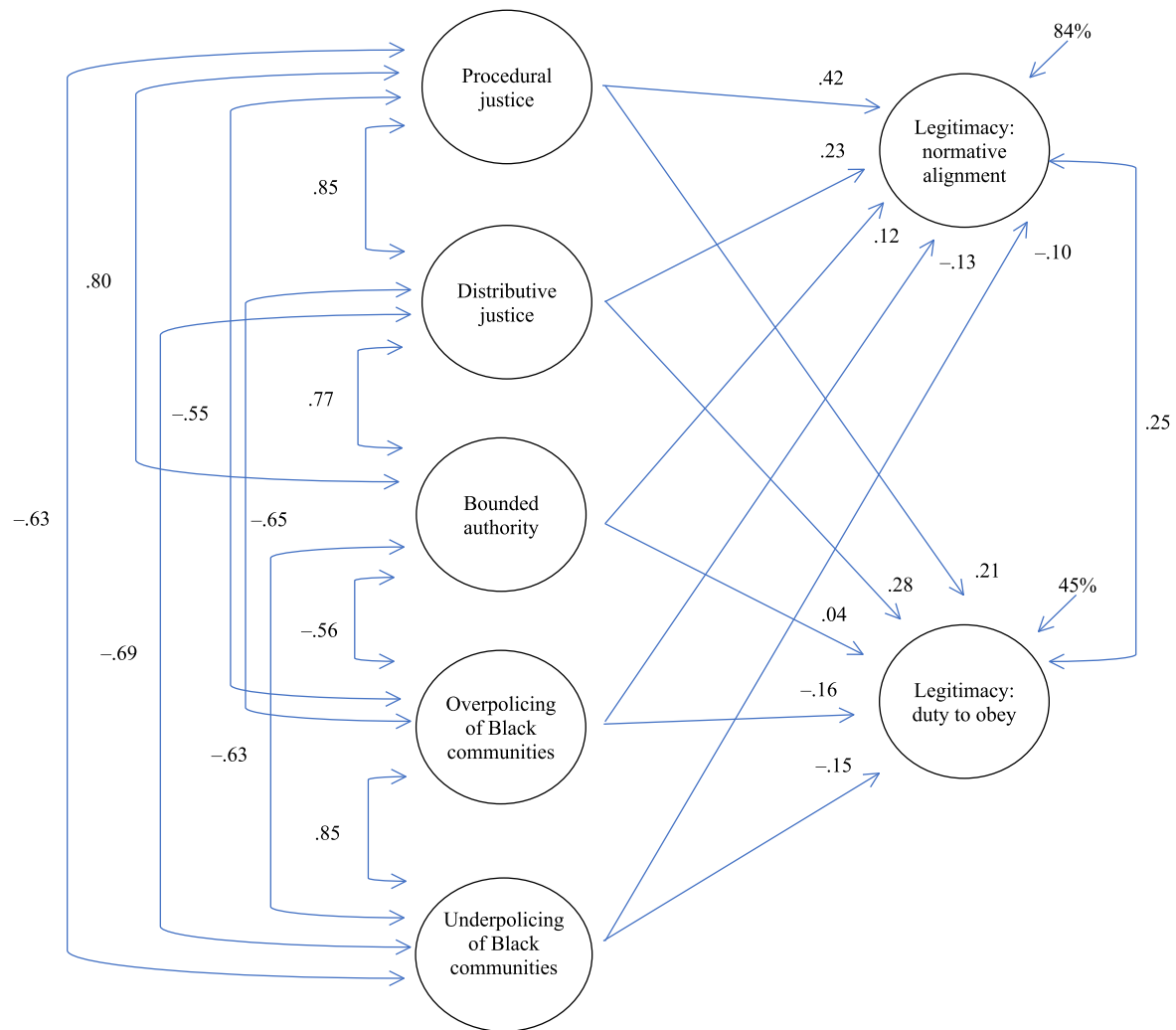
Thus far, we treated procedural justice, distributive justice, bounded authority, underpolicing, and overpolicing as (a) correlated with each other and (b) predictors of legitimacy (normative alignment and duty to obey). We found that people who view the police as legitimate also tend to believe that officers respect principles of due process when interacting with citizens, allocate their resources fairly across society, do not overstep the boundaries of their rightful authority, do not underpolice Black communities, and do not overpolice Black communities.

How Do Systemic Racism Perceptions Relate to General Police Perceptions?

It is important to also consider how perceptions of under- and overpolicing of Black communities relate to more general perceptions of procedural and distributive justice and bounded authority. In June 2020, it was possible that people used general perceptions of the fairness of police as a heuristic through which to form an opinion on a topic that was receiving considerable attention just after the police killing of George Floyd: racialized policing. For example, people who thought that different social groups receive unequal levels of protection, service, and types of

Figure 1

Structural Equation Model Testing Whether Perceptions of Procedural Justice, Distributive Justice, Bounded Authority, and Under- and Overpolicing of Black Communities Predict Police Legitimacy in the United States



Note. Police legitimacy was defined along two connected lines: normative alignment (the perceived right to power) and duty to obey (the perceived right to govern). Values shown are standardized regression coefficients (single-headed arrows from one variable to another), correlation coefficients (double-headed arrows between pairs of variables), and percentage of explained variance (single-headed arrows pointing to dependent variables). Control variables for all parts of the model were gender, age, and race. See the online article for the color version of this figure.

enforcement (i.e., distributive justice) may have been more likely to believe that Black communities were being under- and overpoliced.

The third set of hypotheses (3a–3f) relate to this issue. Figure 2 shows a model that positions under- and overpolicing as a mediational layer between procedural justice, distributive justice, and bounded authority, on the one side, and legitimacy, on the other side. We focus here on the predictors of under- and overpolicing (the coefficients for legitimacy in Figure 2 are the same as for legitimacy in Figure 1).

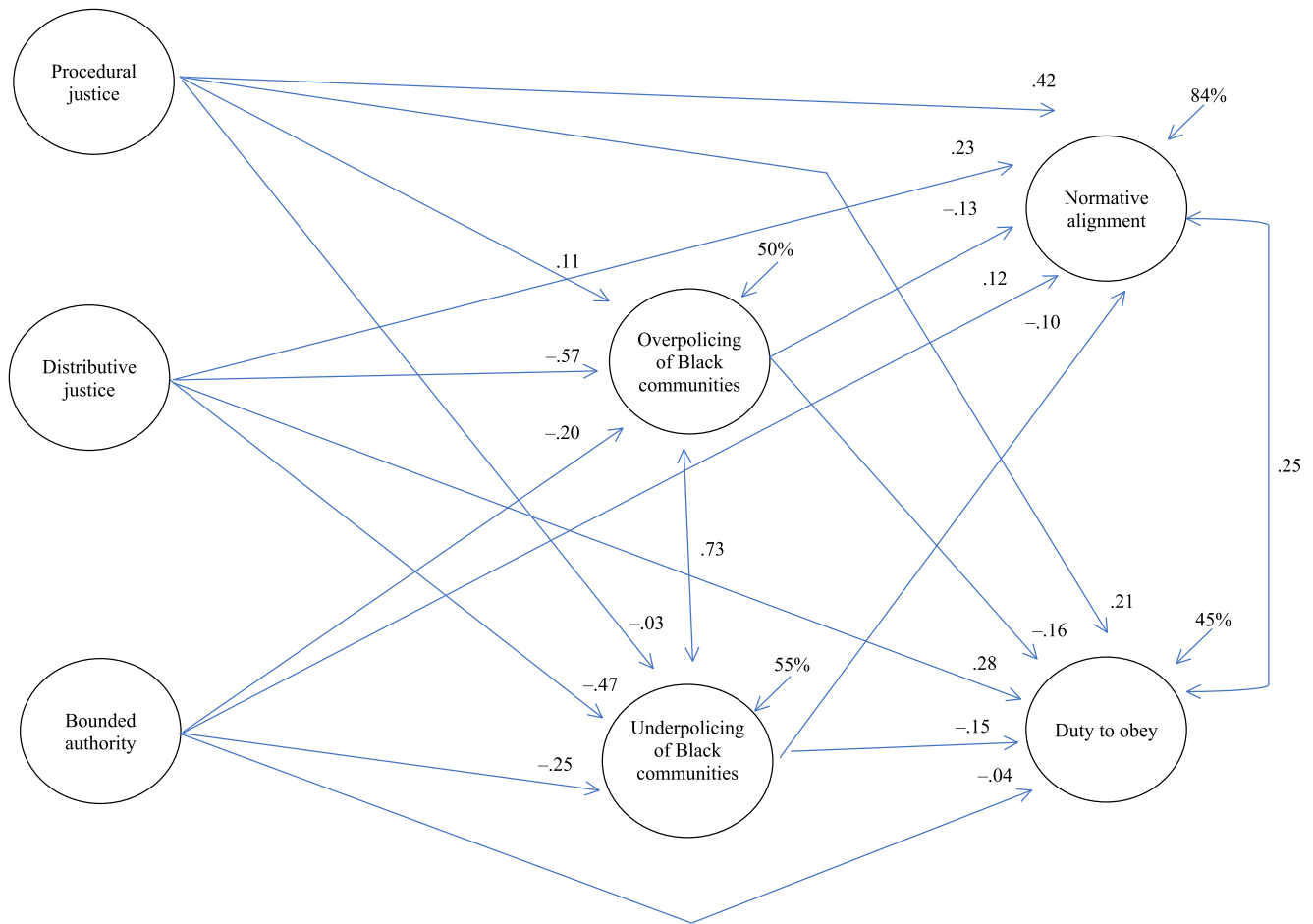
The findings supported the hypotheses related to perceptions of under- and overpolicing being negatively associated with distributive justice (Hypotheses 3c and 3d: $B = -0.47$, $p < .0005$ and $B = -0.57$, $p < .0005$, respectively) and bounded authority (Hypotheses

3e and 3f: $B = -0.25$, $p < .0005$ and $B = -0.20$, $p < .0005$, respectively), but not the hypotheses related to perceptions of under- and overpolicing being negatively associated with procedural justice (Hypotheses 3a and 3b: $B = -0.03$, $p = .508$ and $B = 0.11$, $p = .032$, respectively). This suggests that distributive justice was the strongest lens through which people made sense of under- and overpolicing.

This makes sense: Distributive justice is about the fair (or unfair) allocation of the good and bad aspects of policing and social control across aggregate groups, with racial groups being key. However, bounded authority was also important. People who thought that the police overstep the limits of their rightful authority also tended to think that police aggressively intrude in

Figure 2

Structural Equation Model Testing Whether Perceptions of Under- and Overpolicing of Black Communities Mediate the Relations Between Procedural Justice, Distributive Justice, Bounded Authority, and Police Legitimacy in the United States



Note. Police legitimacy was defined along two connected lines: normative alignment (the perceived right to power) and duty to obey (the perceived right to govern). Values shown are standardized regression coefficients (single-headed arrows from one variable to another), correlation coefficients (double-headed arrows between pairs of variables), and percentage of explained variance (single-headed arrows pointing to dependent variables); the value along the double-headed arrow between the dependent variables is a correlation. Control variables for all parts of the model were gender, age, and race. Procedural justice and distributive justice, procedural justice and bounded authority, and distributive justice and bounded authority were all allowed to covary. See the online article for the color version of this figure.

the lives of members of the Black community—they tended to think that the police treat members of Black communities like objects of suspicion rather than potential victims of crime to protect.

What Role Does Identification With the BLM Movement Play? Do Key Findings Pertain to Black and White Participants?

Figure 3 summarizes the findings from the same structural equation model from Figure 1, but this time with BLM identification also included as a potential predictor of legitimacy. We fitted this model on only White and Black participants in preparation for examining whether systemic racism might be a more important source of legitimization among people who identified with BLM

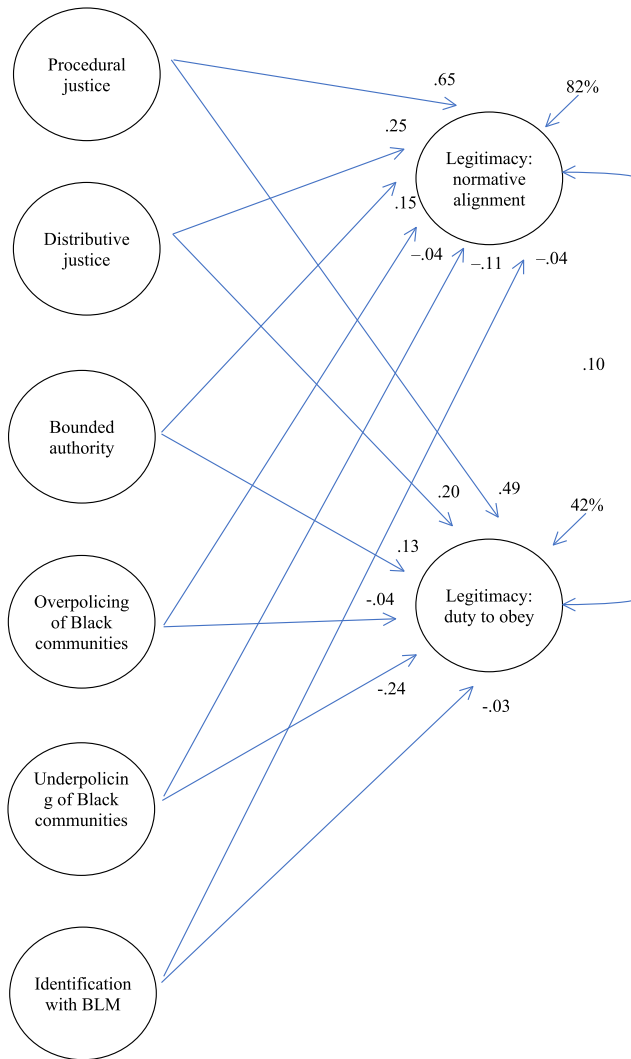
(and a three-way interaction that also included race, comparing White and Black respondents). The fit statistics were as follows: $\chi^2(650) = 2,402, p < .0005$; RMSEA = .047, 90% CI [.045, .049]; CFI = .966; TLI = .961.

Note that BLM identification was not a statistically significant predictor of normative alignment ($B = -0.04, p = .052$) or duty to obey ($B = -0.03, p = .382$). Our findings thus do not support Hypothesis 4a (that BLM identification is negatively associated with legitimacy perceptions). This is not surprising given that under- and overpolicing were also included in the model—plausibly it is through under- and overpolicing that the effect of BLM identification on legitimacy works.

To examine whether the findings shown in Figure 3 differed for White and Black participants, we tested a series of models with statistical interaction effects. Results are summarized in Table 2. The

Figure 3

Structural Equation Model Testing Whether Perceptions of Procedural Justice, Distributive Justice, Bounded Authority, and Under- and Overpolicing of Black Communities Predict Police Legitimacy in the United States (Including Black and White Participants Only)



Note. Police legitimacy was defined along two connected lines: normative alignment (the perceived right to power) and duty to obey (the perceived right to govern). Values shown are unstandardized regression coefficients (single-headed arrows from one variable to another) and amounts of explained variance (single-headed arrows pointing to dependent variables); the values along the two double-headed arrows are correlation coefficients. Unstandardized regression coefficients are shown for comparison with latent moderated structural equation models (Table 3). Control variables for all parts of the model were gender, age, and dichotomized (White vs. Black) race. See the online article for the color version of this figure.

sources of legitimization were generally similar for White and Black participants. We found only one statistically significant interaction effect: Bounded authority was a stronger predictor of duty to obey for Black participants than it was for White participants ($B = .20, p = .046$). Of note was not only the lack of statistical significance but also the relatively small partial regression

coefficients for the interaction terms, which makes us reasonably confident that the findings were not due to low statistical power among the close to 200 Black participants.

The final set of hypotheses related to the idea that the under- and overpolicing of Black communities may be more important to legitimacy perceptions among people who identify with BLM (Table 3). The intuition here was that if people cared about the cause and identified with supporters of the cause, they would be more sensitive to the signals of neglect and oppression that under- and overpolicing sends. We tested statistical interactions between BLM identification and under- and overpolicing (predicting legitimacy). Recall that latent variables have a mean of zero. We found that, among participants who identified with BLM, underpolicing and overpolicing were more strongly associated with normative alignment ($B = -0.03, p = .037$ and $B = -0.04, p = .006$, respectively) and duty to obey ($B = -0.06, p = .009$ and $B = -0.08, p < .0005$, respectively), compared with participants who did not identify with BLM. This provides support for Hypotheses 4b and 4c.

Finally, the interactions between BLM and under- and overpolicing predicting normative alignment ($B = 0.02, p = .302$ and $B = 0.02, p = .491$, respectively) and duty to obey ($B = -0.05, p = .213$ and $B = -0.07, p = .124$, respectively) did not vary between White and Black participants (see the three-way interactions in the third and fourth models in Table 3).

Discussion

The task of understanding police legitimacy in the context of structural racism has never been more relevant to public policy. Yet, empirical applications of procedural justice theory in the United States have not so far addressed the relevance of people's perceptions of structural racism to their more overarching beliefs about the fairness of everyday policing and the legitimacy of the institution itself. To contribute to the literature, we collected survey data from a convenience quota sample of U.S. residents designed to be resemble the national population in terms of age, gender, and race. The goal was to test an expanded procedural justice framework for police legitimacy.

Our approach integrated perceptions of racism into the procedural justice theory framework. We operationalized perceptions of structural racism through the lens of perceptions of under- and overpolicing in Black communities, that is, the sense that police do not provide an appropriate level of protection but exert too much social control. Capturing under- and overpolicing may be valuable because it appears central to how structural racism works and is experienced. Further, such measures applied to a quota sample from the general population captured the potentially delegitimizing signals that police behavior may send not just to Black communities but to White communities, too.

Our findings make an important contribution to the literature. Perceptions of the under- and overpolicing of Black communities were strongly correlated with perceived structural racism. Perceptions of under- and overpolicing seemed rooted in concerns about distributive injustice most keenly but also in general concerns about officers overstepping the limits of their rightful authority. Perceptions of procedural justice, distributive justice, bounded authority, and under- and overpolicing were all predictors of legitimacy. Moreover, perceptions of under- and overpolicing of Black communities were more strongly associated with lower levels of legitimacy when people

Table 2

Results From Models Testing Whether Perceptions of Procedural Justice, Distributive Justice, Bounded Authority, and Under- and Overpolicing of Black Communities Interact With Race to Predict Police Legitimacy (Including White and Black Participants Only)

Model	Normative alignment		Duty to obey	
	Estimate	<i>p</i>	Estimate	<i>p</i>
Procedural justice	0.66	<.0005	0.52	<.0005
Procedural Justice × Black	−0.01	.921	−0.16	.185
Distributive justice	0.20	.001	0.25	<.0005
Distributive Justice × Black	−0.03	.724	−0.01	.793
Bounded authority	−0.15	<.0005	0.10	.239
Bounded Authority × Black	0.02	.685	0.20	.046
Overpolicing	−0.03	.387	−0.05	.531
Overpolicing × Black	0.00	1.000	0.09	.569
Underpolicing	−0.12	<.0005	−0.25	<.0005
Underpolicing × Black	0.04	.430	0.05	.559
Identification with BLM	−0.03	.117	−0.04	.296
Identification With BLM × Black	−0.07	.109	0.06	.401

Note. Estimates are unstandardized coefficients from six separate fitted latent moderated structural equation models. BLM = Black Lives Matter.

identified strongly with the BLM movement. Finally, we demonstrated that key findings held for Black and White respondents alike.

While affirming the established roles that procedural justice and bounded authority play in legitimacy, this study points to

Table 3

Results From Models Testing Whether People Who Identify With BLM Place More Importance on Under- and Overpolicing in the Context of Police Legitimacy and Whether This Interaction Depends on Race (Including White and Black Participants Only)

Model	Normative alignment		Duty to obey	
	Estimate	<i>p</i>	Estimate	<i>p</i>
Overpolicing	−0.10	.040	−0.17	.010
Identification with BLM	−0.05	.007	−0.06	.083
Identification With BLM × Overpolicing	−0.04	.006	−0.08	<.0005
Underpolicing	−0.11	<.0005	−0.25	<.0005
Identification with BLM	−0.06	.008	−0.08	.032
Identification With BLM × Underpolicing	−0.03	.037	−0.06	.009
Overpolicing	−0.11	.031	−0.19	.005
Identification with BLM	−0.06	.005	−0.07	.045
Identification With BLM × Overpolicing	−0.04	.006	−0.08	<.0005
Identification With BLM × Overpolicing × Black	0.02	.491	−0.07	.124
Underpolicing	−0.12	<.0005	−0.26	<.0005
Identification with BLM	−0.07	.002	−0.10	.013
Identification With BLM × Underpolicing	−0.03	.007	−0.06	.001
Identification With BLM × Underpolicing × Black	0.02	.302	−0.05	.213

Note. Estimates are unstandardized coefficients from four fitted latent moderated structural equation models (the third and fourth are three-way interactions). BLM = Black Lives Matter.

the possibility that perceptions of the under- and overpolicing of Black communities are important factors in the delegitimization of police, at least at this moment in history, after the police killing of George Floyd. Further, perceptions of over- and underpolicing were strongly correlated with perceived structural racism in policing, which accords with qualitative work that suggests how racism in policing is experienced in race-class subjugated communities—not as a purely procedural concern or simply a matter of excessive police contact but in the paradox of overregulation and underprotection (or “distorted responsiveness”) that has significant negative consequences on individuals and communities (Prowse et al., 2020, p. 1435; Rios, 2011, pp. 64–65). Perceptions of over- and underpolicing appeared to represent a sense of systemically racist policing that delegitimized police among White and Black participants, especially if those participants identified with BLM.

This suggests two related points, particularly among participants who identified with BLM. First, under- and overpolicing Black communities may violate important social norms about the proper use of power: Police should (in the eyes of citizens) treat Black communities the same as other racial communities; they should not enact and exacerbate systemic racism in society. Second, the relational signals that racialized policing sends to people may lead individuals (especially those who identify with a social movement that highlights racism as a serious problem) to question whether the police are a just, moral, and appropriate institution that has the authority to govern and enforce the law.

It is important, however, to acknowledge the context of the study. The year was 2020. There was surging public and scholarly awareness regarding structural racism (e.g., Evans et al., 2020; Horton, 2020) and declining support for police (Fine et al., 2020). A broad array of policing reforms were under consideration in jurisdictions across the United States. These ranged from incremental changes (such as innovations in police training or closer internal monitoring of officer behavior) to more fundamental shifts (such as reallocating funding and responsibility to other agencies or abolishing policing altogether; Prasad Philbrick & Yar, 2020). Our study was conducted 3 weeks after the police killing of George Floyd, at a time of mass unrest over racially targeted police violence. Feelings and intergroup tensions were running especially high at this time. Parker et al. (2020) reported that approximately two thirds of Americans supported BLM in June 2020, which was more than the levels of support found in 2016 and 2017 polls. But there are indications that this effect was relatively short-lived. Chudy and Jefferson (2021) found that support for BLM was just under 50% (see also Jones, 2021). Therefore, the strength of our findings may be partly a function of the timing of the study. Determining whether and how findings may differ at other times and in other contexts is an important direction for future research.

Limitations

This study’s main limitations were its sampling strategy and cross-sectional, nonexperimental design. The quota-based sampling approach, although designed to be representative of the general population of the United States according to gender, age, and race, did not allow us to estimate the probability of inclusion in the sample. Moreover, the cross-sectional, nonexperimental structure of the data to which we fitted our models did not support causal

inference nor did it permit us to establish the ordering suggested in our hypothesized pathways.

We should also note a potential limitation of our approach to measuring identification with BLM. Our measures asked about identifying with the movement/cause, feeling a sense of solidarity with the movement/cause, and feeling a sense of similarity to people in the movement/cause. It is possible that answers to these questions reflected participants' thoughts about race and policing rather than any real sense of group identification. This is an issue to be explored in future work.

Implications

The results of this work have several implications for theory and research on policing and structural racism in the United States. Future scholarship on policing and structural racism could retain the core of the procedural justice theory model while also exploring additional approaches to conceptualizing and capturing underlying structural racism. For example, future studies could test expanded measures of procedural justice that incorporate explicit attention to race and racism. Measures of procedural justice might address whether police behave respectfully toward civilians of color, measures of distributive justice might address whether police forces allocate resources equitably when responding to calls for service from White and non-White communities, and measures of bounded authority might address whether police behave intrusively, invasively, or abusively in communities of color. Such an investigation could help to determine whether perceptions of certain aspects or outcomes of structural racism (e.g., overpolicing) operate as distinct predictors of police legitimacy net of the statistical effects of "standard" procedural justice theory constructs or whether these constructs could be reoperationalized to reflect the forms of structural racism that underlie them. Future research could also use multiwave longitudinal methods to prospectively examine how perceptions of procedural justice, distributive justice, bounded authority, and the over- and underpolicing of Black communities change in the coming months and years, and how those changes are related to trajectories of police legitimacy and public willingness to cooperate.

As jurisdictions proceed with what is likely to be a wide variety of reform, overhaul, defunding, and abolition initiatives, an expanded procedural justice theory framework may also offer a useful tool for assessing the extent to which particular policy changes help to effect that reorientation. In a country with a three-century history of deploying police to enforce and perpetuate racial subjugation, changes in policing policy and practice cannot be limited to race-neutral efforts to improve police behavior or reduce police violence against civilians nor to attempts to improve the quality of individual interactions and individuals' experiences. There is a pressing need to take account of the location of policed communities and individuals within more broadly oppressive power relations and the group-level processes that inform and in turn are shaped by the experience of being policed. Findings from the present study thus have implications not only for the kinds of incremental or color-blind reforms with which procedural justice theory has often been associated but also for a radical transformation of the long-standing relationship between law enforcement and White supremacy in the United States (and arguably beyond). The concepts of procedural justice, distributive

justice, and bounded authority may be central to considering how to interrupt a long-standing allegiance between police and a White-dominated power structure and to position Black Americans as full subjects of state protection rather than objects of state control.

At the same time, jurisdictions seeking new approaches to public safety cannot rely on a race-conscious but procedurally empty focus. Saying that policing needs to be done differently is meaningless without also being able to say *how* it should be done differently. This study suggests that efforts to salvage the legitimacy of law enforcement and the democratic integrity of the state it represents must address the paradox at the heart of American policing: a paradigm that focuses on enforcing laws against, and neglects enforcing laws on behalf of, people and communities of color.

Conclusion

The current research serves as proof of concept for an expanded procedural justice theory account that may be useful in future work on law enforcement approaches and police legitimacy in the context of structural racism in the United States. It suggests that, in the context of social inequalities and structural racism, legitimating norms may revolve around not only fair process, distribution, and agency but also racially directed questions of control, stigmatization, and the lack of protection for Black communities. If the law is enforced in ways that signal arbitrariness, exclusion, and a lack of protection to the communities being policed, then people may start to question whether power is being exercised not on their behalf but on them and over them. Crucially, this may extend not only to the individuals being policed in those ways but also to others in society who are concerned about systemic racism in policing.

References

- Adams, T. L., Li, Y., & Liu, H. (2020). A replication of Beyond the Turk: Alternative platforms for crowdsourcing behavioral research—Sometimes preferable to student groups. *AIS Transactions on Replication Research*, 6, Article 15. <https://doi.org/10.17705/1attr.00058>
- Arechar, A. A., & Rand, D. G. (2021). Turing in the time of COVID. *Behavior Research Methods*, 53(6), 2591–2595. <https://doi.org/10.3758/s13428-021-01588-4>
- Aronow, P. M., Baron, J., & Pinson, L. (2019). A note on dropping experimental subjects who fail a manipulation check. *Political Analysis*, 27(4), 572–589. <https://doi.org/10.1017/pan.2019.5>
- Aronow, P. M., Kalla, J., Orr, L., & Ternovski, J. (2020). *Evidence of rising rates of inattentiveness on Lucid in 2020*. SocArXiv. <https://doi.org/10.31235/osf.io/8sbe4>
- Baumgartner, F. R., Epp, D. A., Shoub, K., & Love, B. (2017). Targeting young men of color for search and arrest during traffic stops: Evidence from North Carolina, 2002–2013. *Politics, Groups & Identities*, 5(1), 107–131. <https://doi.org/10.1080/21565503.2016.1160413>
- Beckett, K., Nyrop, K., & Pfingst, L. (2006). Race, drugs, and policing: Understanding disparities in drug delivery arrests. *Criminology*, 44(1), 105–137. <https://doi.org/10.1111/j.1745-9125.2006.00044.x>
- Bell, M. C. (2017). Police reform and the dismantling of legal estrangement. *The Yale Law Journal*, 126, 2054–2150.
- Bennett, M. D. (2020). So much trouble on my mind: African American males coping with mental health issues and racism. *Urban Social Work*, 4(2), 152–172. <https://doi.org/10.1891/USW-D-19-00005>
- Blader, S. L., & Tyler, T. R. (2009). Testing and extending the group engagement model: Linkages between social identity, procedural justice,

- economic outcomes, and extrarole behavior. *Journal of Applied Psychology*, 94(2), 445–464. <https://doi.org/10.1037/a0013935>
- Bolger, P. C., & Walters, G. D. (2019). The relationship between police procedural justice, police legitimacy, and people's willingness to cooperate with law enforcement: A meta-analysis. *Journal of Criminal Justice*, 60, 93–99. <https://doi.org/10.1016/j.jcrimjus.2019.01.001>
- Bradford, B. (2014). Policing and social identity: Procedural justice, inclusion and cooperation between police and public. *Policing and Society*, 24(1), 22–43. <https://doi.org/10.1080/10439463.2012.724068>
- Bradford, B., & Jackson, J. (2018). Police legitimacy among immigrants in Europe: Institutional frames and group position. *European Journal of Criminology*, 15(5), 567–588. <https://doi.org/10.1177/1477370817749496>
- Bradford, B., & Jackson, J. (in press). Legitimacy, relational norms and reciprocity. In R. Hollander-Blumoff (Ed.), *Research handbook in law and psychology*. Elgar Press. <https://doi.org/10.31235/osf.io/7hq2p>
- Bradford, B., Murphy, K., & Jackson, J. (2014). Officers as mirrors: Policing, procedural justice and the (re)production of social identity. *British Journal of Criminology*, 54(4), 527–550. <https://doi.org/10.1093/bjc/azu021>
- Buchanan, L., Bui, Q., & Patel, J. K. (2020, July 3). Black Lives Matter may be the largest movement in U.S. history. *New York Times*. <https://www.nytimes.com/interactive/2020/07/03/us/george-floyd-protests-crowd-size.html>
- Carr, P. J., Napolitano, L., & Keating, J. (2007). We never call the cops and here is why: A qualitative examination of legal cynicism in three Philadelphia neighborhoods. *Criminology*, 45(2), 445–480. <https://doi.org/10.1111/j.1745-9125.2007.00084.x>
- Chudy, J., & Jefferson, H. (2021, May 22). Support for Black Lives Matter surged last year. Did it last? *New York Times*. <https://www.nytimes.com/2021/05/22/opinion/blm-movement-protests-support.html>
- Delgado, R. (2008). Liberal McCarthyism and the origins of critical race theory. *Iowa Law Review*, 94, 1505–1545.
- Del Toro, J., Lloyd, T., Buchanan, K. S., Robins, S. J., Bencharit, L. Z., Smiedt, M. G., Reddy, K. S., Pouget, E. R., Kerrison, E. M., & Goff, P. A. (2019). The criminogenic and psychological effects of police stops on adolescent black and Latino boys. *Proceedings of the National Academy of Sciences of the United States of America*, 116(17), 8261–8268. <https://doi.org/10.1073/pnas.1808976116>
- Evans, M. K., Rosenbaum, L., Malina, D., Morrissey, S., & Rubin, E. J. (2020). Diagnosing and treating structural racism. *New England Journal of Medicine*, 383(3), 274–276. <https://doi.org/10.1056/NEJMe201693>
- Fagan, J., Geller, A., Davies, G., & West, V. (2010). Street stops and broken windows revisited. In S. K. Rice & M. D. White (Eds.), *Race, ethnicity, and policing* (pp. 309–348). New York University Press.
- Fine, A. D., Donley, S., Cavanagh, C., & Cauffman, E. (2020). Youth perceptions of law enforcement and worry about crime from 1976 to 2016. *Criminal Justice and Behavior*, 47(5), 564–581. <https://doi.org/10.1177/0093854820903752>
- Fratello, J., Rengifo, A. F., & Trone, J. (2013). *Coming of age with stop and frisk: Experiences, self-perceptions, and public safety implications*. Vera Institute of Justice.
- Gau, J. M. (2011). The convergent and discriminant validity of procedural justice and police legitimacy: An empirical test of core theoretical propositions. *Journal of Criminal Justice*, 39(6), 489–498. <https://doi.org/10.1016/j.jcrimjus.2011.09.004>
- Gau, J. M. (2014). Procedural justice and police legitimacy: A test of measurement and structure. *American Journal of Criminal Justice*, 39(2), 187–205. <https://doi.org/10.1007/s12103-013-9220-8>
- Gau, J. M., & Brunson, R. K. (2015). Procedural injustice, lost legitimacy, and self-help: Young males' adaptations to perceived unfairness in urban policing tactics. *Journal of Contemporary Criminal Justice*, 31(2), 132–150. <https://doi.org/10.1177/1043986214568841>
- Goff, P. A., Jackson, M. C., Di Leone, B. A. L., Culotta, C. M., & DiTomaso, N. A. (2014). The essence of innocence: Consequences of dehumanizing Black children. *Journal of Personality and Social Psychology*, 106(4), 526–545. <https://doi.org/10.1037/a0035663>
- Graham, J., & Karn, J. (2013). *Policing young adults: A scoping study*. The Police Foundation.
- Hagan, J., Shedd, C., & Payne, M. R. (2005). Race, ethnicity, and youth perceptions of criminal justice. *American Sociological Review*, 70(3), 381–407. <https://doi.org/10.1177/000312240507000302>
- Harris, A. P., Ash, E., & Fagan, J. (2020). Fiscal pressures and discriminatory policing: Evidence from traffic stops in Missouri. *Journal of Race, Ethnicity, and Politics*, 5(3), 450–480. <https://doi.org/10.1017/rep.2020.10>
- Hatzenbuehler, M. L., Keyes, K., Hamilton, A., Uddin, M., & Galea, S. (2015). The collateral damage of mass incarceration: Risk of psychiatric morbidity among nonincarcerated residents of high-incarceration neighborhoods. *American Journal of Public Health*, 105(1), 138–143. <https://doi.org/10.2105/AJPH.2014.302184>
- Hofer, M. S., Womack, S. R., & Wilson, M. N. (2020). An examination of the influence of procedurally just strategies on legal cynicism among urban youth experiencing police contact. *Journal of Community Psychology*, 48(1), 104–123. <https://doi.org/10.1002/jcop.22242>
- Horton, R. (2020). Medicine and medical science: Black lives must matter more. *The Lancet*, 395(10240), Article 1813. [https://doi.org/10.1016/S0140-6736\(20\)31353-2](https://doi.org/10.1016/S0140-6736(20)31353-2)
- Huq, A. Z., Jackson, J., & Trinkner, R. (2017). Legitimizing practices: Revisiting the predicates of police legitimacy. *British Journal of Criminology*, 57(5), 1101–1122. <https://doi.org/10.1093/bjc/azw037>
- Jackson, J. (2018). Norms, normativity, and the legitimacy of justice institutions: International perspectives. *Annual Review of Law and Social Science*, 14(1), 145–165. <https://doi.org/10.1146/annurev-lawsocsci-110316-113734>
- Jackson, J., & Bradford, B. (2019). Blurring the distinction between empirical and normative legitimacy? A methodological commentary on 'Police legitimacy and citizen cooperation in China.' *Asian Journal of Criminology*, 14(4), 265–289. <https://doi.org/10.1007/s11417-019-09289-w>
- Jackson, J., Bradford, B., Giacomantonio, C., & Mugford, R. (2022). Developing core national indicators of public attitudes towards the police in Canada. *Policing and Society*. Advance online publication. <https://doi.org/10.1080/10439463.2022.2102757>
- Jackson, J., & Fine, A., Bradford, B., & Trinkner, R. (in press). Social identity and support for defunding the police in the aftermath of George Floyd's murder. *Group Processes & Intergroup Relations*. Advance online publication. <https://doi.org/10.1177/13684302221128230>
- Jones, J. M. (2021, July 14). In U.S., Black confidence in police recovers from 2020 low. Gallup. <https://news.gallup.com/poll/352304/black-confidence-police-recovers-2020-low.aspx>
- Justice, B., & Meares, T. L. (2014). How the criminal justice system educates citizens. *The Annals of the American Academy of Political and Social Science*, 651(1), 159–177. <https://doi.org/10.1177/0002716213502929>
- Khan-Cullors, P., & Bandele, A. (2018). *When they call you a terrorist: A Black Lives Matter memoir*. St. Martin's Press.
- Kirk, D. S. (2008). The neighborhood context of racial and ethnic disparities in arrest. *Demography*, 45(1), 55–77. <https://doi.org/10.1353/dem.2008.0011>
- Kyprianides, A., Bradford, B., Jackson, J., Yesberg, J., Stott, C., & Radburn, M. (2021). Identity, legitimacy and cooperation with the police: Comparing general-population and street-population samples in London. *Psychology, Public Policy, and Law*, 27(4), 492–508. <https://doi.org/10.1037/la0000312>
- Legewie, J., & Fagan, J. (2019). Aggressive policing and the educational performance of minority youth. *American Sociological Review*, 84(2), 220–247. <https://doi.org/10.1177/0003122419826020>
- Lerman, A. E., & Weaver, V. (2014). Staying out of sight? Concentrated policing and local political action. *The Annals of the American Academy of Political and Social Science*, 651(1), 202–219. <https://doi.org/10.1177/0002716213503085>

- Madon, N. S., Murphy, K., & Sargeant, E. (2017). Promoting police legitimacy among disengaged minority groups: Does procedural justice matter more? *Criminology & Criminal Justice*, 17(5), 624–642. <https://doi.org/10.1177/1748895817692849>
- McKesson, D. (2019). *On the other side of freedom: Race and justice in a divided America*. Simon & Schuster.
- Meares, T. (2017). Policing and procedural justice: Shaping citizens' identities to increase democratic participation. *Northwestern University Law Review*, 111(6), 1525–1535.
- Murphy, K., Bradford, B., & Jackson, J. (2016). Motivating compliance behavior among offenders: Procedural justice or deterrence? *Criminal Justice and Behavior*, 43(1), 102–118. <https://doi.org/10.1177/0093854815611166>
- Parker, K., Horowitz, J. M., & Anderson, M. (2020, December 23). *Amid protests, majorities across racial and ethnic groups express support for the Black Lives Matter movement*, Pew Research Center's Social & Demographic Trends Project. <https://policycommons.net/artifacts/616390/amid-protests-majorities-across-racial-and-ethnic-groups-express-support-for-the-black-lives-matter-movement/1597028/>
- Peer, E., Brandimarte, L., Samat, S., & Acquisti, A. (2017). Beyond the Turk: Alternative platforms for crowdsourcing behavioral research. *Journal of Experimental Social Psychology*, 70, 153–163. <https://doi.org/10.1016/j.jesp.2017.01.006>
- Peer, E., Rothschild, D., Gordon, A., Evernden, Z., & Damer, E. (2022). Data quality of platforms and panels for online behavioral research. *Behavior Research Methods*, 54(4), 1643–1662. <https://doi.org/10.3758/s13428-021-01694-3>
- Posch, K., Jackson, J., Bradford, B., & MacQueen, S. (2021). “Truly free consent”? Clarifying the nature of police legitimacy using causal mediation analysis. *Journal of Experimental Criminology*, 17(4), 563–595. <https://doi.org/10.1007/s11292-020-09426-x>
- Prasad Philbrick, I., & Yar, S. (2020, August 3). What has changed since George Floyd? And what else you need to know today. *New York Times*. <https://www.nytimes.com/2020/08/03/briefing/coronavirus-vaccine-tropical-storm-isaias-tiktok-your-monday-briefing.html>
- President's Task Force on 21st Century Policing. (2015, May). *Final report of the President's task force on 21st century policing*. Office of Community Oriented Policing Services. https://cops.usdoj.gov/pdf/task_force/taskforce_finalreport.pdf
- Prolific. (2019). *Representative samples FAQ*. <https://researcher-help.prolific.co/hc/en-gb/articles/360019238413-Representative-Samples-FAQ>
- Prowse, G., Weaver, V. M., & Meares, T. L. (2020). The state from below: Distorted responsiveness in policed communities. *Urban Affairs Review*, 56(5), 1423–1471. <https://doi.org/10.1177/1078087419844831>
- Quinn, C. R., Hope, E. C., & Cryer-Coupet, Q. R. (2019). Neighborhood cohesion and procedural justice in policing among Black adults: The moderating role of cultural race-related stress. *Journal of Community Psychology*, 48(1), 124–141. <https://doi.org/10.1002/jcop.22251>
- Rios, V. M. (2011). *Punished: Policing the lives of Black and Latino boys*. New York University Press.
- Rios, V. M., Prieto, G., & Ibarra, J. M. (2020). *Mano suave—mano dura: Legitimacy policing and Latino stop-and-frisk*. *American Sociological Review*, 85(1), 58–75. <https://doi.org/10.1177/0003122419897348>
- Sherman, L. W. (1993). Defiance, deterrence, and irrelevance: A theory of the criminal sanction. *Journal of Research in Crime and Delinquency*, 30(4), 445–473. <https://doi.org/10.1177/0022427893030004006>
- Sherman, L. W., & Rogan, D. P. (1995). Effects of gun seizures on gun violence: “Hot spots” patrol in Kansas city. *Justice Quarterly*, 12(4), 673–693. <https://doi.org/10.1080/07418829500096241>
- Stein, R. E., & Griffith, C. (2017). Resident and police perceptions of the neighborhood: Implications for community policing. *Criminal Justice Policy Review*, 28(2), 139–154. <https://doi.org/10.1177/0887403415570630>
- Stoudt, B. G., Fine, M., & Fox, M. (2011). Growing up policed in the age of aggressive policing policies. *New York Law School Law Review*, 56, 1331–1370.
- Sunshine, J., & Tyler, T. R. (2003). The role of procedural justice and legitimacy in shaping public support for policing. *Law & Society Review*, 37(3), 513–548. <https://doi.org/10.1111/1540-5893.3703002>
- Taniguchi, T. A., Hendrix, J. A., Levin-Rector, A., Aagaard, B. P., Strom, K. J., & Zimmer, S. A. (2017). Extending the veil of darkness approach: An examination of racial disproportionality in traffic stops in Durham, NC. *Police Quarterly*, 20(4), 420–448. <https://doi.org/10.1177/1098611117721665>
- Trinkner, R. (2019). Clarifying the contours of the police legitimacy measurement debate: A response to Cao and Graham. *Asian Journal of Criminology*, 14(4), 309–335. <https://doi.org/10.1007/s11417-019-09300-4>
- Trinkner, R., Jackson, J., & Tyler, T. R. (2018). Bounded authority: Expanding “appropriate” police behavior beyond procedural justice. *Law and Human Behavior*, 42(3), 280–293. <https://doi.org/10.1037/lhb0000285>
- Tyler, T. R. (1997). The psychology of legitimacy: A relational perspective on voluntary deference to authorities. *Personality and Social Psychology Review*, 1(4), 323–345. https://doi.org/10.1207/s15327957pspr0104_4
- Tyler, T. R. (2003). Procedural justice, legitimacy, and the effective rule of law. *Crime and Justice*, 30, 283–357. <https://doi.org/10.1086/652233>
- Tyler, T. R. (2006a). *Why people obey the law*. Yale University Press. <https://doi.org/10.1515/9781400828609>
- Tyler, T. R. (2006b). Psychological perspectives on legitimacy and legitimization. *Annual Review of Psychology*, 57(1), 375–400. <https://doi.org/10.1146/annurev.psych.57.102904.190038>
- Tyler, T. R. (2011). Trust and legitimacy: Policing in the USA and Europe. *European Journal of Criminology*, 8(4), 254–266. <https://doi.org/10.1177/1477370811411462>
- Tyler, T. R., & Blader, S. L. (2003). The group engagement model: Procedural justice, social identity, and cooperative behavior. *Personality and Social Psychology Review*, 7(4), 349–361. https://doi.org/10.1207/S15327957PSPR0704_07
- Tyler, T. R., & Fagan, J. (2008). Legitimacy and cooperation: Why do people help the police fight crime in their communities. *Ohio State Journal of Criminal Law*, 6, 231–275.
- Tyler, T. R., Fagan, J., & Geller, A. (2014). Street stops and police legitimacy: Teachable moments in young urban men's legal socialization. *Journal of Empirical Legal Studies*, 11(4), 751–785. <https://doi.org/10.1111/jels.12055>
- Tyler, T. R., Goff, P. A., & MacCoun, R. J. (2015). The impact of psychological science on policing in the United States: Procedural justice, legitimacy, and effective law enforcement. *Psychological Science in the Public Interest*, 16(3), 75–109. <https://doi.org/10.1177/1529100615617791>
- Tyler, T. R., & Jackson, J. (2013). Future challenges in the study of legitimacy and criminal justice. In J. Tankebe & A. Liebling (Eds.), *Legitimacy and criminal justice: An international exploration* (pp. 83–104). Oxford University Press. <https://doi.org/10.1093/acprof:oso/9780198701996.003.0006>
- Tyler, T. R., & Jackson, J. (2014). Popular legitimacy and the exercise of legal authority: Motivating compliance, cooperation, and engagement. *Psychology, Public Policy, and Law*, 20(1), 78–95. <https://doi.org/10.1037/a0034514>
- Tyler, T. R., Jackson, J., & Mentovich, A. (2015). The consequences of being an object of suspicion: Potential pitfalls of proactive police contact. *Journal of Empirical Legal Studies*, 12(4), 602–636. <https://doi.org/10.1111/jels.12086>
- Unnever, J. D., Cullen, F. T., & Barnes, J. C. (2017). Racial discrimination and pathways to delinquency: Testing a theory of African American offending. *Race and Justice*, 7(4), 350–373. <https://doi.org/10.1177/2153368716658768>

- Wacquant, L. (2009). *Punishing the poor: The neoliberal government of social insecurity*. Duke University Press.
- Walters, G. D., & Bolger, P. C. (2019). Procedural justice perceptions, legitimacy beliefs, and compliance with the law: A meta-analysis. *Journal of Experimental Criminology*, 15(3), 341–372. <https://doi.org/10.1007/s11292-018-9338-2>
- Ward, J. T., Krohn, M. D., & Gibson, C. L. (2014). The effects of police contact on trajectories of violence: A group-based, propensity score matching analysis. *Journal of Interpersonal Violence*, 29(3), 440–475. <https://doi.org/10.1177/0886260513505219>
- Weaver, V. M., & Geller, A. (2019). De-policing America's youth: Disrupting criminal justice policy feedbacks that distort power and derail prospects. *The Annals of the American Academy of Political and Social Science*, 685(1), 190–226. <https://doi.org/10.1177/0002716219871899>
- Weaver, V. M., & Lerman, A. E. (2010). Political consequences of the carceral state. *The American Political Science Review*, 104(4), 817–833. <https://doi.org/10.1017/S0003055410000456>
- Williamson, H., Murphy, K., Sargeant, E., & McCarthy, M. (2022). The role of bounded-authority concerns in shaping citizens' duty to obey authorities during COVID-19. *Policing*, 45(2), 169–185. <https://doi.org/10.1108/PIJPSM-03-2022-0036>
- Wilson, J. Q., & Boland, B. (1978). The effect of the police on crime. *Law & Society Review*, 12(3), 367–390. <https://doi.org/10.2307/3053285>

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