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Public-Police Relations: Officers' Interpretations of Citizen Contacts

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Walden University

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Donal Hardin

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Walden University
2015

Abstract

Public-Police Relations: Officers' Interpretations of Citizen Contacts

by

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MA, Chapman University, 2008

BS, University of Phoenix, 2007

Dissertation Submitted in Partial Fulfillment

of the Requirements for the Degree of

Doctor of Philosophy

Public Policy and Administration

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Abstract

Perceptual differences in how citizens and police view police-initiated contacts can result in individual and communal tension, mistrust, and social strife, which complicate the relationships needed in order to thrive and promote safe environments. To examine how police officers interpret these contacts, this case study sought to explore the nature of citizen–police relations from the perspective of police officers in a city in the northwest part of the United States. Social contract and procedural justice theories were used to examine the circumstances that officers cited for taking enforcement actions, including operational definitions of police fairness and legitimacy from the Queensland Community Engagement Trial. Data were collected from interviews with 10 officers during police ride-alongs and from departmental data related to officer performance. These data were inductively coded and then analyzed using a naturalistic inquiry approach. Findings suggest that police officers were amenable to creating formal, quasi-contractual agreements between police and citizens based on a shared understanding of how police exercised power and discretion to guide the citizen–police interaction. Participants perceived that, under certain circumstances, explaining police discretion to citizens may decrease the level of community tension police officers experience. These findings support the theoretical constructs of procedural justice and have implications for social contract theory. This type of arrangement encourages positive social change by strengthening the ties with community members, which in turn promotes officer and public safety.

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Dedication

This project is dedicated to the men and women of law enforcement, the citizens and communities they serve, and every individual that sincerely strives to make our communities more harmonious, peaceful, and safe environments for the pursuit of human flourishing.

Acknowledgments

The efforts and accomplishment contained herein could not be possible without the dedicated faculty that have helped me move through the entire educational process. And of course, the indefatigable support and patience of my loving wife Lisa, as always, is an indispensable part of all my life's endeavors. Thank you, Love.

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Chapter 1: Introduction to the Study

Introduction

Do police officers and citizens trust each other? Do they perceive the same motivations behind, and interpretations of, their shared experiences? Consider the harm to social justice precepts that preconceptions about race, guilt, and attitude cause when police and citizens misconstrue each other's intents and actions. A significant gap in the current literature fails to examine the impact of police officers' interpretations of citizen contacts in the field. Specifically, the research lacks a contextual observation and qualitative analysis of the discretionary decision-making process of police officers as the final arbiter citizen contacts. These contacts are constructively defined by perceptual differences—prior to and during the contact—that create individual and communal tension, feelings of mistrust, and conceptions of social inequality (Reisig & Parks, 2004). The goal of this project was to identify possible explanations and solutions that could be used to inform policy recommendations aimed at reducing that tension and mistrust and at maximizing social harmony and community relations. In accordance with that goal, the purpose of this qualitative study was to examine the experience and decision making process of police officers during police-initiated contacts through a case study, which compared and contrasted officer interpretations, environmental factors, motivations, and the resultant discretionary decisions of the officers. Second, this project explored how the officer's perceptions of the environment, of citizen's motivations, attitudes, and of citizen cooperation levels during the contact resulted in certain avoidable or desirable discretionary outcomes. By contrasting the contextual interpretations and expectations

that officers bring to this dynamic, areas of conflict and disagreement could be better identified and understood to potentially improve individual and collective citizen–police relations. This project explores fundamental dynamics of the citizen-state relationship, viewed through the lens of social contract theories and procedural justice theories.

How might a police officer’s perception of a citizen’s attitudes and behaviors impact that officer’s interpretive decision making process during encounters with citizens? If there are identifiable patterns in the way officers interpret contacts with citizen, those patterns may also correspond with specific identifiable outcomes. Such outcomes can then be compared with objective, statistical criteria to contextualize thematic similarities. These identified themes and patterns may offer normative value for policing policy and actions, by suggesting potential negative characteristics to avoid and positive ones to model. These results may also provide some insights for the larger social question of citizen–police relations, which are often confounded when citizens and police perceive the same events differently. This disparity of citizen–police event perception may be further compounded by disparities between each group’s expectations and motivations which determine, in part, the outcomes of public-police interactions. These perceptions may be informed by facts, and the contextual environment in which they occur, as initiated by the police officer. But they are also shaped by the compelling constructs, philosophies, experiences, perceptions, and attitudes of the officers and citizens themselves. To illustrate the divide, citizens in the United States perceive that law enforcement officers will use force much more frequently than the police actually do (IACP, 2012, p. 7; Johnson & Kuhns, 2010, p. 594; Stewart, Henning, & Renauer, 2012,

p. 1). In turn, police subcultures can negatively influence the perceptions of officers, presenting the public as a type of real or political enemy that represents a threat to the officer's safety (Katz & Walker, 2013, p. 162). These conflicting, and often misconceived, perceptions lie at the heart of public–police relations and often manifest as social inequality, communal discord, and public mistrust of government and law enforcement.

Background of the Study

One approach to citizen–police relations focuses on managerial and supervisory concepts and variables as a determiner of employee conduct within the law enforcement profession (Huberts, Kaptein, & Lasthuizen, 2007; Johnson, 2010; Schafer, 2010). Some of the research has evolved to address the niches of gender and racial roles exclusive to leadership traits in law enforcement (Jones, 2008). Others have focused strictly on the interactions between (a) subordinate attitudes and behaviors and (b) supervisor attitudes and modeled behaviors (Johnson, 2010). Some studies have determined that particular leadership traits may reduce the potential of ethical violations (Huberts et al., 2007). Paoline (2004) focused on specific police behaviors as the key to analyzing and determining the outcomes of citizen contacts due to the unique variations of each contact dependent upon the interaction of an officer's personal traits and the contours of the internal subculture and organizational environment of the police department. However, a bulk of the research focuses on quantitatively measuring perceptions of leader traits by fellow leaders and their subordinates (Morreale, 2002).

One of the most notable studies on this topic, completed by Reisig and Parks (2004), centers on the link between the community-oriented policing movement of the 1990s and quality-of-life perceptions. Reisig and Parks found an association between strength of community collaboration (policing techniques) and a positive assessment of community quality-of-life issues in neighborhoods of varying socio-economic advantage (p. 142). Reisig and Parks noted the important connection between citizen perceptions of police trustworthiness and positive citizen expectations of safety and quality of life. Studies on community-oriented policing (COP) dovetail with the managerial-level approach that employs training police and citizenry in collaborative skills and problem-solving skills that can be used to resolve their collective issues (Scott & Kirby, 2012; Scott & Goldstein, 2005).

While these studies certainly inform how an officer's behaviors can be affected, due in part to organizational forces, none of them involve any contextual synthesis of the interpretations, feelings, and perceptions of the officer as a formative variable of the community relations construct. There are other studies that illuminate how important the public's expectation is regarding "the professional conduct factor" of police officers, and establishing respect, honesty, integrity, as the most desirable traits and characteristics for police officer (Cheurprakobkit & Bartsch, 2001, p.449). Other studies are more precise, selecting police use-of-force as a particular task set for citizen evaluations of police legitimacy and support, and encouraging public channels of communication on policy issues of such import and social friction (Johnson & Kuhns, 2009, p. 597).

However, a link between police and citizen perceptions of their shared experiences with each other remains elusive. So does any examination of citizen and police perceptions of each other's motivations, and any subsequent analysis of how citizen attitudes, prompted by that perception, may impact officers' use of discretion. This analysis is vitally important as those perceptions may perpetuate a false narrative or social construct. As previously noted, citizens vastly overestimate the frequency with which police use force (IACP, 2012, p. 7), and in some cases, they perceive that police use-of-force has been increasing, when in fact it has been decreasing (Stewart, Henning, & Renauer, 2012, p. 1). Such misconceptions may be based on citizen interpretations of individual and systemic motivations and perceptions of unfairness, guilt, justice, and legal mandates that can decrease reported levels of community quality of life.

Recent studies on procedural justice theory have begun to further illuminate the connection between police action and citizen satisfaction. Although limited primarily to quantitative methods, these studies demonstrate that when citizens perceive law enforcement actions as unjust, they develop corresponding attitudes and perceptions of unfair police treatment (Jonathan-Zamir, Mastrofski, & Moyal, 2013, p. 2; Jos, 2006, pp. 163-164). Citizen's interpretations of an officer's motivation may lead, in turn, to assumptions that negatively impact citizen response and compliance, respect for the law, support for the police, and perceptions of police legitimacy (Jonathan-Zamir et al., 2013, p. 2; Jos, 2006, pp. 163-164; Schuck & Martin, 2013, p. 220). Interestingly, Wentz and Schlimgen (2011) conducted a study which found that citizens' personal encounters with police affect their perceptions of police performance less than the anecdotal stories of

acquaintances within in the neighborhood which relate others' perceptions of treatment by police (pp. 128-129).

But these studies are based on a citizen-centric paradigm that fails to consider the interpretive framework of one-half of this social equation. Ultimately, it is the officer's side of the interaction that often determines a discretionary outcome for the contact; based upon a personally derived interpretive process. A few extant studies have used statistical analysis to examine the impacts of neighborhood crime rates on police levels of cynicism (Sobol, 2010), or how police interviewing techniques effect the cooperation solicited of members of different cultural backgrounds (Beune, Giebels, & Taylor, 2010). Tasdoven and Kapucu (2013) used fictitious scenarios to quantitatively analyze the impact of intrinsic (attitudinal) and extrinsic (environmental and organizational) variables of police discretion. It marked a progression in the research into a new realm that considers the importance of police perceptions in their relations with the public. But the fictional nature of the study's scenarios, combined with its cultural variations and statistical rendering, leave room for significant error in transmitting the real-world interpretations as constructed by the officer participants. As noted, misunderstandings on such vital and potentially violent social issues can erode the social fabric of the most underserved neighborhoods and lower individual and collective perceptions of community safety and quality of life (Reisig & Parks, 2004, p. 142).

These studies confirm the social importance of positive police relations, and extend the examination of this issue to the interaction of citizens and officers behaviors. These unique interactions are formed by an interplay of citizen and officer behaviors and

attitudes that lead to various individual and collective outcomes. Those outcomes can include the use of force, higher arrests rates, prison overcrowding, and feelings of social injustice and equality. Currently, there are no contextual, event-contemporaneous studies that qualitatively examine how officers' interpretations of the variables involved in citizen-police contacts affect the use of police discretion. This is a factor that directly impacts the results of citizen-police contacts. Therefore, a case study examination of relevant data sources, performance indicators, and the experiential factors expressed through the viewpoints and interpretations of several participants themselves, was needed.

Statement of the Problem

Where that perceptual difference is formed and persists, it perpetuates negative effects upon the citizen-state relationship, creating a hostile environment of mutual mistrust and fear that can lead to confrontations between the public and the police. Extrapolated over the 40 million annual contacts that police have with citizens (Eith & Durose, 2011, p. 1), and buttressed by false media imagery of police-citizen encounters (IACP, 2012, p. 11) these experiences form pop-culture and perceptual constructs that overwhelm and contradict data which show that citizens report that officers act "respectfully" (92%) and "properly" (90%) in a vast majority of encounters (Eith & Durose, 2011, p. 6). Still, this data is not representative of every community, and studies have yet to discover or focus on a link between general appraisals of police performance and the contextual attitudes, beliefs and perceptions that separate positive ratings from bad ones.

When citizens perceive that the first-line executive powers of their governments exercise force upon them much more frequently than the police actually do (IACP, 2012, p. 7; Stewart, Henning, & Renauer, 2012, p. 1), the problem remains. When racial minorities perceive different levels of legitimacy for police use-of-force, based upon their perceptions and experiences, and correlate that belief with racially discriminatory motivations for police actions (Johnson & Kuhns, 2010, p. 615), the problem persists. When recent studies indicate that perceptions of police legitimacy and fairness may be more important than reality, and are based heavily upon the anecdotes of other individuals in the neighborhood (Wentz & Schlimgen, 2011), the problem is relevant and self-perpetuating. When repeated, these stories become “entrenched accounts” of “biased perceptions to receptive audiences” that can “resonate throughout social networks, thus encouraging disconnect in police–community relations” (Rojek, Alpert, & Smith, 2012, p. 308).

The social impact of poor police-community relations is as present and self-evident now as it has ever been since the inauguration of the modern police force by Sir Robert Peel in 1829. Without the trust, faith, and respect of the public, “the police have a very hard job to do indeed” (Gau, 2010, p. 238). While a variety of theories and approaches to the problems inherent in citizen–police relations have been explored, from managerial methods to procedural justice measurements, any illumination of the interactively constructivist disconnect between public and police perceptions of police contacts remains elusive. Mistrust, anxiety, failed hopes for social equity and equality, violent encounters and perceptions of injustice remain in certain segments of some

communities, compounded by cyclical reactions to the perceptions of motivations by police and the citizenry. The problem, at present, remains.

Purpose of the Study

This project proposed a new approach to examining public-police relations with a significant opportunity for reconciling differences, improving mutual understanding and communication, and developing more effective policing philosophies. The intent is to fill the remaining gap in understanding the connections between officers' perception of citizens' actions and attitudes, and the officer's responding decisions. If an officer is interpreting the citizen's responses as further support for a preconceived notion of a safety threat, interpretive perception errors will further confound the likelihood of a peaceful and amicable resolution of the event. Exploring the experientially constructed perceptions, through the interpretations of the subjects themselves, can unveil variables, themes, and influences that could fuel dynamics of friction, uncertainty, danger and mistrust within the citizen-police relationship. This comparative case study examined the police officer's interpretive experience and included further contrast between police performance data indicators, personal and emotional reactions, interpersonal communication skills, police training and policy, education, preconceptions, and contextual and environmental variables.

The primary approach of research on police community relations has been the evaluation of officer performance by citizens. Up to now, no research has qualitatively analyzed the contextual variables of citizen-police interactions from the viewpoint of police officers, at the time of the citizen contact. Nor has there been an analysis of exactly

how an officer's perception of an interaction with a citizen could affect his or her use of discretion. The goal of this project was to shed light on these unexamined factors in order to identify, clarify, and compare the thematic elements that shape an officer's perceptions of citizen contacts and motivations for action. The current body of research is replete with redundant data that identify the values and evaluative responses of citizens' satisfaction with police. But relationships have two or more interpretive paradigms. Understanding and contrasting the categories of individual values, contextual data, and legal mandates that shape the discretionary decision making of police officers will help to reveal thematic factors that impact positive citizen-police contacts, as well as conflicts and disagreements. This case study provides a new, crucial relational perspective for citizen-police relations. The resultant data can be assimilated into police-community relations policies and dialogs; it can establish a mutual knowledge base that can (a) reduce tension and mistrust and (b) maximize social harmony on issues of justice.

Research Questions

This project sought to illuminate the factors that police officers from a Central Oregon police department described as their determining reasons for decisions made during officer-initiated contacts (OIC). Analysis includes personal and environmental factors that interact with feedback and behaviors from citizens. The secondary goal was to identify and categorize officers' themes that could suggest to predictable actions or outcomes.

RQ1: Other than legal mandates, what other factors (situational, environmental, attitudinal, etc.) do officers claim impact their decision making process?

RQ2: Do any of the items identified in RQ1 occur more frequently during contacts that result in discretionary, traditional enforcement action (arrest, ticket, etc.)?

RQ3: Of those items identified in RQ1 and RQ2, do those interpretations correspond to contextually objective observations of themes identified in RQ1?

Theoretical Framework

This project explored fundamental dynamics of the citizen-state relationship, using procedural justice and social contract theories as a triangulating, theoretical perspective. While social contract theory and procedural justice theory provided an interpretive lens in the extant body of research, they frequently failed to focus on exact relational, contextual, and contemporaneous variables and interpretations as described by the participants themselves. The framework and methodology of this project align to address that deficiency through the use of an collective case study approach which used “contextual information” (Patton, 2002, p. 449) to accumulate precise case data that enlightened the research analysis with “current, real-life cases,” that were retrieved when that data was most accurate (Creswell, 2013, p. 98). Case studies also align with the essence of both theoretical frameworks as they are appropriate methods of inquiry for studying “the exercise of power and the process of decision making” in public policy governance (Stewart, 2011, p. 68). These alignments and frameworks will be defined and discussed in greater detail in Chapter 2.

Procedural justice is an ideal conceptual approach for studying the precise complications and conflicts in citizen–police relations because it is a perception-interaction based model of social law and order. Procedural justice also examines how

individuals relate to, and accept, the authority and power of police officers based upon experiential constructs. Derived from the larger theoretical base of social justice theory, procedural justice focuses on links between individual and communal feelings of police legitimacy and systemic fairness that result in corresponding actions that define citizen compliance and social order (Paraschiv, 2012). Procedural justice also supports the theoretical and practical need of this project by calling for further research into the subjective nature of judgments about the fairness of criminal justice procedures and the perceptions that form those judgments (Paraschiv, 2012, p. 167). This multiple-case study facilitates that forward movement in the literature with an in-depth analysis that provides “deeper understanding of the process and outcomes” of citizen–police relations through an examination of “locally grounded causation” (Miles, Huberman, Saldana, 2014, p. 30).

Social contract theory establishes broad philosophical underpinnings for all legal and criminal justice system policies, procedures, and determinations (Levy, 2009, p. 198). Rooted in the 17th and 18th century political philosophy of Hobbes, Locke, and Rousseau, social contract theory lays the socio-political foundation for managing and resolving “diverse accounts of human nature, the social processes that shape conflict, cooperation, and compliance, and institutional forms that can be brought to bear on the challenges of contemporary professional ethics in public administration” (Jos, 2005, p. 140). Social contract provides an ideal secondary prism through which to examine the participants’ interactive perceptions and evaluations of public safety and social justice outcomes. Social contract theory is also a distributive social philosophy that analyzes the inequities in allocation of public resources through power-based institutions (Weirich,

2011, p. 154). Because it encompasses the citizen–police relational dynamic of power, and the distribution of justice and equality that this study explores, it is a fitting theoretical approach to examine how officers form the decisions that dictate how such powers are used and the distributions occur. Recent studies have begun to examine the “power and status” dynamics of citizen–police relations through the perceptual “microprocesses” at play in when force is used by police (Rojek, Alpert, & Smith, 2012, p. 305). However, due to its macro-level approach, social contract is inadequate as a means of examining individual relationships and interactions contextually. But the ethical and democratic underpinnings of social contract inform and complement this case study approach; they provide objective guidance during the analysis of the officer’s perspective, the presentation of findings, and the explanation of the “overall meaning derived from the cases” (Creswell, 2013, p. 99).

In alignment with the methodology of this study, these paradigms help to examine a gap in the literature. Once examined, the findings may help to inform and reform public safety policy and reconcile expectations and outcomes – for citizens, police officers, and the communities they serve.

Nature of the Study

This study was conducted within a police department in Central Oregon and focused specifically on officer-initiated contacts with citizens. As a collective (or multiple) case study with maximum variation in sampling, this project used a cross-case method of data analysis and coding. The collective approach was due to the focus on instructive examples that “illustrate the issue” (Creswell, 2013, p. 99) through multiple

cases, instances, and individuals (Stewart, 2011, p. 69) that comprise the phenomenological units of analysis. The larger unit of analysis was *individual police officer work shifts*, which were contrasted with one another for cross-case comparison.

But context is also an important point of methodological analysis in case studies (Stewart, 2011, p. 78). Therefore, the data was further distilled by a nested analysis of the elements of each specific citizen contact that officers initiated, which function as “an integral part of the broader picture” (Thomas, 2013, p. 598). Both case units of analysis are easily identifiable by a “specific social context in time and place” (Harland, 2014, p. 4). Ten officers comprised the sample and represented a variety of background traits (e.g., education, training, and experience.), demographic data (e.g., age, tenure.), and contextual/environmental variables (e.g., weather, time of day, call type). This purposeful sample technique provided the ideal method for comparing environmental variables and contrasting the diverse participant characteristics and their interpretations of concepts and key factors of the topic under observation (Patton, 2002, p. 235; Stewart, 2011, p. 70). Maximum variation sampling also aided in avoiding selection bias (Stewart, 2011, p. 71) and identifying the emerging patterns and themes (Miles, Huberman, Saldana, 2014, p. 32; Patton, 2002, pp. 234-235). The researcher accompanied the officers from call to call during one shift and collected their interpretations during observations of police contacts. In subsequent interviews, the officers described their interpretations of those contacts. This data was then compared to the average and aggregate policing activities of that participant over the prior four years, and with public data sources for patrol activities for

the entire department, to look for patterns and themes that spoke to the research questions.

This method of inquiry aligned with the purpose and processes of this study as it was designed to examine the precisely bounded contextual formations of a real-life decision making process through an in-depth and detailed analysis of case themes (Creswell 2013, pp. 97-101; Patton, 2002, p. 447; Thomas, 2013, pp. 591-592). Case studies are also well established as a means of using wide ranging data sources for researching issues of governance related to public policy, the use of power, and the discretionary decision making process that determines both (Stewart, 2011, p. 68, 78). A case study design was also conducive to the development of distinct concepts, categories, and patterns that emerged from officers' responses based upon contiguity-based relations and the intended connecting and contextualizing data analysis techniques (Maxwell, 2013, pp. 106, 112). Given the unpredictable nature of police ride-alongs and the desire to allow the case themes to naturally and objectively emerge from multicase data collection and analysis procedures (Miles, Huberman, & Saldana, 2014, p. 34), a case study approach provided the methodological flexibility for exploring the rich, in-depth essence of the research topic (Harland, 2014, p. 6; Stewart, 2011, p. 70; Thomas, 2013, pp. 592) through interviews, observations, purposeful sampling, and a "tenacious pursuit of the essence of each case" (Stewart, 2011, p. 80).

As discussed in Chapter 2, previous citizen-police studies have developed findings based upon abstractions of concepts developed from operational definitions for themes, inputs and outcomes created interpretively by researchers, not upon the empirical

and individual expressed experiences of the participants. Those definitions have only been addressed and presented about one side of the relationship, without contextualization. This case study addressed that social and scientific need by directly deriving context-sensitive (Maxwell, 2013, p. 106; Patton, 2002, p. 447; Stewart, 2011, p. 78) qualitative interpretations of citizen–police interactions, grounded by the contingent perceptions and expressions of the actors themselves. A case study approach also offered the opportunity for the researcher’s knowledge and experience in the field to reinforce some aspects of quality in the data collection and analysis stages (Stewart, 2011, pp. 78-79).

Operational Definitions

This case study was designed to allow the participants’ interpretations to form the conceptual and operational parameters as they emerged from the grounded data. But to begin, a few basic occupational-specific terms and operational definitions were outlined.

Officer-initiated contact (OIC) - This term described, and only included, citizen–police interactions that were initiated by the police officer. These included criminal investigations or consensual encounters of a neutral or positive nature. This excluded all citizen–police contacts that were a result of a citizen request or other calls for service (CFS), or any other dispatched or externally originated police action.

Negative response - This term characterized police officer interpretations that related any personal and/or emotional animosity, prejudice, racism, bias, disrespect, confrontational attitudes, and any other preconceptions conflicting or harmful behaviors.

Positive response - This term characterized police officer interpretations that related any personal and/or emotional contentment, agreement, amicability, favorability, empathy, or understanding.

Neutral response - This term characterized police officer interpretations that lacked the content of *positive* or *negative responses*.

Enforcement (or traditional enforcement action) – This term described police officers’ decisions that corresponded to traditional policing methods of making arrests, writing tickets, and maximizing legal enforcement options as a selected resolution in response to citizen behaviors.

Contextual environment – This term described the physical and formative environment in which the citizen–police contact took place including, but not limited to: location, weather, stop/contact type, levels or absence of intoxication, time of day, and demographic data.

Subject – A term that was used interchangeably to describe citizens contacted by police. This term is used as a neutral descriptor by officers to identify individuals that are not characterized as suspects. Since police officers contact citizens for a variety of reasons (witness information, possible criminal activity, etc.) this term was used as officers would use it, to describe citizens they contact.

Suspect- A suspect is an individual that was perceived by the officer to be an actual suspect of criminal activity; this term was contextually examined based on legal and evidentiary standards.

Disposition –This is an esoteric policing term to describe the ultimate outcome of the OIC. Officers use the phrase “dispo” as shorthand when reporting the outcome of a contact to the dispatchers, prior to clearing the call. The disposition is recorded, usually in alpha-numeric descriptors, in the electronic, computer-aided dispatch storage databases for future recall and statistical. Such information was used in this project as a historic data source to establish prior, comparative performance levels. This project refers to the disposition as the official outcome of an OIC, as described by the officer, and recorded by the department.

Assumptions

Several assumptions were made in this study. The first assumption was that participants acted in good faith and provided true and reliable answers, free from intentional or unintentional manipulation. The second assumption, which related to the interview instrument, was that the researcher’s observations accurately presented participant interpretations. The third assumption was that the participants were all reasonable, well-intentioned public safety employees from which representativeness can be derived. Some of these concerns were abated to varying degrees through the methodology described below. All of them are an incumbent and inherent part of studying human interactions and interpretative processes. But where the truest and most accurate representations of human nature are sought, such inquiries inherently begin with the assumption that those natures are available and discernible.

Scope and Delimitations

The case study approach was chosen precisely for its ability to define bounded cases for observation. In this project the officers' individual interpretations and thought processes were examined as single cases, with each specific citizen contact nested within as several smaller cases. This allowed for the observation and emergence of organic categories that provided answers to the primary and secondary research questions about officers' motivations, interpretations, and decision-making processes.

One delimitation of this project was the strict containment of the study and sample within the Central Oregon area, a region that may demographically preempt generalizability and transferability of the results to other regions. It also excluded police officers from that jurisdiction not currently assigned to active patrol. However, as a collective case study, this project was not intended to produce generalizable outcomes, but a generalizable transference of methods for replication that could reasonably assure similar outcomes from similar circumstances (Stewart, 2011, p. 71). The composition of each community is different, and each has its own set of values from which to expect different themes in each location. The methods used in this study, therefore, possessed a degree of generalizability for locating casual inferences, although those causes may differ when and where the research is applied. Because the selected police department and its participants necessarily played a role in determining the sample group, a comprehensive representation of every population trait cannot be affirmed with certainty.

Lastly, this project was designed to fill a gap in the literature covering theoretical precepts about the public-police relationship using procedural justice and social contract

theories as a guiding framework. Some of the citizen-oriented value concerns of social and procedural justice will not be fully related in this work, which focuses on the police officers role in that relationship. As such, this project relies on the comprehensive extant literature for addresses citizen perspectives. Subsequently, the results of this project should dovetail cleanly into the existing theoretical paradigm.

Limitations

Considering the researcher's experience in law enforcement, the interpretation and analysis of officers' perceptions may contain some pro-officer bias that must be minimized. To mitigate this limitation, coding and journaling procedures (discussed in detail in Chapter 3) were designed to impart the data collection and analysis phases with the essence of participants' meanings while simultaneously providing the transparency requisite to establish trustworthiness.

Considering the often contentious nature and dynamics of police contacts with citizens, the researcher's presence may have skewed interactions between citizens and officers during the fieldwork. Participants may have altered their activities or their answers to interview questions to express viewpoints they found more socially, politically, or legally acceptable. To mitigate this concern and to assess veracity, this study contrasted those interpretations with the environmental and situational factors on the ground. However, the researcher's prior experience in the field of law enforcement helped build rapport with the participants so that they could "disclose detailed perspectives about" their personal experiences (Creswell, 2013, p. 154). This experience

also aided in the analysis and comparison of participant interpretations with contextual and environmental variables affecting the contacts.

Another critical concern in analyzing officers' interpretations and decisions is the vicissitudes of the legal system itself. Criminal and civil justice laws are constantly evolving and adjustments to policy can impact the way discretion is used and how interactions play out. During the data collection process, a slight change in legislative mandate or in police or civil procedures could have manifested in the data, thus thwarting contextual comparisons of officers' decisions due to a moving legal playing field. This was considered, and monitored closely. It should be noted that slight legal variances, as a result of the practice of federalism, can impact the transferability and generalizability of findings to other areas. But the sampling design offered some flexibility for managing this concern with selective patience, and the detail-oriented methodology of case study provided the mechanism for accounting for legal variances. Finally, the experience of the researcher, in tandem with prior research and familiarity with local ordinances and laws, again helped to clarify issues arising from new legal precedent, current applications of laws, and policy familiarity.

But the results of this study are limited in their ability to generalize results over other populations. The demographics and community dynamics of a Central Oregon town can hardly produce results that can be extended other neighborhoods with their own unique characteristics, especially larger urban centers where the population and police departments are more numerous, complex, and specialized. The region is predominantly White, and all of the participants in this study were limited to that ethnic category.

However, demographic composition is an inherent and unique limitation of all community-level examinations, and citizen–police relations specifically. And it is also the intent of the American system of justice and governance to ensure the mandates of federalism and the fragmentation of public resources dedicated to serving the unique and nuanced value sets of each community. So, although the sample may consist of nearly a third of department’s police officers, it is limited to the patrol division and may not represent findings that would be consistent throughout local, regional, or national police departments. Nor can it be extrapolated over type, function, or divisions of police work, to include port authority or metro police, traffic divisions, detective bureaus, narcotics units, school resources officers, etc.

Lastly, it is ideal that a sample be inclusive of all attitudes and potential response styles for all of the calls and cases included. Maximum variation sampling helped ensure a measure of representatives for this sample. Rarer, severe cases (homicide, gang violence, sexual assault, robberies, etc.) or periods of unusual call type volume could have presented interactions and responses that could have affected the results. There was also the possibility (due to personal reasons of the participants and ethical boundaries of this research project) that some of the OICs may skew towards particular officer skill sets or involve issues of a personally sensitive nature that may also alter the representative accuracy in the study results. Officers may also have initiated contacts in response to prior citizen-requests, recent criminal activity, or strategic crime data analyses. To address this concern, all outliers were examined for inclusion and accuracy to avoid potential harm to the study. As a former police officer, the researcher was able to assist

the inductive, emergent design approach and increase the quality and dependability of the findings by verifying results that may be rendered from disproportionate circumstances or unusual call volume during the data collection period. This proportionality was also statistically verified and analyzed by reviewing the average trends of calls for service and officer-initiated activity data recorded by the department over the preceding 4 years.

Significance of the Study

The positive social value derived from the themes of officer perception or motivation can be used to inform the public debate by clarifying and reconciling police officer perceptions and discretion with real or imagined grievances over police tactics and activities. This knowledge can also be used to cool heated debates over contemporary social issues, including police use-of-force policies, individual attitudes and behaviors during police contacts, and police professionalism. The findings of this project provide actionable data for improving community relations and police-citizen engagement, which, in turn, can directly foster bilateral reforms in ethical policing practices. It may also raise public awareness of police actions which can facilitate the establishment of harmonious social accord. The results of this study can be used to inform public safety policy decisions by future law enforcement officers, police managers, training academies, and political leaders. It might also enhance the contribution and collaboration of community relations programs, individual citizens, and their corresponding levels of communal satisfaction and quality of life.

Closing the deficit between the citizen and the police understanding of the concepts and interpretations of their interactions (and the subsequent results) provides a

synergistic benefit for the citizens, police, communities, and the overburdened criminal justice system as a whole. Exploring the thematic elements of the officer's perceptual processes and discretionary interpretations of their contacts with citizens might also begin a comparative link with the results of other citizen-centric studies about shared themes and specific avoidable outcomes (use of force, arrests, complaints, feelings of injustice and disenfranchisement, etc.). These outcomes are determined, in large part, by existing perceptions and expectations that can only be recorded and observed in comparative, real-time evaluations of police and citizen interactions, and by analyzing the formative perceptions and expectations of the officers and their decisions as a resulting output. For this reason, the significance of this study also revolves around its unique research approach to studying public-police relations. A nested, in-depth case study provides a model opportunity to develop organically the bounded "common themes that transcend the cases" (Creswell, 2013, p. 101), through the synthesis of officers' responses and researcher observations. Once the officers' interpretations and decisions are illuminated, and reconciled with community value sets, the results of this study may offer a baseline of thematic descriptions that can be included in the police training environment to help inform policy, reduce unnecessary uses of force, lower arrests rates as a result of attitudinal factors, promote more non-enforcement responses to community problems, and establish higher levels of mutual respect, police legitimacy, and feelings of justice and equality. Therefore, the significance of this project is systemic, and can help reform public safety policies where those reforms are needed most by improving social justice dictates—for citizens, police officers, and the communities they serve.

When we are stopped by a police officer in the street, in our car, or at the mall, there are individual and perceptual disparities and incongruities that alter our beliefs about the officer's motivations and intent. But when we part from the officer after receiving advice, a traffic ticket, a warning, or being arrested, those minor variances in perceptions form social constructions that impact the nature and quality of the citizen-state relationship and, subsequently, communal quality of life. Understanding how and why the officer initiated that contact, and the process by which he or she arrived at a conclusion, constitutes the high value of this study. The illumination and scientific identification of executive branch, street-level interpretivism can be an integral concept and tool of social knowledge. Armed with this knowledge, we possess the ability to develop the wisdom that can improve dilemmas of social life and consciousness ranging from fairness and respect, to justice, and equality.

Summary

The "Father of Modern Policing," Sir Robert Peel, noted that police officers are original members of the community they serve, and that the "police, at all times, should maintain a relationship with the public that gives reality to the historic tradition that the police are the public and the public are the police" (Nazemi, n.d.). Somewhere between that statement in 1829 and the present, society has developed the notion that police and citizens are two separate and distinct species that relate to one another only through some unknowable, confrontational discourse. Such entrenched concepts erode the fabric of communal harmony and conflict with the intended social and political accord of democratic foundations. This study sought to deconstruct that false narrative, and it offers

a mechanism for deciphering the perceptual gap that separates, and in many cases, divides communities. The bulk of the literature, which focused on quantitative examinations of this relationship, lacks contextual, contemporaneous considerations that include the interpretive processes of the police officer.

In Chapter 2, a review of recent studies on citizen–police relations will reveal not only the current standing and revelations of citizen–police relations research, but will highlight the way forward, framing and supporting the need to move down this untrodden path. Chapter 3 will detail the methodology for data collections and analysis. Chapter 4 will examine the findings and results of the data collections and analysis providing answers to the research questions. Chapter 5 will outline final conclusions of the study along with suggestions for future research, applications to public safety policy, and implications for social value.

Chapter 2: Review of the Literature

Introduction

There is no shortage of studies that examine the difficult and contentious social dynamics of citizen–police relations. However, many of these studies approach the issues quantitatively or from secondary angles of inquiry that do not focus on the citizen and officer interaction. One genre involves the exploration of police leadership theories to provide general guidance on community relations outcomes. Another approach centers around the theory of procedural justice as an interpretive mechanism for perceptions of police fairness, legitimacy, and public compliance. Taken in tandem, the extant research seeks to understand the dynamics of citizen–police relations, albeit from different vantage points and using different methodologies. This chapter will preview much of the current literature and theory related to citizen–police relations.

Research Strategy

The review of literature was conducted using the following databases : Sage, ProQuest, Google Scholar, Taylor and Francis Online, American Criminal Justice Sciences, and Emerald. , Lastly, data and literature was gleaned from scholastic textbooks, professional contacts, conferences, and memberships, including the International Associations of Chiefs of Police (IACP), the Criminal Justice Policy Research Institute at Portland State University, and government research organizations, such as the Bureau of Justice Statistics (BJS), and the U.S. Department of Justice (DOJ).

The following keywords were used: *procedural justice*, *police* [and] *citizens* including *contacts* or *interactions*, *citizen satisfaction surveys*, *citizen satisfaction ratings*

of police, and *police* [and/or] *citizen perceptions* [or] *interpretations*, *social contract and policing*, *social contract and criminal justice*, and *case study methodology* with the additions of *sampling*, *operational definitions*, and *study or procedures*. All of terms above were also interchanged or used in conjunction with one another in various combinations, under filters designed to locate academic, peer-reviewed literature published within the last four to five years.

Theoretical Foundations

Although there has been little focus or link made between comparative and contextual, real-time evaluations of police perceptions, environmental and attitudinal factors, and police decision-making processes—the former being an axiomatic catalyst of the latter—there are theoretical frameworks that present a clear lens through which to study this phenomenon. This project utilized social contract and procedural justice theories to orient the philosophical spectrum that guided this case study project.

These two theories bookend the spectrum of social self-governance and public policy issues related to basic order and justice, ranging from the dawn of the Enlightenment period to recent contemporary constructs. And while many facets of the legal and justice systems have changed over the centuries, both theories include the will of the governed as an authoritative parameter for establishing and defining social justice and equality. The use of an multiple case study to examine the citizen–police relationship conforms intrinsically to this theoretical and foundational approach through a rich and detailed examination of the exercise of power, and how decision making in governance determines public safety policy and outcomes (Stewart, 2011, p. 68)

Originating from 17th and 18th century political philosophers like Hobbes, Locke and Rousseau, social contract theory set the foundational need, purpose, and function of the citizen-state relationship and the socio-political groundwork for managing and resolving all aspects of human conflict within recognizable and mutually agreed upon “social processes” through “professional...public administration” (Jos, 2005, p. 140). Social contract theory defines the very importance and nature of the tacit agreement between citizens and their governments to empower government agents with the ability to enforce agreed upon terms of social order (Locke, 1698/1992, p. 181). By naming and outlining this tacit agreement between the citizen and the state, social contract theory entails the particular rights to be protected and the precise methods of enforcement by which such protections are secured. This theory manifests daily in the means by which police officers enforce and maintain that order, and those rights. It is philosophically and legislatively the contractual foundation upon which free societies since the Age of Enlightenment have “bound individual persons together into a single polity” through a single set of rules which establish that polity’s structure, powers, and authority (Levy, 2009, p. 191).

But social contract is also a fundamental social philosophy that shapes the concepts of individual agency and the division and quality of resources through contractual, power-based social institutions and connections (Sulkenen, 2010, p. 496). However, because the social contract is conceptually abstract, some modern revisions have begun to challenge the concept that former generations bind their posterity, *ad infinitum*, to non-written agreements that occurred at a distant and hypothetical moment

in time (Levy, 2009, pp. 191, 210). But social contract theory encompasses the basic tenets of representative governance and the control of the means of governing by the governed, allowing for the legislative and cultural flexibility to adapt over time. This flexibility is observed when states change certain laws (i.e., drugs) and when police departments respond to public pressure by banning certain force options (fire hoses, pit maneuvers, large flashlights, etc.). Consequently, social contract theory presents an ideal spectrum through which to study citizen–police interactions and perceptions behind the concrete exercise of specific, socially delegated police powers.

Based primarily upon property rights, and other legally binding obligations to the rule of law, social contract theory also determines the governmental mechanisms and limitations on punishments, the creation of laws, protections against violations of arbitrary power and imprisonment, and procedural protections for the citizenry during trial (Levy, 2009, p. 198). Therefore the interpretations of police motivations, and the resulting manifestations of those motivations, engender the very issues of equality, self-rule, and justice that this project, and social contract theory jointly address. As a distributive social philosophy, social contract theory is also ideal for examining the interaction of justice officials with citizens; and to evaluate the dissemination and quality of public resources through those contractually created, although perhaps not fairly distributed, power-based institutions (Weirich, 2011, p. 154). Because the contractual terms and use of state power are qualitatively defined by different stakeholders within society through their various “values, ideals, moral stands and points of view, and

therefore lead to different diagnoses of social reality” (Sulkenen, 2009, pp. 497, 502), social contract theory aligns with the focus and design of a qualitative research approach.

Levy (2009) points out the need to continually re-examine the “fixed” position of the contractual terms (pp. 211-213); providing further evidence of the ideal lens through which social contract theory, and this research project, addresses interpretations of judicious application of the law. Having explored how police officers perceive and interpret their actions, the data may be further compared and contrasted with the previously recorded evaluations and expectations of citizens regarding evolving legal and criminal procedures. Some modern conceptualizations of social contract theory pursue ethical and transformative prescriptions for the public use of contractual and administrative power (Jos, 2006). Correspondingly then, social contract theory is an aligned framework for interpreting and analyzing perceptions about issues of equality and justice, and the individual participants’ interpretations of their contractual interactions and obligations. Because this agreement and exchange (and the inherent conflicts and disagreement that can arise when police initiate contacts with citizens) are most plainly and observably accessed through daily citizen–police contacts, social contract provided a valuable orienting perspective for the research questions of this project. It was also an appropriate framework to study the motivational perceptions of citizen-officer contacts, and to examine the preconceptions that police may bring to the contractual encounter. In addition, social contract provided perspective for the researcher’s analysis of the officer’s discretionary decisions, and a backdrop upon which to gauge and analyze those choices.

Social contract theory, therefore, was a specifically wide lens through which to view the research question of this project, and for developing contextual refinement in identifying specific themes and variables that impact citizen–police relations. The ethical and democratic underpinnings of social contract also aligns, informs, and complements this case study approach designed to provide objective guidance during the analysis of the officer’s perspective (Harland, 2014, pp. 4, 9), presentation of findings, and the explanation of the “overall meaning derived from the cases” (Creswell, 2014, p. 99).

But procedural justice theory is also an appropriate theoretical framework for this study. Applied more recently in the literature towards criminal justice mandates as the degree to which citizen perceive fairness and legitimacy in police conduct, procedural justice also considers the motivations that citizens attribute to officers’ actions and decisions (Gau, 2010, p. 237; Jonathan-Zamir et al., 2013, p. 2; Paraschiv, 2012, pp. 163-164; Schuck & Martin, 2013, p. 220). In tandem with social contract theory, procedural justice likewise links interpretive levels of legitimacy and fairness with greater levels of support for police, citizen compliance, and respect for the law (Gau, 2010, p. 237; Jonathan-Zamir et al., 2013, p. 2; Paraschiv, 2012, pp. 163-164; Schuck & Martin, 2013, p. 220). Calling for further research into the subjective nature of judgments about the fairness of criminal justice procedures and the perceptions that form those judgments (Paraschiv, 2012, p. 167), procedural justice also supports the theoretical and practical need for the current project that adds the officer’s perspective into the analysis.

Because procedural justice is a perception-based paradigm of distributive and social justice that “represents the extent to which citizens feel police processes are fair”

(Jonathan-Zamir et al., 2013, p. 2), it is aligned philosophically and methodologically with social contract theory and this qualitative, case study approach, respectively. Given its focus on the processes of law and order, and how individuals relate to, interpret, and accept the authority and power of police officers based upon their interactions or the anecdotal interactions of others, it provided a synchronized theoretical underpinning for this study on citizen–police interactive constructivism. Jos (2006) provides an effective practical and theoretical link between social contract and procedural justice theories as a “contract to empower an absolute authority to enforce standards of conduct,” but within the standards and limitations of “subjects” whose ethics and standards are both a “product” and determining agent of their obedience to that authority (p. 153). This study endeavored to illuminate how those authorities form the justifications for the enforcement conduct.

However, the current literature on procedural justice suggests that further research into police-citizen relations requires deeper contextualization to evaluate the “variability” of the encounters and input of both participant groups (Jonathan-Zamir, Mastrofski, & Moyal, 2013, p. 20; Schuck & Martin, 2013, pp.232-234). This comports with the use of a case study approach which utilizes “context as a point of analysis” (Stewart, 2011, p. 78) from “current, real-life cases” (Creswell, 2013, p. 98) of the various participants’ interpretations and unique experiences to provide a variety and spectrum of understanding (Harland, 2014, p. 3).

Both of these theoretical constructs, and the literature described above, attempt to explain and define positive measures for realizing the citizen–police dynamics of power

and the distribution of justice and equality through the authoritative mechanism of the state. Although those distributions are symbiotically and symbolically determined through citizen-approved means, there are still perceptions of negative motivations –real and imagined—that fuel conceptions about the imbalances of law and order. Both of these theories are infused with the concepts of mutual respect and an inclusive interaction between the citizen and the state’s community representatives (police) as interpretive relational patterns that exist between the governed and the governing. But both theories also presented some shortcomings for answering the central questions of this project, as many of the studies that inform them are conducted well after the interactions took place or did not involve the direct, contextual interpretations of the participants themselves. Without such contextualization, they offer sparse guidance for any exact, prescriptive, or normative action. Nor do they offer the opportunity for the participants to express their own expectations and experiences, in their own words, and through their own interpretive, precise, contextual, and personal lens that former studies presume to relate. What words or phrases do officers think are the most effective to gain compliance? How does an officer interpret certain responses, tones of voice, and body language? The current project addresses these shortcomings in the extant literature through a contextually detailed case study analysis “open to various interpretations” of the participants’ unique experiences for a deeper and richer understanding of the phenomenon in question (Harland, 2014, p. 3).

The current literature is also extremely limited to quantitative surveys and analysis that exclude the voice of the relational participants, effectively studying the

essence of the researcher's perception of operational definitions and not the participant's. In addition, none of the studies that support these theories approach the gap in the literature this study is designed to fill by including the police officer in a constant comparative analysis of the interactions against the backdrop of the contextual variables as recorded objectively by a trained observer. Many of the studies involve researchers with no experience in policing or high-stress contact environments. This research project brings that experiential perspective to the analysis through the researcher's previous work in law enforcement, academic research on social contract theory, and extensive scholastic and teaching experience in the discipline of criminal justice. This will help to fill the contextual void in the literature while simultaneously offering a novel qualitative approach. Lastly, as a collective case study, the results of this project may provide illustrative and exemplary insights into the exercise of state powers and discretionary-decision making (Stewart, 2011, p. 68), and can be used as a tool (Thomas, 2013, p. 594) that offers actionable data for improving social harmony and collaborative community relations. This multiple-case study offers a leap forward in the literature with an in-depth analysis that provides "deeper understanding of the process and outcomes of" citizen-police relations through an embedded examination of "locally grounded causation" (Miles, Huberman, Saldana, 2014, p. 30).

Managerial and Personnel Approaches to Police Public Relations

There are two distinct approaches to improving citizen–police relations in the extant literature –managerial/supervisory approaches and procedurally interactive approaches. They both attempt to understand and inform public relations policies and establish empirical data that can be used to make citizen–police contacts more amicable, ethical, and collaborative. Both are heavily weighted towards quantitative methods of analysis and focused upon outputs.

Beginning with the managerial approach, Huberts, Kaptein, and Lasthuizen (2007) studied the connection between three specific leadership aspects and nine common integrity violations committed by police officers. Using multivariate analysis techniques the authors assessed the results to over 1000 questionnaires distributed to Dutch police officers to explore how particular leadership traits may prevent specific ethical violations by police during citizen contacts (Huberts, et al., 2007, p. 592). The results suggested corresponding leadership attributes as a means of reducing police violations of trust and ethics, thereby improving public relations (Huberts, et al., 2007, p. 600). The ethical violations included elements of corruption, fraud, abuse of authority, power, and organizational resources, as mistreatment of citizens and fellow employees. The study hypothesizes that modeled integrity from supervisors, strict oversight and enforcement of violations, and open dialogues about integrity violations would reduce the occurrence of integrity violations. These assertions were confirmed, quantitatively, through questionnaire data that compared three leadership typologies with questions about the occurrence of the nine violations under the participants' current supervisor. A

strong relation between leader typology and the frequency of violations for the various typologies were found (Huberts, et al., 2007, p. 600). For example the level of a supervisor's "strictness" was inversely proportional to the abuse of sick time. Role modeling limited unethical conduct that was tied to interpersonal relationships. The value of these results are situationally significant and tend to support theories suggesting a contingent application of leadership style by providing empirical evidence that may allow leaders to target specific violations they wish to reduce by introducing the negating leadership trait. These results can also be used to improve the citizen-police dynamic when leader values and leadership align with public expectations—to safeguard the integrity of the policing organization and protect the trust and mutual respect built within their respective communities.

However, it would be difficult to assume transferability of Huberts, Kaptein, and Lasthuizen's (2007) study from the Dutch to the American social and policing cultures. This research does shed light upon specific violations unique to the policing profession and support for new studies that focus on precise violations, employee characteristics, and leader traits that may help to pinpoint situational factors and determine desirable leader actions. But this study only focuses on three leader attributes and should be expanded upon to consider the other numerous formative variables that shape officer behaviors. In addition, it also lacks any overarching analysis of organizational culture that may be impacting leader qualities and fails to consider the significance of the individual officers interpretive justification for their own decision making process.

Johnson (2010) begins to consider this influence in similar quantitative research based upon modeling theory to determine if a supervisor's behavior impacts a subordinate officer's attitude, actions, and use of discretion. Johnson's sample contained 312 officers and 60 supervisors from 21 different police departments, and focused specifically on the task and volume of traffic citation issuance (p. 296). Johnson established from the literature that an officer's use of discretion is dependent upon the interaction of pre-existing attitudes and the unique subcultural influences of the officer's working environment (p. 296). Johnson also found "evidence to suggest that police supervisors...play a role in shaping the norms and work environment of the officer" and an officer's perception of a field supervisors managerial techniques and abilities can influence the officer's behavior and use of discretion (p. 296). Using statistical methods (hierarchical linear model -HLM) to analyze officer attitudes towards job duties (neutral, positive, or negative) while accounting for officer, community, and supervisor variables, Johnson found that supervisory modeling behaviors were statistically significant and positively correlated to an increase in the issuance of traffic citations (Johnson, p. 303).

But Johnson (2010) also found that "officer attitudes...have a statistically and substantively significant influence on officer behavior" and concludes that officer attitudes, perceptions, and supervisor behaviors should be taken into account when establishing normative and prescriptive standards for use of discretion (pp. 302-303). Johnson asserts that these findings demonstrate the potential for supervisory influence to have a controlling effect on the nature of police discretion, but also stresses the predictive value of officer attitudes as an indicator during the hiring process (p. 303). This is a

valuable piece of information for the future of police studies, and supports the purpose of this project, as it demonstrates the need to focus on the primacy of an officer's individual attitudes, perceptions, interpretations, and values as a determining factor of discretionary decision making

In further examination of the impact of police subculture, Paoline (2004) characterized police behaviors as unique variations dependent upon the interaction of personal traits and the contours of the internal subculture and organizational environment and as the key component of resolving citizen-police conflicts. Using 630 officer attitude surveys from the Indianapolis and St. Petersburg Police Departments, Paoline deconstructed the stereotype of the monolithic police subculture by quantitatively identifying several different archetypes that form varied and distinct approaches to policing (p. 214). These findings depart from many of the earlier studies of police culture that constricted police typologies to one generally centralized set of attitudinal characteristics. According to Paoline, officers are much more nuanced and attitudinally diverse in their perspectives and responses to their occupational and organizational environments. Expanding the original prediction of 5 attitudinal categories to 7 distinct clusters Paoline identified: Traditionalists, Law Enforcers, Old Pros, Peacekeepers, Lay-Lows, Anti-Organizational Street Cops, and Dirty Harry Enforcers (pp. 218-226). The clusters examine varying degrees of favorability among officer attitudes for: selective enforcement, aggressive policing tactics, and citizen and supervisor mistrust. The Dirty Harry Enforcers, for instance, represent an attitudinal typology more accepting of aggressive tactics that may violate citizen's rights. Like the Traditionalists, Law

Enforcers do not condone extralegal means of affecting a similar zero-tolerance approach to crime. But they are attitudinally distinct from the Lay Laws that do not exhibit a distrust of citizens, but tend to avoid work when possible (Paoline, pp. 218-220, 224).

These distinctions provide new insights about the police subculture that may increase the effective managerial identification and resolution of aberrant police behaviors. With this data, the police manager or leader may be able to better address subcultural problems within the department by directly confronting the distinct attitudes that are engineering undesirable behaviors. Identifying the unique variations and contours of the internal environment is a key component of solving issues emergent from police subculture. This study does not provide any insight about how attitudes might change over time however, from rookie to veteran for example—a period of significant professional and attitudinal change. While Paoline (2004) discovers that the police subculture is more nuanced than previously thought, this study also admits of a lack of generalizability to other distinct departments and regions. It also leaves the door open to research that would examine how these typologies are formed by the discretionary decisions, encounters, and interpretations that officers experience daily. The knowledge is established that these variations do exist; and the blind spot that composes how fundamental attitudes and values transfer into the formation of discretionary decisions, and overarching typologies and characteristics, should now be sought out.

Emergence of the Procedural Justice Paradigm

While these studies certainly inform how an officer's behaviors can be impacted, due in part to organizational forces, none of them involve any contextual synthesis of the interpretations, feelings, and perceptions of the participants as a formative variable of the community relations construct. Aligning with procedural justice mandates, there are, however, studies that illuminate how important the public's expectation is regarding the professional conduct of police officers. In fact, Cheurprakobkit and Bartsch (2001) found that "professional police conduct...is viewed by citizens as [the] most important" quality (p. 600). Using a 7-point Likert scale and factor analysis to draw results from citizen survey responses, Cheurprakobkit and Bartsch identified the qualities of "respect," "honesty," and "integrity" as the most desirable traits of police officer and police actions (pp. 449, 459). These traits align with many of the professed elements in mission statements, values, and goals stated by modern police departments, but fail to make a link between the abstract meanings and concrete manifestations of these traits. Additionally there is little clarity in the definition of terms, or the means, by which police departments and citizens would achieve their desired results (Cheurprakobkit & Bartsch, 2001, p. 463). Such studies establish some subjective conceptualization of one side's expectations for citizen-police encounters—albeit without prescriptive, normative, or contextual guidance—but do little to enlighten the literature on just how the officers themselves view and define those terms, or incorporate their definitions into the important discretionary decisions.

To address this missing data, items from Cheurprakobkit and Bartsch's study of citizen satisfaction and police officer attributes were consulted for the construction of the interview instrument in this project. One relevant query is the ranking of police attributes by perceived value. However, the current study qualitatively applied those attribute question to the officer's themselves, in an open-ended interview, and can be used for comparison and reconciliation with citizen responses in future studies.

More narrowly, Johnson and Kuhns' 2009 study took the very precise approach of examining citizen responses to police use-of-force as a particular task set for citizen evaluations of police legitimacy and support and described how officer attitudes, tone, and demeanor are "crucial for shaping perceptions of police legitimacy and effectiveness" (p. 592). Analyzing secondary data from 1,508 surveys conducted in a 2001 study, Johnson and Kuhns specifically examine the divide between whites and blacks on the issue of police use-of-force, and how both groups perceive the fairness, legitimacy and effectiveness of police use-of-force somewhat differently. The race of the respondent population was black and white, and several distinctions in their responses to police use-of-force were revealed. Using bivariate analysis to analyze participant responses to a variety of scenarios, Johnson and Kuhns noted that the race of an offender did not alter white respondent's acceptance of police use-of-force, but the reasonableness and facts of the scenario did alter that acceptance (pp. 608-609). Conversely, black respondents "were more approving of police use-of-force when the offender was white than when the offender was black," and also recorded lower thresholds for acceptance in both reasonable and excessive use-of-force scenarios (pp. 609-610). The study breaks the

results into further demographic categories, ultimately determining that “blacks’ and whites’ attitudes toward police use-of-force are nuanced” (p. 614).

Stating that “the often tense relationship between the police and black Americans is partly rooted in concerns about police racial bias and brutality in black communities,” Johnson and Kuhns (2009) also link police authority and legitimacy to the social contract through democratic principles of self-rule and public acceptance (p. 593). This is established by the assertion that perceptions of the frequency and extent of police use-of-force disproportionately shape public opinions of the police and far outweigh the infrequency with which police actually use force (p. 594). This portion of the literature re-confirms the statistical rarity of police using force, but also reveals the damaging public relations impact of actual, or perceived, “unreasonable or excessive force” and the subjective and indeterminate nature of defining those terms (p. 595). When the issue of race is added to this equation, the perceptual gap between blacks and whites regarding police use-of-force—and therefore the legitimacy of law enforcement authority in general—demonstrates serious need for further examination. Ultimately the study confirms that a significant perceptual and attitudinal racial gap exists regarding public conceptions of police bias and use-of-force. This gap corresponds to individual and communal levels of acceptance and support for police activities that vary by race. The racial component provides an interesting and insightful data point for police-public relations and public safety policy, but this research does not include any objective, contextual examination of the officer’s discretionary and procedural decision-making process to complete the picture.

Rojek, Alpert, and Smith (2012) provide a further look into use-of-force incidents and include some surface comparison of police and citizen perceptions of those interactions. Interviews from 21 citizens and 24 the officers involved in use-of-force upon those citizens were analyzed “to capture the complex details and perceptions of the use-of-force incidents from different points of view” (Rojek et al., 2012, p. 310). The interviews were conducted within 48 hours of the incident and revealed a stark perceptual gap between officers’ and citizens’ recollections and perceived causes of events. Using a narrative accounts reporting process, Rojek et al. identified divergent justifications for actions as citizens seemed to “intentionally misrepresent” or omit key pieces of information (e.g., having a gun) and expressed feelings of victimhood or procedural injustice, while officers based their decision to use force on citizen behaviors and failed to identify other potential courses of action (2012, p. 318, 323).

Rojek, Alpert, and Smith (2012) also note the absence of significant contextualized, narrative, and qualitative assessments of citizen–police interactions that include the police officer perspective (pp. 303-304, 308). Correctly observing that social actors perceptions and version of events often contradict one another in post facto attempts to justify their actions and behaviors, Rojek et al. focus their research on comparing the narrative versions of the actors themselves; as a means of respecting the participants identities while also clarifying “dynamic, confusing, or chaotic events” like police use-of-force (2012, p. 307). But while they identify the lack of contextualization in the literature, the authors interviews fail to provide the objective third party observations that “adds an additional filter between the reality of the act, its interpretations, and its

analysis” (Rojek, Alpert, & Smith, 2012, p. 308). They also decline to include other data sources like police reports or use-of-force policy that may provide further depth and insight to the analysis. They also do not mention the types of force used, as the spectrum of force runs from mere presence to verbal commands, closed hand techniques, open hand techniques, less-lethal, etc. But no information is provided about the size, experience, and training of the research team or the “semistructured interview instrument” used for data collection. But Rojek et al. do confirm the thin prior research that attempt similar qualitative analyses (they list only two of this kind), and the need to begin examining police related activities in a contextually and comparative analysis (2012, p. 310)

Unfortunately, a contextualized link between police and citizen perceptions of their shared experiences with each other remains elusive, as does any in-depth examination of police officers’ interpretive decision-making processes and the environment in which they are formed. How many of the aforementioned uses of force where legally justified? Rojek, Alpert, and Smith (2012) identify “intoxicants” as a reason cited by police for increased safety concerns that might predispose the perceived need for force (p. 313), but little weight is given the veracity and legal and scientific truth of such estimations. Perhaps a citizen forgetting to mention he actually possessed a gun or drugs at the time force was used should be weighted differently from an officer that correctly surmised intoxication from objective symptoms (staggered gait, slurred speech, watery or red eyes, furtive or fidgety behavior, etc.). Variables such as the time of day, darkness, rain, being outnumbered, inside or outside a building, race, or years of

experience may all play a part in the officer's decision to use force. Consideration should also be given to whether the officer's actions violated the department's use-of-force policy in any way, or whether that policy was even consulted.

Any synthesis of the officers perceptions of the attitudinal, legal, and environmental factors is absent from the literature. So too is any contextual comparison of objective data and informed observations. Unfortunately this is also true of public discourse on matters of citizen-police relations. Such oversights contaminate the dialog whenever an incident goes "viral" prompting conjectural and emotional responses as well as self-aggrandizement for those that cover and profit from our tragedies. The legal standard is the one fair and objective standard that encompasses all of our diverse moral and ethical values in a centralized, specifically enumerated framework of social control. Certainly studies should examine how someone "feels" after a contact with police. And if this is true, the research should also endeavor to understand how the police "feel" after that same incident.

But failing to compare and contextualize that incident by the most objective and true standard available offers only talk-show opining. The value of science expands beyond the recording of opinion, by demonstrating how that opinion corresponds to objective truths and, to effect public policy, how it corresponds to currently accepted, and legislatively approved guidelines for behavior. Because "officers will make a series of decisions that affect the outcome of the interaction" with citizens (Rojek, Alpert, & Smith, 2012, p. 323), a deeper examination of their interpretive processes and motivations is required. This analysis is vitally important and must contextually and

environmentally analyze how citizen actions and attitudes are perceived, as those perceptions lead to outcomes that may perpetuate a false narrative or social construct. As previously noted, citizens vastly overestimate the frequency with which police use force (IACP, 2012, p. 7), and in some cases perceive that police use-of-force has been increasing, when in fact it has been decreasing (Stewart, Henning, & Renauer, 2012, p. 1). But police officers may also engage in interpretive errors that widen the perceptual chasm. Some studies brush against this divide by melding the managerial and procedurally interactive approaches.

The Procedurally Just Paradigm Refined

Sobol (2010) used Klinger's theory of negotiated order to assert that "organizational and ecological contexts...shapes officers' attitudes and actions" (p. 253) through statistical analysis that linked higher neighborhood crime rates to increased levels of police cynicism (p. 262). These two points illustrate the downward spiral of relations when both sides perceive the other's action as the catalyst for their own responses, which are again perceived as further examples of injustice, lawlessness, and divisiveness. Interestingly, Sobol also noted that the findings were adjusted for "individual" traits and that "police attitudes exhibit variations across patrol districts" (p. 262). This is axiomatic to individuals with experience in policing. The value of the current project is supported and highlighted by such quantitative attempts that admit future research should qualitatively "consider officer perceptions of the criminal justice system" and "measure additional attitudinal constructs" (Sobol, 2010, pp. 263- 264) to

empirically examine how police attitudes and interpretations impact their responses and decisions.

Tasdoven and Kapucu agree with this imperative in their 2013 study that used fictitious scenarios to quantitatively analyze the impact of intrinsic (attitudinal) and extrinsic (environmental and organizational) variables of police discretion. Reviewing 613 responses from 81 districts of the Turkish National Police force, Tasdoven and Kapucu used the reward-expectancy model to examine the impact of rewards and intrinsic motivations upon officer use of discretions (pp. 528-530). The study established a very valuable improvement in the accurate description and operational definition of police *discretion*, operationalizing it as *responsiveness* which “covers more of the behaviors of the police such as stopping, searching, questioning, and initiating legal processes when compared to other studies which use arrest decisions as a measure of discretion” (p.530). Using educational, age, gender, and department size as control variables (p. 533) Tasdoven and Kapucu found that intrinsic motivation correlated to greater application of police responsiveness, and that reward expectancy was not a motivating factor of police activity or use of discretion (pp. 533-537). The authors surmise that this is due to the perception that rewards are unfairly meted out, and/or that officers do not enter law enforcement work with career-minded or self-aggrandizing intention. Again, this conclusion is axiomatic to policing professionals, or those with close experience in the field, but the expansion of the term discretion to include activities other than arrest is a huge leap forward in scholastic understanding of the real-world citizen–police relationship. The current project proposed to infuse the literature with

more depth and understanding on such basic policing concepts, answering the call from Tasdoven and Kapucu for “more comparative research on the roles of extrinsic motivation and intrinsic goals and values in police discretion” that also consider “external sources of officer motivation” (p. 540).

Buene, Giebels, & Taylor (2010) attempted to assess how the interviewing techniques of police officers and the cultural backgrounds of Dutch and Moroccan suspects of misdemeanor crimes solicited variable responses. Using a “low” (Dutch) and “high” (Morocco) culture context of individuality and communication, the researchers employed two trained coders, that were unaware of the research intent, to observe and record 10 themes of major influencing behaviors that officers exhibited during 27 separate suspect interview (2010, pp. 910-91). The 10 themes all involved variants of officers acting kind, intimidating, or making rational arguments to the suspect. As a result the authors determined that “different types of influencing behaviors seem to differentially affect the type of information suspects provide,” and that this is further dependent upon the cultural backgrounds of the interviewee (2010, p. 920). Ultimately, these results could not support all of the authors’ hypotheses that: (*H1*) low-context suspects would respond more positively to a rational arguments strategy, (*H2*) high-context suspects will respond more positively to a relationship oriented strategy “being kind” and, (*H3*) high-context suspects would respond less positively to intimidation (pp. 908-909). In fact, for *H2* and *H3*, the inverse was found to be true.

This study by Buene, Giebels, and Taylor (2010) provides an interesting look at the interpretive interaction between officers and suspects, with some contextual mixed

methods comparisons. It also used authentic police interviews, rather than fictitious scenarios instances that “may lead to a different interaction process” (2010, p. 905). But it is limited to an interrogative environment that only included civilians suspected of crimes, and fails to quantitatively confirm any macro-level, contextual cause and effect for that engagement. The authors’ further reinforce the need to conduct more authentic studies claiming that “the stakes...are much higher” for both the police and the civilians in real-world cases (2010, p. 905). Further, Buene et al. (2010) begin with the false assumption that interviewees are always “reluctant to freely provide information” to police during interviews and interrogations, and that the intent of police interviews are always to gain a confession from the interviewee (pp. 905-906). These oversights likewise beg for some experienced contextualization of citizen-officer contacts that examine police officer methodology, interpretivism, and decision making through an in-depth, case study approach. But it does provide further evidence of the gap in the literature, as well as the gap that exists between citizen and police perceptions of the same incident and interaction, and how both of their value sets may lead to different paths for seeking resolution.

Such gaps in public and police opinion reveal the need to qualitatively study the perception of individual officer’s and their discretionary decisions and motivations. But they also can relate opinions that lead to public feeling of systemic unfairness that may interact negatively with reported levels of community quality of life. Described in part through the “incivility thesis,” Reisig and Parks (2004) link citizen perceptions of policing techniques and motivations to reduced levels of community trust in the police

and feelings of vulnerability (p. 142). Extrapolated over the 40 million annual contacts that police have with citizens (Eith & Durose, 2011, p. 1), and buttressed by false media imagery of police-citizen encounters (IACP, 2012, p. 11) these experiences form pop-culture and perceptual constructs that overwhelm and contradict data which shows citizens believe officers act “respectfully” (92%) and “properly” (90%) in a vast majority of encounters (Eith & Durose, 2011, p. 6). Still, this data is not representative of every community, and studies have yet to discover or focus on a link between general appraisals of police performance and the contextual attitudes, beliefs and perceptions that separate positive ratings from bad ones.

Procedural Justice Links to Social Contract and Community Oriented Policing

Works on social contract theory also provide an overarching framework for examining the relationship of the citizen to the power of the state. Sulkenen (2010) goes so far as to define contractual power as an “illusion,” asserting that transparent and accountable allocations of state resources and power may not be accurately based upon a consensual characterization of the social contract (p. 496). Sulkenen claims that, because power is still assumed by the state, and subject to vicissitudes of group dynamics and the inherent natures of humans assuming power over one another, certain members of society are excluded from proper levels of standing and agency within a justice system established to reinforce the contract (2010, pp. 496, 507). But this imbalance seems to be a basic component of the social contract itself, and is predicated upon the emotional and psychological need to justify all uses of power. Although the examples provided by Sulkenen (at-risk youth programs, pregnant drug addicts, etc.) are not generalizable to the

entire population, this does address decision-making processes that are determined by power structures which bind citizens to decisions that create a belief that state goods and services are provided through just and legitimate means. This is similar to other works on social contract theory that define the contract as a tacit agreement between the citizen and state to determine the means and rules of property and personal rights protections, and the allocation of justice based upon the vested interest, commitment, and participation of each individual (Levy, 2009, p. 191). When studying the interaction of rights, duties, interests, and values that impact the citizen-state association, social contract informs the debate on the most basic and frequent of citizen-state relationships; the contact with, and discretionary use of power by, police officers.

Such macro approaches to citizen-police relations overlook the fundamental formation of the interactive experience and fails to include basic assumptions that each party brings to the new experience of each contact. The results of this oversight are often contentious, confusing, and occasionally violent. These divergent, contextual perceptions and assumptions of motivations can thwart positive efforts to improve community relations. Over the past few decades, Community Oriented Policing (COP) and Problem Oriented Policing programs (POP) have been the primary driver of police-citizen relations philosophy by promoting stakeholder collaboration as a means of resolving issues of crime and justice. These efforts are most effective when formulated and guided by sincere and invested police executives and managers that support an inclusive approach to leadership and problem solving (Scott & Kirby, 2012, p. 5). However, collaboration, and indeed peace and social justice, can only be achieved when all of the

concerned perceptions and value sets are included in policy making. For this reason, positive community relations “must draw on and recombine cultural elements...into a set of assumptions, strategies for action, self-identifiers, and practices” (Skogan, 2004, p. 153) upon which all interests align. Reisig & Parks (2000) confirm that citizen and police attitudes and productive citizen–police partnerships can “generate specific neighborhood climates or cultures” (p. 611).

But it is a deeper contextual analysis that is required. Consider the point that collaborative climates frequently result in increases of reporting of “confrontational requests” (Scott & Goldstein, 2005, p. 13). Lacking further contextual analysis, and focused on managerial philosophy and planning, national studies on COP/POP efforts fail to qualitatively describe or study how each officer/citizen interaction impacts the COP purpose of “engaging the community in the policing process” (Scott & Kirby, 2012, p. 9). Certainly there are still far too many neighborhoods that report unfavorable experiences with police, and police departments that report similar level of distrust for the communities they serve. Although citizens report favorable rating of POP and COP programs (Scott & Kirby, 2012, p. 8), the last 20-plus years of these programs has not rendered a panacea for the conflict and tension that can develop during citizen–police contacts.

Operational Terms and Current Insights of Procedural Justice

Recent studies based upon procedural justice theory offer some further insight into citizen–police interactions, and how these exchanges may develop into perceptions of individual and systemic fairness and legitimacy; for police officers individually and

the justice system collectively. Mazerolle, Bennett, Antrobus, and Eggins (2012) conducted an experimental analysis to determine if police interaction during drunk-driving checkpoints would alter citizen satisfaction and attitudes of regarding police services. The experiment measured how citizen perceptions of compliance with drunk-driving laws would change once the citizen was exposed to the experimental procedural justice treatment from officers. Although limited to a small batch of paper survey responses from only one type of police contact (traffic stops), Mazerolle et al., determined that an officer's attitude predicated upon an inclusive, respectful tone of concern for the citizen positively increased the citizens' perceptions of police, satisfaction with police services, and their attitudes of compliance with the law and police instructions (2012, p. 359). This study contributes to field of research on procedural justice tenets by operationalizing four key elements of the theory associated with how citizens perceive police actions related to neutrality, trustworthy motives, citizen voice/participation, and treatment with dignity and respect (Mazerolle, Bennett, Antrobus, & Eggins, 2012, pp. 352, 360). However, these "procedural" terms were determined by the researcher, and lack the precision gleaned from qualitative and individual characterizations of the officer and the citizen. A participant-defined characterization is the essence, and critical component, for understanding and interpreting their events. Still, Mazerolle et al., (2012) provide a base point and bearings for future research that examines citizen-police relations in multiple scenarios and a variety contact types. It provides a clear segue to the inevitable next step in the body of literature that must evolve to include open-ended interview questions that request police share and

record the existence and formation of their perceptual interpretations before, during, and after the contact.

Gau (2010) provides a unique approach to procedural justice in a longitudinal study that accounts for performance based variables as a cross-sectional evaluation of citizen satisfaction. While not specific on the formative nature of participants' experiences and responses, Gau determined that attitudinal factors of police contacts, and the perceived quality of police services respectively, impact individuals' opinions about how capably police protect their communities (2010, p. 247). Although Gau's results are limited to a rural community that is populated predominately by whites, they offer an opportunity to contrast the results of future studies with positive and negative outcomes that may offer comparative insights. This is a focal point of the current project which aims to provide a baseline, for positive results specifically, from which other communities may derive policy considerations dependent upon the emergent results of specific demographic factors. As Gau noted, community-oriented policing policy, and community-police collaboration overall, can be greatly improved by procedural justice concepts that clarify the shared definition of terms and values within those partnerships (2010, p. 238). In that respect, the current study serves as a sort of "community case study."

But Gau (2010) also demonstrates the crucial limitation of most studies on procedural justice that use survey data (as Gau confirms as well, p. 237) to approximate and even suggest definitions and terms ("illegitimate stop" and "racial profiling," for example, p. 241-242). By offering citizens a limited and predetermined choice of second-

hand concepts, some suggested by researchers with no experience working with the hard-definitions of the terms themselves, the resulted data is suspect relevant to real-world citizen–police experiences. These amount to secondary approximations of what may be good or bad social policy. Nor does Gau (2010) consider the contextual accuracy or objectivity of participants’ perceptions. While considering that the moral individual may have a more intrinsically compliant tolerance for police authority, most procedural justice studies fail to distinguish between the opinions and interpretations of a guilty pedophile as opposed to an honest speeder. Because “citizens do approach officers with preconceived notions and stereotypes that can impact their interpretation of the fairness and quality of officers” (Gau, 2010, p. 239) should there not be some contextual weighting of those opinions? For example, should a compliant victim’s perceptions be weighted the same as a drunk driver that has just crashed his or her vehicle into a school bus? In the absence of such contextualized preconceptions the extant research can hardly provide the final word on citizen–police interactions.

Piquero, Gomez-Smith, and Langton, (2004), for example, examined how citizen “self-control” can negatively impact the perception of just and fair treatment when police sanctions are applied. But their research was conducted through survey responses to hypothetical situations with a sample consisting of graduate students, not actually sanctioned individuals or those comprising the criminal element (Piquero et al., 2004, p. 711). Using a perceptual deterrence paradigm, and citing prior evidence that “procedural fairness positively affects people’s reactions” Piquero et al. found that individuals with low self-control (defined as high impulsivity, risk-taking, self-centered, etc.) were more

likely to perceive hypothetical sanction as unfair (2004, p. 718). But the methodology leaves much to be desired, even if the intent does adhere to proposed perceptual and formative approach, as the results were taken from scenario responses issued through surveys to college students –hardly a representative sample.

The scenarios themselves involve only the issuance of infraction and traffic citations (Piquero, Gomez-Smith, & Langton, 2004, p. 713), and seem to miss the fact that the issuance of a ticket or arrest is no guarantee of actual sanction; guilt and punishment is determined by the judicial branch in the American criminal justice system. The authors do correctly identify from prior research that feelings of fairness and procedurally just actions by police are, in part, established when citizens understand why officers acted as they did (Piquero, et al., 2004, p. 706). This may seem to be an obvious fact of human nature and relations, but it is a point being thoroughly documented now in studies on procedural justice. In the professional, real-world setting this has been known for some time even earning the term for “dusting-off” a citizen when explanations are required to clarify confusing or even erroneous actions by police officers. While Piquero, et al., assert that differential perception, developed from varying individual and personal characteristics, can impact the way tickets and arrests are perceived by citizen’s, the research lacks the precise formative variables that determine how the participants’ self-control is received and processed by the particular police officer before the sanction decision was made. In addition, the generic theme does not hold since insulting sanctions do not always equate to negative perceptions, and sanctions interpreted as fair do not always deter future criminality (Piquero et al., 2004, p. 702). Lastly, this study only

considers sanction and enforcement interactions with the public; a small portion of the overall contacts in which police and citizens engage (Eith & Durose, 2011). A further examination is required to gain insight regarding the precise, normative interpretive process that led to the outcomes being examined.

Similarly, Myrstol and Hawk-tourtelot (2011) specifically surveyed arrestees to evaluate how they perceived their treatment by police, again this limitation of only reviewing arrestee responses is quite significant considering police only spend about one-third of their time on criminal law enforcement issues (Walker & Katz, 2013, p. 4). The bulk of police work is not spent in enforcement action, and procedural justice concerns go well beyond who gets arrested and who does not. But this study does offer further support and guidance by revealing that citizen satisfaction with an officer's performance is heavily influenced by "motive-based trust" (Myrstol et al., 2011, p. 375) paralleling one of Mazerolle, Bennett, Antrobus, and Eggins' (2012) four tenets of procedural justice listed above. But like many of the assertions and findings on procedural justice, these revelations are an axiomatic part of human nature and understood by the first year officer, even without the knowledge and resources of social science. The heavy handed tactics depicted on televisions screens, in movie theatres, and pop-culture news outlets, betray a somewhat archaic understanding of the professional tactics used to solicit information from citizens, suspects, and witnesses. Building rapport with witnesses and suspects is a necessary, often uncomfortable, adjunct of gaining trust when investigating even the most heinous crimes. For example, imagine sympathizing with a child molester to gain trust, and therefore a potential confession and conviction, that simply would not be possible

without such efforts. A better understanding and extensive established knowledge with a research topic should be an a priori qualification for any authoritative review.

Like Myrstol and Hawk-tourtelot (2011), many of the post facto research approaches lack precise, contextual conceptualizations of the formative factors and variables that lead to the stated perceptions. Myrstol and Hawk-tourtelot also suggest that a contemporary factor impacting citizen perceptions of police includes anecdotal stories from family and friends (2011, p. 377). This may include the CSI Effect of pop-culture programming and other entertainment and intellectually-derived fictions. Contrasting this with the fact that police are essentially providing introductory civics lessons when they contact with citizens (Myrstol & Hawk-tourtelot, 2011, p. 374) the divergence of expectations and interpretations of fact and fiction, real and assumed knowledge, and television and legal statutes, all clash during these encounters. This makes a fundamental examination of the original interpretations even more compulsory, and the need for officers to engage in procedurally and professionally just explanations even greater.

Wentz and Schlimgen (2011), also consider the impact of other people's experience with police upon the perception of the participants, focusing their research on this exact dynamic. Using bivariate analysis of survey results collected from an anonymous city by research volunteers (2011, p. 119), Wentz and Schlimgen's study expands upon previous works that examine how citizen demographics, police contacts, and neighborhood variables influence citizen perceptions of police, by introducing a new variable—perceptions of police contacts with others in the neighborhood. The article concludes that citizen perceptions of police-citizen contacts are the primary determiner of

citizen satisfaction perceptions of police, and that the way individuals view police treatment of others may have more impact than their own experiences with police (Wentz & Schlimgen, 2011, p. 129). Notably, the findings also conflicted with the bulk of prior research as Wentz and Schlimgen noted no significant link between race, community disorganization and an individual's perceptions of police (2011, pp. 128-139). Such results suggest not only the importance of contextualization, and perhaps the futility of stereotyping and generalizing groups of individuals, but also the possibility that individuals' feelings and perceptions are "locked-in" and rarely open to alteration.

However, the background for Wentz and Schlimgen's (2011) work is synthesized from the prior, but outdated (many from the 1960's-1990'), works on racial, gender, socio-economic and frequency of contact variables that impact citizen perceptions of police performance. In addition, their unusual results do call their methods into question; methods that lack foundational clarity from the previous works cited to support the reliability and procedures. Despite the article's claim to offer a unique approach to assessing citizen perceptions of police-citizens contacts, the methodology was hardly precise or new for this effort. The data was collected from door-to-door surveys by an undisclosed number of "volunteers," which begs questions of methodological proficiency, consistency, and veracity in the absence of the researchers.

Devoid of any theoretical framework, Wentz and Schlimgen's (2011) statistical methodology and data collection instrument must be called into question for the conflict with the mass of prior research on race and neighborhood variables. Particularly considering their admission that the "data was collected for different purposes" from their

application (Wentz & Schlimgen's (2011, p. 122). Still, Wentz and Schlimgen offer some significant insights about just how important an understanding of the citizen–police perception dynamic is to society. The authors close with a reference to Sir Robert Peel and the foundational and perennial hopes for proactive, collaborative, and community oriented policing fundamentals (2011, p. 130); admirable goals for any generation. The article also presents the critical and informative suggestion that *perceptions are even more important than reality* when it comes to citizen's constructs and beliefs about police, and that these constructs are developed by anecdotal stories of how other people in the neighborhood were treated. Where this article fails (and the current study attempts) to move the literature forward is in the methodology of collecting police officers' perceptual constructions. Rather than wait for hearsay, months or years after the fact, the new project entails contemporaneous and comprehensive individual evaluations of the perceptual variables that this article correctly values. Perceptions and feelings generated during police contacts change significantly over time; this is why criminal trials may be delayed for months and even years, in the interests of the suspect. Scenarios and questionnaires that do not take place at the scene of the interaction are unable to provide the exact, original renderings experienced by the participant and diluted by time. The case study approach used in the current project remedies that deficiency as “data-collection comprises a process of immersion in the field” (Stewart, 2011, p. 73) when and where the data first emerges most accurately (Creswell, 2013, p. 98).

Paraschiv (2012) also examines the citizen–police dynamic through the prism of procedural justice, as a perceptual and interactive interpretation of citizens' sense of

legitimacy and trust for the public, and social, justice system. Determining that manifestations of systemic fairness are based upon affective interactions of the citizenry and members of the criminal justice system, Paraschiv also concludes that these perceptions result in corresponding levels of citizen compliance and, subsequently, social order (2012, p. 166). Similar to Piquero, Gomez-Smith, and Langton's (2004) *self control* approach, Paraschiv refers to the impact of an individual's *affect intensity* as a personal moderating component of one's "perceived procedural justice on...their punishment" and a predicting variable future behaviors (2012, p. 166). A recent study such as this relates the tremendous psychological and constructivist impacts of procedurally just or unjust behaviors by police officers and other representatives of the justice system. It also offers the ability to achieve the goals of social harmony and communal accord pursued in the current project through the use of policy and regulatory tools that can manage compliance behavior and enlighten law enforcement about what behaviors and reactions can and cannot be controlled (Paraschiv, 2012, p. 166). While linking those behaviors with citizen's conceptions of systemic fairness and their willingness to comply, Paraschiv also calls for further research into "the subjective nature of judgments about the fairness of procedures, and the effect of judgments concerning procedural justice" (2012, p. 167). This aligns with the use of a case study examination on the topic which engages in a "process of careful reflection as new ideas are integrated into thinking" and provides for subjective input through multiple modes of qualitative inquiry (Harland, 2014, pp. 5-6). Paraschiv lends support to the purpose, need, and methodology of the current research project which contains contextual, real-time evaluations as a necessary review of the

social psychology at play and the symbiotic nature of citizen–police interactions and responses.

Schuck and Martin (2013) also conducted recent research linking procedural justice tenets of the perceived “fairness” and “legitimacy” of police conduct with higher levels of reported satisfaction, compliance and mutual respect. Their research contrasted perceptions of procedural justice over the demographic categories of race, type of contact, and location using data derived from a 2002 quantitative survey of 479 respondents from 70 neighborhoods in the urban Chicago area (Schuck & Martin, 2013, pp. 223-224). The findings relate that black and Hispanic residents reported higher incidents of procedural injustice than whites, including higher rates among those contacts that occurred within their own neighborhoods (Schuck & Martin, 2013, pp. 225-230). Similar to Wentz & Schlimgen (2011), Schuck and Martin found that this disparity between white and black respondents disappeared when adjusted for class and neighborhood (2013, p. 230-232). Significantly, and heavily from previous literature, Schuck and Martin provide an important distinction about citizen vs. officer-initiated contacts missing from many of the other studies on procedural justice:

Citizen-initiated contacts between residents and officers are associated with more positive assessments because the officers are seen as playing a supportive role. In contrast, in police-initiated interactions the police are usually exercising their authority and are more often associated with negative outcomes, such as a citation, traffic ticket, or arrest. (2013, p. 222)

They also suggest further refinement, and contextualization of studies aimed at reforming police procedures to include “all types of police-citizen interactions” (2013, p.232); another call from the extant literature that the current project endeavored to answer. But Schuck and Martin’s study was limited to a quantitative, albeit thorough, analysis of secondary survey data collected non-contemporaneous to the formation of the perceptions. Combined with the fact the data was taken exclusively from urban areas of Chicago, “a city that is generally polarized over race and policing issues,” (Skogan, 2005, p. 299) this study may not offer the most academically emblematic generalizations given the massive volume of racial gang violence that occurs there annually.

Schuck and Martin (2013) do provide a clear, current jumping off point for perception based studies of citizen–police contacts. Some ground work is provided, and the variables of initiation and location are excellent points to consider. The blind spots in this study provide an ideal route for future research. For instance, Schuck and Martin record ex post facto perceptions without detailed contextualization for the actual contact environment and dynamics. The interpretation of events always changes over time -once defense counsel’s advice, human defense mechanisms, rationalizations, and other influences alter the original perception. Instead, any research questions that seeks to understand the essence of citizen–police relations should be asked at the time of the contact when the truest, most accurate perceptual rendering of that contact is formed, and prior to the amendments of cognitive dissonance be they due to guilt, shame, and familial or systemic abatements. Lastly, citizen perception is important, but interactions and conflict resolution involves two parties. Shuck and Martin, emblematic of the body of

research, fail to include any consideration and reconciliation of the officer's actions as well as the actual facts and circumstances of the contact to completely analyze the formation of perceptions. They do strongly suggest however that their findings "demonstrate the need for researchers to focus on all types of police-citizen interactions" (Shuck & Martin, 2013, p. 232). The current proposal took up the challenge to remedy these shortcomings by documenting the environment and adopting a methodology that allows for the contemporaneous responses of the officers, in a variety of contact settings, to shape the findings.

Jonathan-Zamir, Mastrofski, and Moyal, (2013) added the systematic social observations (SSO) approach of data gathering to the study of procedural justice. Using observational data coded collective during ride-alongs from 35 officer shifts in small (35,000-40,000) anonymous American town, Jonathan-Zamir et al. critique officer performance along four pre-set criteria of procedural justice (2013, pp. 4-5). The data was then coded into ordinal sets for quantitative analysis with the intent of verifying the four component index for measuring procedural justice. Finding only a weak correlation between the four procedural justice elements themselves, the study did confirm the use of the index, and its four components, as an indicator of citizen satisfaction (Jonathan-Zamir et al., 2013, p. 21). This study provides an excellent background on procedural justice theory and cleanly articulates a new formative approach over the traditional reflective model of examining procedurally just police behaviors. But their analysis of police contacts was limited to the confines of procedural justice and restricted to four self-developed categories of statistical measurement for human behavior during police

contacts—citizen participation, neutral decision-making, dignity, and trustworthy motives (Jonathan-Zamir et al., p. 7). These are similar to the four categories used by Mazerolle, Bennett, Antrobus, and Eggins above neutrality, trustworthy motives, citizen voice/participation, and treatment with dignity and respect (2012, p. 352). Although interpreting which actions are neutral, trustworthy, or respectful is a subjective interpretation, these categories provided a road map for the data analysis and methodology in the current study.

Despite some significant insights and improvements over previous works, Jonathan-Zamir, Mastrofski, and Moyal (2013) still pursue a statistically ordinal attempt to measure personal and individual characteristics that exist at near infinite points along a ratio spectrum. As they admit, even the four definitions of procedural justice they employ, adapted from a few other observational studies, may not maintain the same operational parameters or meanings across the field of the literature (Jonathan-Zamir et al., 2013, p. 5). Unfortunately, the observations were conducted by assisting graduate students with “no background in policing” (Jonathan-Zamir et al., 2013, p. 5) leaving further gaps in the variance of perceptions and communicative leakage once those observations are translated to the researcher, and from the researcher to the reader. Also, there was also no consideration for the types of contacts that were observed; variables that could have tremendous impact on the outcome of observed and registered perceptions. Consider, is a neutral attitude by a traffic officer weighed the same as an insensitive interviewing process with a sexual assault victim? The authors take a significant step forward by suggesting the need for an objective observational weighing

of procedural justice components, although they follow the previous literature by equating them all the same (Jonathan-Zamir et al., 2013, p. 15). What factors may have been the cause and catalyst of such actions and interpretations is not clear. Jonathan-Zamir et al. correctly stated that “such questions are best answered using objective data about the characteristics of interactions between police and citizens” (2013, p. 2). Yet their analysis of *officer neutrality*, based on “objective legitimate criteria” (Jonathan-Zamir et al., 2013, p. 5), is completed by individuals who admittedly have no experience with the law and legal mandates; the most objective and legitimate standard available. Absent any experience in the particular field of observation, the researchers may not have known if their contacts were conducted during a grouping of certain types of favorable or unfavorable calls. A review of previous year’s calls for service would have provided a baseline for proportionality and representativeness, and should be included in any examination of citizen–police conducts. Perhaps most significantly, the researchers were essentially left to measure their own assumptions about the contact as the police and citizens provided little direct input. Additionally, the study only reviewed citizen-initiated contacts where procedural justice was presumed to be higher (Schuck & Martin, 2013, pp. 222); but this ignores the bulk of officer-initiated actions that comprise a large portion of the police-citizen dynamic.

Given some of these limitations of the work by Jonathan-Zamir, Mastrofski, and Moyal, (2013), their research does provide a move forward in the *observational* study of police-citizen interactions and the work signifies the need to conduct more contextual, qualitative research that includes the views of the participants. Jonathan-Zamir et al.

make a powerful argument for natural environment studies of citizen–police relations as opposed to second-hand survey data:

However, this [survey] approach leaves unexplored other useful viewpoints such as those of the police or a third party. Researchers, as disinterested observers, can apply explicit, intersubjectively transmissible standards about the exercise of fair treatment and its outcomes. Moreover, while community surveys or interviews are appropriate for learning about attitudes or subjective experiences, they make little contribution to our understanding of police behavior because they provide no objective referent. (2013, p. 2)

As they begin to address contextual and individual factors that impact upon citizen–police contacts, the path is left open for further qualitative research by a subject experts with the experience and ability to cleanly distill the data and indentify the grounded essence of citizen–police interactions.

Summary

The literature on citizen–police relations has evolved over the years, moving from managerial and relational-interactive models. Both offer significant opportunities for growth and improvement, but the procedural justice approach focuses more genuinely and practically on the interaction themselves which much of the recent literature confirms as formative unit for behaviors. As such, these interactions are the primary driver of citizen–police relations. Exemplified most recently in the research by both Schuck and Martin (2013) and Jonathan-Zamir et al. (2013) procedural justice offers a framework to study and measure citizen outputs and takeaways, but further efforts must be made to

mine down and clarify exactly procedural justice qualities are operationalized in the field. Currently, where those concepts are defined, the terms are created and suggested by the researchers' view of the citizen–police dynamic, often with no experience in that field, and lack the pure, unbiased perspective of the participants themselves. Such interpretations betray both methodological and data slippage and leakage in the formative dynamics of real-time, objective environmental factors. Additionally, while the citizens' perspective is important and appropriately considered, it does not necessarily translate to being factually or objectively correct or legal.

Thus, procedural justice may be a misnomer considering that codified and constitutionally affirmed legal procedures may diverge from an individual's interpretive satisfaction or any consistent, objective definitions of "fair" or "appropriate" treatment in each given scenario. Their opinions are crucial, but so are empirically demonstrable instances of those opinions being wrong. If that citizen is being arrested for drunk driving, spousal abuse, or assault any disconnect is so much the greater. The operational definition of "citizen participation" may not hold the exact same conceptual meaning during a traffic stop for speeding as it does when serving a "no knock warrant" at the home of a violent felon. A common theme observed in the extant research, these studies proceed from a framework of operational definitions in prior literature that identifies police conduct described *to*, not *by*, the participants as "inappropriate," "procedurally unjust," or that police "did not act properly." Additionally, there is no contextual comparison or empirical verifications of these characterizations. The research has built strongly around core elements that now must be provided; that citizen–police perceptions,

as an individual, emotional, and psychological constructs, should be contextualized with methods of inquiry that can verify their veracity and correspondence with objectivity.

Might respect be more important to one citizen than voicing their opinion? Don't some citizens merely need to voice and vent, rather than have procedures explained to them? Of course these variations occur, and they lay along a spectrum as vast the numerous interactions that occur between citizens and police, requiring a step forward accurately contextualizing the situations. The reason for the contact has heretofore been limited to single type incidents or samples, or it has been restricted to either "citizen" or "officer-initiated" categories. This invites a more detailed identification that includes the reason for and type of citizen-police encounter, as factors which impacts citizen assessments and reported quality of the experience (Schuck & Martin, 2013, pp. 222; Skogan, 2005, p. 299).

Finally, quantitative methods dominate the field of citizen and community relations research. But rarely do they consider raw performance indicators and patrol data, and the literature is devoid of any contextual comparison between these previous outcome indicators and the police officer's current interpretive experiences. The body of literature has paved the way for the next step in the process of understanding including frameworks like procedural justice that can now be used in synthesis with methodologies that embrace "direct, systematic observation of police-citizen transactions (Jonathan-Zamir, Mastrofski, & Moyal, 2013, p. 2). The stage is not set for a study of the design and type described in the next chapter: a contextual, in-depth case study guided by a

researcher with topical experience to extract new data sets that further illuminate, and more deeply define, the essence and encounters of citizen–police relations.

Chapter 3 will outline the research methods prescribed for this study, offering support for the selected research paradigm, data collections procedures and instrumentation, and data analysis.

Chapter 3: Research Method

Introduction

The purpose of this qualitative, case study was to examine experiential and formative factors, filtered contextually through the viewpoints and interpretations of the police officer's themselves, as required to fill the void that exists in the understanding of normative, prescriptive, and perceptual variances that impact and dictate police-community relations. This project claimed that there is value in qualitatively examining perceptions, attitudes, and the precise interpretive and formative dynamics of the public-police encounter to offer more immediate, contextual, and constructivist measurements for organically improving public policing policy and social order mechanics. The previous research on citizen-police relations lacked the theoretical and methodological identification of interpretive variables, as defined by the participants, and any subsequent connection with citizen-police contact outcomes. If it is true that what officers do "on the spot" determines citizen satisfaction (Skogan, 2005, p. 299), a case study method of inquiry was the ideal project design for observing and evaluating the process by which officers' perceptions, motivations, and their resultant decisions are formed. These cases were also compared and contrasted with previous performance indicators of the participants policing activities to establish confidence through the categorical aggregation of multiple cases and data sources (Creswell, 2013, p. 199; Stewart, 2012, p. 79). The formative essence of the relationship was therefore examined, comparatively, but also as a unique and bounded case, recorded in real time and within identifiable parameters defined by the context of "time and place" (Harland, 2014, p. 4). This began with the

expectations that officers' bring to the interaction, and culminated with the decisions and made by those officers.

This chapter will explain and support the selected design, data collection methods, analytical methods, and validity and reliability procedures used in this study. Based upon the purpose and questions posed by this project, the preceding review of the literature, and the natural evolution of the related theoretical frameworks, a qualitative case study was a justifiable and apt research strategy. The following sections will detail the precise methodological processes employed, including sampling techniques, data collection and analysis, interviewing protocols, and issues related to validity, reliability, and ethical concerns. It will also explain the researcher's role and experience relative to the research topic, and outline researcher-participant and researcher-community partner relationships.

Research Design

The primary goal of this project was to illuminate the factors that participants described as their motivational and determining reasons for decisions made during officer-initiated contacts (OIC). These contacts were case units of study defined by their catalyst; a police officer-initiated engagement with a citizen for any reason. They excluded all citizen-police contacts that were the result of citizen requests, calls for service, and any other dispatched or externally originated police actions. Entailed in this analysis are personal and environmental factors that interact with feedback and behaviors from citizens. The secondary goal was to identify and categorize specific themes expressed by the officer that correspond to predictable actions or outcomes. Specifically, this project sought answers to the following research questions:

RQ1: Other than legal mandates, what factors (situational, environmental, attitudinal, etc.) do officers claim impact their decision making process?

RQ2: Do any of the items identified in RQ1 occur more frequently during contacts that result in discretionary, traditional enforcement action (arrest, ticket, etc.)?

RQ3: Of those items identified in RQ1 and RQ2, do those interpretations correspond to contextually objective observations of themes identified in RQ1?

Justification for a Qualitative, Case Study Design

A multiple case study approach was ideal for identifying the bounded conceptual and thematic elements emergent in evaluations of citizen–police contacts, and within the theoretical framework prescribed for this study. Case studies provide both a methodological and philosophical approach to moving the literature forward allowing for a variety of methods that will ensure the rich, deep exploration of the topic through a holistic, organic, “analytical eclecticism” (Thomas, 2013, pp. 591-592). Because the body of literature of citizen–police relations has relied upon, and demonstrated, that strict methodological processes render fragile recollections of past events (Skogan, 2005, p. 302), a case study design presented a novel remedy for capturing data at its genesis, during formative development and before the erosion of time decays the information (Creswell, 2013, p. 98). Such “on-the-spot” evaluations are paramount in community relations (Skogan, 2005, p. 299). Case studies are conducive to in-depth field examinations of precisely how officers make such important in-the-moment decisions, as they develop, in real time, real life decision making processes (Creswell 2013, pp. 97-101; Patton, 2002, p. 447; Thomas, 2013, pp. 591-592).

Case studies are also compatible with the purpose of this research, which sought a detailed and saturated study of multiple cases to qualitatively relate the interpretive factors affecting police discretion. Case studies are also an appropriate method for inductive research that generates data from multiple sources (Creswell 2009, pp. 4, 13; Creswell 2013, pp. 44-45; Harland, 2014, pp. 4-6; Patton, 2002, pp. 4, 447-449; Stewart, 2011, p. 80). In this project, such sources included field interviews, observations, prior departmental crime and arrest data, officer performance indicators, citizen call for service types (CFS), and audio recordings of police officers in their natural environments.

But this research was also intended to drive positive social change, offering potentially actionable solutions for public safety policies through an illustration of certain instrumental policing outcomes. This comported with the use of a case study approach which specifically seeks instructive examples of the phenomenon to better understand the problems and issues that surround it (Creswell, 2013, p. 98; Stewart, 2011, p. 68). Because contextualization of police decision-making is one of the critical missing elements of the literature that this study sought to fill, case studies are the ideal mechanism for including and analyzing the important analytical value of contextual variables (Creswell 2013, pp. 97-101; Harland, 2014, p. 4; Patton, 2002, p. 447; Thomas, 2013, pp. 591-592; Stewart, 2011, p. 78). This contextualization was further established and examined through multiple forms of current and historical data (further details on data sets in Table 2 below).

Case studies are also well established as a means of researching issues of governance related to public policy, the use of power, and the discretionary decision

making process that determines both (Stewart, 2011, p. 68). To compare and contrast the distinct concepts, categories, and patterns that emerge from officers' contacts with citizens, the qualitative case study approach assists in connecting and contextualizing related variables and themes (Maxwell, 2013, pp. 106, 112). Considering the potential conflicts between the structured chaos of police work and the desire for the data to naturally and objectively emerge from multiple cases, the chosen design was also a practical and organic way to ensure methodological flexibility during the collection and analysis of rich, in-depth data (Harland, 2014, p. 6; Miles, Huberman, Saldana, 2014, p. 34; Stewart, 2011, p. 70; Thomas, 2013, pp. 592).

To date, citizen–police studies have developed findings based upon the philosophical conceptualizations of the researchers as derived from theoretical operational definitions for themes, inputs, and outcomes created interpretively, and analyzed statistically by researchers. These results are not grounded in the individually expressed and contextualized examined essence of the participants' experiences. Additionally, those definitions have only been addressed and presented to one side of the relationship. This case study project addressed that social requirement by extracting context-sensitive interpretations of citizen–police interactions, anchored qualitatively by the perceptions and expressions of the participants themselves.

Role of the Researcher

One glaring deficiency noted in the literature review was the lack of familiarity with the concepts, processes, policies, laws, logistics, and even the subculture of policing. Zamir, Mastrofski, & Moyal (2012) provide a prime example in their study of police

activities that utilized the observations “graduate criminology students...with no background in policing” to examine 12 morning, 10 evening, and 13 night shifts (p. 5). The evening, or swing shift as it is known by professionals, is by far the busiest shift in policing, and one where new officers are often sent as a trial by fire due to its intensity and variety of calls. Night shift typically involves more noise complaints, drunk driving, and bar related activities, differing from the day shift which is often dominated by vehicle collisions, burglar alarms, school-related issues, and thefts. There is usually no knowledge or contextualization of this personal and differential data in policing studies. A collective case study approach provided the opportunity for the researcher’s knowledge and experience in the field to reinforce many aspects of quality and reliability during data collection and analysis (Stewart, 2011, pp. 78-79). This was accomplished by distilling officer interpretations through environmental observations and specific variables of prior performance data (officer arrest statistics, CFS per shift, area of the city, etc) that contextualize, impact, and inform the officers’ decision-making outcomes. Skogan (2005) summarizes much of what would become the dictates of procedural justice theory by noting that citizens form their opinions and stereotypes about police based upon the actions taken at the scene, and via selective perceptions of their own experiences (pp. 316-317). This project examined the officer’s conduct and interpretive decision making process by contrasting cases with one another, with the active contextual environment, and with prior data indicators of performance and local service factors. To do so, the role of the researcher fluctuated slightly, as defined in Creswell (2013, p. 167) between mild participant observations and nonparticipant observational protocols. Although the

researcher was not directly participate in any of the law enforcement activities, by rule, he did accompany the officers throughout their shifts and asked interview questions after observing the corresponding citizen contacts.

While the researcher had no familiarity with any of the participants, and no familiarity with any of the contacted citizens, he does possess 17 years of professional experience in the criminal justice system that included policing duties and hundreds of citizen–police contacts. Additionally, the researcher has an academic background in criminal justice that helped identify, query, and record a more accurate interplay between the concepts and issues that arose, and the theoretical paradigms that currently define the profession. Familiarity with all of the vast, integrative variables at play in this justice paradigm served to clarify their relationships and ensures the accuracy of their weighting and relevance. The application of drug policies, the impact and interplay of state, county, and local departmental and systemic procedures, shift and performance data, cultural norms, informal guidelines, and criminal law are some of the internal/external dynamics that were considered during the contextual analysis of this study. Knowledge of the existence of these variables, and experience with how they interact, helped to inform a deeper analysis that supports the accuracy and veracity of this project’s results. These elements also served to inform the construction of germane interview questions that were directed esoterically and scientifically at insightful and pointed responses from the police officer participants to answer the primary research questions. This alignment, of methodology and insight, is missing from the extant literature on public-police relations and provides a more penetrating analysis of the research topic that has heretofore been

absent due to a lack of familiarity with the precise interplay of active variables in citizen–police contacts.

Furthermore, the case study design selected for this project supports the use of a researcher’s knowledge and experience in the field to reinforce quality in data collection and analysis (Stewart, 2011, pp. 78-79). The data analysis and recording techniques described below (*in vivo* coding, etc) help to alleviate any bias the researcher may have brought to the study, and also provide the transparency necessary for the reader to determine appropriate levels of trustworthiness and reliability. The researcher established a professional acquaintance with the chief of police in preparation for this project and coordinated with the department on logistical matters. Ethical issues will be discussed later, but the researchers experience dealing with personal, legal, and sensitive law enforcement issues also reinforce the principled intent of erring on the side of cautiously protecting participant information.

Sampling and Participants

The maximum variation sampling process for this study was drawn from police officers employed, and on active patrol assignment with a Central Oregon police department. To ensure confidentiality, the department will be referred to as OPD throughout this document. With a small population (under 27, 000), OPD is currently served by 32 active police officers. The department and population selection aligned with the intent of this case study which begins a new vein of research in a demographically homogenous population to identify the replication potential of the methods, and to establish baseline themes for positive and negative policing attitudes and outcomes where

they may be most cleanly and clearly observed. Accessibility and availability were also a factor, as well as the convenience of location to the researcher, while still presenting a neutral site with no conflicts of familiarity for the researcher-participant relationship. The participants were axiomatically representative of the desired sample, as each one of them had necessarily and contemporaneously experienced the requisite interaction that qualified them to be part of the sample and to provide personal insights that speak directly to the research question. Because the literature has moved away from department-centric analyses of officer's behaviors, due to the strong correlation of individual traits and officer decision-making, the participant officers of the OPD entail both units of analysis for this study, as described below. The intent of this duality is to focus on a "content analysis of the officers' steps [at each] stage in the officer's decision-making process" (Dunham, Alpert, Strosline, & Bennett, 2005, 372-373).

Recruited during announcement made by the researcher during pre-shift briefings, the researcher was subsequently contacted by volunteer officers through a medium of their choice (email or phone). 10 officers were selected to complete a maximum variation sample from that pool representing a diversity of background traits (education, e.g.), demographic data (age, tenure, training and experience, e.g.), and contextual/environmental variables (weather, time of day, call type, e.g.). These participants were then re-contacted and briefed on research protocols and informed consent mandates prior to going into service for the data collection ride-along phase. This purposeful sample technique provides an ideal method for comparing environmental variables and for contrasting the various participant characteristics and interpretations of

the events and concepts under observation (Patton, 2002, p. 235; Stewart, 2011, p. 70). The rotation procedures and changing shift work inherent in policing has supported the representatives of similar sampling techniques in other related studies (Tasdoven & Kapucu, 2013, p. 532). In fact, the OPD underwent a shift change (days to nights, nights to days, and weekdays worked) just days prior to the data collection process for this study began. Maximum variation sampling also serves as a barrier to selection bias (Stewart, 2011, p. 71), and provides a rich and diverse data stream from which to identify and contrast emerging patterns and themes (Miles, Huberman, Saldana, 2014, p. 32; Patton, 2002, pp. 234-235).

The case study design provided necessary pliability in the sampling design that allowed the process to go where, and to whom, the emergent data and themes led the research, achieving the requisite depth and saturation intended (Harland, 2013, p. 6). This flexibility also provided qualitative validity, adding trustworthiness to the findings of this project by including discrepant and disconfirming cases (one CFS arrest call included) that indicate transparency, and further enlighten and enrich the objectivity of the research findings (Creswell, 2009, pp. 191-192; Miles et al., pp. 36-37). A sample size that represents one-half of the population comports with statistical standards. Because the findings of this study are not intended to be generalizable to other populations, but the replication of methods is, a multiple case study of 10 cases (out of a population of 20) is a prudent research sample size (Creswell, 2013, p. 101).

Lastly, a data sample of the participants' public performance indicators and policing activities for the previous four years were used to contextualize and contrast the

participant responses. This panel of data, described in the next section, provides raw and insightful numbers that offer objective indicators of analysis for outcomes previously established by the sample of participants.

Instrumentation

Initial data collection began with public records detailing prior officer and patrol performance statistics. These official, historical indicators were provided by the OPD's records division, prior to the collection of data in the field, and included three types of annual reports covering the years from 2011- 2014. These were the OPD Patrol Statistics, Calls for Service (CFS), and Crime Data reports. The Patrol Statistics report is a comprehensive data sheet outlining exactly how many arrests, traffic stops, field interrogations, warnings, etc., that each officer conducted in that year. The CFS report details every single type of issue that citizens call the OPD for assistance with, and the Crime Data report outlines all the of the reported annual criminal activity, broken down into property and violent crime, cleared cases, traffic crimes, etc., on a month by month bases.

Next, researcher field notes, observation forms, and audio recordings were used to contextualize participant responses derived from field interviews. These field interview forms collected data gleaned from an interview instrument that was constructed by the researcher, but with direction that is methodologically supported by prior instruments used in studies of similar topical relevance (see Table 1). Once such source is the *Resident Opinion Survey* conducted by Chula Vista Police Department (Burke & Doroski, 2007). Conducted annually for several years, these citizen satisfaction surveys

(CSS) provide valuable, empirical, and actionable feedback from the citizenry regarding their experiences and critiques of police services. Items from Cheurprakobkit & Bartsch's (2001) study of citizen satisfaction with particular police officer attributes was also consulted for the current project. Both of these survey instruments focus questions intended to derive citizen attitudes and expectations for police encounters. Such direct, descriptive, and interpretively constructed questions are commonly used research items that can fluidly inquire about qualitative and procedurally just interpretations of a mutually shared interaction; be they from the officer or the citizen. Because "procedural justice is a measure of an individual's perceptions of a specific event" (Schuck & Martin, 2013, p. 234), this current project poses similar, but open-ended, queries that analyze the citizen-police interaction from the genuine and organic perspective of the participant officer. This departs from the invariably used quantitative, survey approach that dominates the field of citizen-police research, and provides a unique methodological approach requiring a correspondingly unique, but aligned case study interview instrument.

For that purpose, the adaptation of citizen surveys to observations of officers' decision making processes is established in the limited literature, and defined as a similar index composite constructed to examine the same procedurally just concepts (citizen participation, neutral decision-making, dignity, and trustworthy motives), albeit from the formative view of the police officers (Jonathan-Zamir, Mastrofski, & Moyal, 2013, pp. 4-7). The mutual use and proposal of these personally and qualitatively directed questions, towards both actors in the relationship, also aligns with the theoretical underpinnings of

social contract precepts that examine the citizen-state dynamics of self-governance, freedom and equality (Levy, 2009, p. 198). The methodological and practical construction of these open-ended interview questions is also supported by prior qualitative works that ask for the participants' own words to describe the incident. In this project, each of the questions were presented to the participant officers (heretofore underrepresented in this interpretive and interactive relationship) and were constructed to address the formative processes of the officers' decision making process with comparative links to procedural justice and social contract tenets. For example, asking the officer, "How would you describe the subject's demeanor"? (Q2, see Appendix A), is a counter-posed question usually presented to citizens in attempt to analyze their interpretations of officer's conduct. The scientific reliability of CSS methodology should transfer into the current instrument as illustrated by the triangulation of Q2 and Q5 upon participants' attitudinal responses. These serve to meet the scientific standard for research instruments, designed with "an important element of [reliable] attitude measurement...having more than one question to measure attitudes toward an object" (Center for Good Governance, 2004).

More recently, these interpretive and attitudinal questions have been presented as a way of measuring procedurally just outcomes and changes in citizen behaviors. This project intends to reveal the same interpretive and experiential data, of the same interactive experience, and therefore asserts the same validity for that item, directed alternatively to the officer population of a similar relational sample. Likewise, the "information filtered through the views of the interviewees" (Creswell, 2009, p. 179), in

this case the officers, was compared with observations and data sources for further examination of outcomes that may or may not parallel the theoretically established procedural justice concepts.

While examining police use-of-force incidents, Rojek, Alpert, and Smith, (2012) asked officers and citizens what alternate course they could have taken to avoid the confrontation (p. 309). A similar construction was used in this project to query officers on a variety of contact types to glean data that contextual and environmentally illuminates the research questions, but from the corresponding perspective of the officer (Q3, Q5, and Q7). This construction was necessitated because there are “no studies that collectively examine accounts by police and...postulate a relationship between them,” and because recent studies assert a need to pursue “a more sophisticated way to look at” these interactions (Rojek, et al., 2012, p.324). The current project sought to reveal answers to the interpretive decision making process of police officers, beyond the limited scope of use of force scenarios, and uses these items to uncover the attitudinal, environmental, legal, and personal factors, among others, that officers cite as an impact upon the disposition of citizen–police contacts.

Items from Mazerolle, Bennett, Antrobus, & Eggins *Queensland Community Engagement Trial* (QCET, 2012) and Jonathan-Zamir, Mastrofski, & Moyal’s *Measuring Procedural Justice in Police-Citizen Encounters* (MPJ, 2013), were also consulted for their relevance to the interpretive nature of this research project, by helping to set operational definitions for creating interview inquiries of procedural justice concepts. Both studies are closely linked in their measurements and instrumentation of procedurally

just concepts, but Jonathan-Zamir, et al. adapts the research to the observational environment of police officers. Inquiring after the reason for the stop (Q1) addresses the concept of neutral decision-making and establishes a base for assessing trustworthy motives. Asking about the citizen's interpretation of events and suggestions for future actions (Q3, Q4, and Q4a) reveals aspects of citizen participation and dignity. The combination of all questions in this study acquire interpretive participant accounts of the events that were used to assess outcomes; they were also contrasted with other performance data and environmental variables to further analyze the presence of all four component concepts of procedural justice. Quality assurance is also demonstrated by the "self-weighted" nature of each question and participant (Center for Good Governance, 2004); each item was designed to measure either interpretive or contextual data, and the participants are considered to be units of measurement amongst the population that are inherently equal in data stature and relevance. The data (and subsequent analysis) collected by this instrument is further balanced so that each research questions is addressed by three sources as shown in Table 2.

As pointed out by Jonathan-Zamir, Mastrofski, and Moyal (2013), there is but a small body of recent research that is "based upon direct, systematic observation of police-citizen transactions" and the theoretical paradigm of procedural justice (p. 22). The gaps that exist in these few studies have already been noted in the Chapter 2. So too, the instrumentation is in its infancy, with each new study contributing significant advances. But the instrumentation has been borne of necessity from a new but "uncommon analytic approach" that offers innovative "methodological implications of formative indices" that

support “similar replication and future exploration” (Jonathan-Zamir, Mastrofski, & Moyal, 2013, p. 23). The current project assumed that challenge, creating its interview instrument under the auspices of procedural justice indices established in the current literature. The most recent literature supports this need for innovation, particularly for instrumentation conjoined with the observational protocols used in the current project. This innovation is vital to compelling the body of work forward, and for encouraging questions and methods of “future studies to compare the extent to which police in different places or under different conditions behave according to the procedural justice model” (Jonathan-Zamir, Mastrofski, & Moyal, 2013, p. 23). The current project sought to provide that innovation, based upon the stable ground of prior literature and with further methodological support draw from “separate data sources to measure exogenous and endogenous variables” that stabilize the reliability and validity of the proposed measurements and instruments (Maguire & Johnson, 2010, p. 722).

The interview instrument for this current project consists of 8 main questions and 3 sub-questions, all open-ended. The same questions were asked of each officer to solicit the specific locus of inquiry for the research questions. Follow-up questions were posed to further contextualize each case and were dictated by the emerging themes to provide the data saturation required of qualitative case studies. It should also be noted that the researcher’s experience and training in police-citizen relations, and professional exposure to the precise dynamics and interactions of police and citizens, combined with his prior research on social-contract theory and community policing policies, provides a synergy of professional and academic expertise to assume this responsibility.

Table 1

Supporting Items for the Construction of the Interview Questions

Study	Burke & Doroski (2007)	Mazzerole et al. (2012), & Johson et al. (2013)	Rojeck et al. (2012)	Cheurprakobkit & Bartsch's (2001)
Supporting Question	12, 9b, and 9c	1 and survey queries regarding citizen behavioral changes after contact	Open-ended descriptive questions about incident	Ranking of citizen descriptive attributes of police contact
Purpose	Informs items 2, 3, 5 and follow-up B on citizen attitudes, expectations, and suggestion for improvement	Informs items 1, 1a, 4, and 4a to measure officer's perception of their impact on citizen actions and outcomes.	Informs item 3, 4 and 7 on incident descriptions, alternative decisions, and perception of citizen actions.	Informs item 8 on descriptive attributes of the contact
Contributing Theoretical/Data Analysis	To glean data that analyzes collaborative insights from the view of the officers. To examine the connection between decision making and procedural and contractual justice interpretations	To compare and contrast the established operational definitions of procedural justice, and cross-compare with officer responses of outcomes.	Comparative case analysis is adapted to study an officer-to-officer paradigm. Also allows analysis and comparison to objective observations and environmental factors.	Used during interviews and data analysis to capture the essence of participant meanings and to compare and contrast case themes related to officer values and impressions of citizen contacts.

Note. Adapted from "2007 Chula Vista Police Department Resident Opinion Survey," by C. Burke and L. Doroski, 2007, San Diego Association of Governments; "Police Performance: A model for assessing citizens' satisfaction and the importance of police attributes," by S. Cheurprakobkit and R.A. Bartsch, 2001, *Police Quarterly*, 4(4), 449–468; "Procedural justice, routine encounters and citizen perceptions of police: Main findings from the Queensland community engagement trial (QCET)," by L. Mazerolle, S. Bennett, E. Antrobus, and E. Eggins, 2012. *Journal of Experimental Criminology*, 8(4), 343-367; "Examining officer and citizen accounts of police use-of-force incidents," by J. Rojeck, G.P. Alpert, and H.P. Smith, 2012, *Crime & Delinquency* 58(2), 301–327.

The instrument, items, and interviews were constituted with some elements of efficiency to meet this demand, but are thorough and reliable enough to ensure that any compromise did not impact the translation of the raw experiences and the subsequent data gleaned from this unique research setting. Drawing upon the field tested instrumentation items of prior surveys, and constructed as a lead to simple, concise, and direct research questions, the veracity of this data collection process reflects answers that speak directly to those research questions. The use of *in vivo* coding to record and report the direct and contemporaneous participant responses further buttresses the reliability of the interview and instrument construction. With the interview items so closely aligned with the research question and the process of analysis and reporting so directly streamlined from the source, the intent of the instrument can be trusted to glean the cleanest and truest form of the data being sought.

Data Collection

Data was collected during the aforementioned observations of officer-initiated contacts (OIC) of citizens, from researcher observations, and from public record data on officer and patrol performance indicators. The latter provides comparative data sets to contextualize current behaviors with prior performance in arrest, warning, OIC, shift, and citywide call for service type categories. For instance, the Patrol Statistics report provides four years of previous performance data from which prior officer-initiated activity was extracted for comparison. The Calls for Service report was used to contextualize the particular needs and requests that demand attention from officers serving the unique environment of their community. The Crime Data report assisted in further

contextualizing the demands on an officer's time and provided insight into the purpose and cause for certain types of officer-initiated stops during the observational data collection process. These sources provided critical data points for synthesis with individual officer's responses to interview questions when they were compared to personal and contextual performance indicators for deeper analysis.

The field data collection process began during police ride-alongs by recording the contextual and environmental data (time, setting, weather, reason for the contact etc.) of the officer-initiated interaction through audio recording, and field notes. In addition, data was drawn from contemporaneous interviews (digital audio and written interview sheet formats) with police officers describing their interpretations of those contacts. This was conducted using the instrument described above, and took place in the privacy of the patrol car.

All interviews occurred contemporaneous to the interaction so that the respondents' interpretive and perceptual responses could be immediately recorded at the moment they were formed, capturing the essence of the phenomenon. Alpha-numeric descriptors were used to identify participants anonymously (O1, O2, etc.). Data collection occurred throughout the officer's 12-hour shift and this process continued during subsequent ride-alongs with the target sample, until conceptual and thematic saturation was achieved (see Table 2). Each participant exited the study during their regular return to station at the end of their shift, or at a point preventing further OIC's. For accuracy and ethics sake, a quick debrief was conducted after return to station, where the participant's engagement ended, barring any requests for further information or findings on their part.

This progression and process is consistent with other recent social observations studies on citizen–police relations based upon procedural justice theory (Jonathan-Zamir, Mastrofski, & Moyal, 2013, p. 68). The fusion of the interview instrumentation with objective criteria and researcher observations “may produce more reliable estimates for causal analysis...and also make it possible to distinguish the temporal ordering of officer and citizen behaviors to be used in measuring the constructs” (Jonathan-Zamir, et al., 2013, p. 22). Because a “case study may rely on multiple sources of evidence” (Harland, 2014, p. 5), to establish quality and validity from “wide-ranging data sources [that] invite confidence” (Stewart, 2011, p. 79), the OPD Patrol Statistics, CFS, and Crime Data reports were consulted to provide deeper contextual analysis.

Taken as a whole, these sources reinforce the formation of the interview instrument and questions, adding validity and reliability to the subsequent data analysis through a triangulation of secondary sources as shown in Table 2.

Data Analysis

There are two distinct units of analysis that form the bounded cases in this study. This approach is consistent with recent studies that now acknowledge the importance and value of analyzing citizen–police relations through the individual, interpretive characteristics of the police officer’s decision-making process (Dunham, Alpert, Stroshine, & Bennett, 2005, 373). The larger unit of analysis is individual *police officer work shifts* that were cross-compared with one another to determine factors of similarity and disparity. Additionally, the data was further distilled by a nested analysis of the elements of each specific *citizen contact* that each officer initiated. Both units of analysis

Table 2

Data Collection Devices and Analytic Value

Collection Device	Interview Data	Field Obs./Notes	OPD Patrol Statistics, CFS, and Crime Data	Audio Files
Collection Parameters	In the field, after police contact	In the field, during police contact	Prior to study	In the field after police contact
Purpose	To collect participant interpretations that answer the research questions	To record objective factors that may impact officer discretion	To triangulate thematic outcomes with officer's prior performance and median policing performance indicators	To record and cross-check exact terms and tone used
RQ Addressed	RQ 1, 2, 3	RQ 1, 2, 3	RQ 2,3	RQ 1
Analytic Value	To establish coding concepts and themes for categorical aggregation, and compare to environmental and historic data	To compare and contrast environmental factors that may support or contradict officer interpretations, illuminating the cross-case analysis	To verify and cross-compare officers' actions and resultant themes with raw data of service and performance indicators	To assist in multiple runs through the data set, and ensure quality of <i>in vivo</i> analysis and conceptual accuracy of categorical aggregation

are ideal for a case study as they present an easily identifiable and “specific social context in time and place” (Harland, 2014, p. 4). These cases also represented the precise social phenomenon being examined and offered a collective means of studying and analyzing “an integral part of the broader picture” (Thomas, 2013, p. 598) of citizen–police relations. The process of data analysis included an on-going, open, line-by-line coding procedure that comprehensively detailed the concepts reported in each word, line, or segment of the interview text.

The coding process also entailed the use of cross-comparative case analysis that helps to identify and include themes and concepts that are similar, or discrepant, and adds integrity to the development of the nested case structure (Thomas, 2013, p. 588). Because a cross-case comparison was used to extract “common factors” during the “key stage” of multi-case analysis, *NVivo* data management software was used to help identify and record these constructs (Stewart, 2011, p.73, 79). This data analysis software has been described as a valuable tool for “extracting common factors from cross-case analyses” in case studies and provided a chance for numerous passes through the data while maintaining objectivity during a deeper contextual analysis of the concepts, categories, and themes (Creswell, 2013, p. 196; Patton, 2002, p. 442; Stewart, 2011, p. 79). The audio files were also added to the database for further contextual refinement. This research recorded and synthesized the patterns that emerged as the officers described their experiences, and critiqued and characterized their interpretation of events. Notes taken by the researcher (containing observations on attitudinal and environmental factors)

during field observations were coded in the same fashion and used to contextualize and compare officer interpretations with objective readings taken in the field. In addition, the OPD Patrol Statistics, CFS, and Crime Data reports were consulted to verify and cross-compare officers' current and previous actions with their current interpretations. Officers' observed activity levels were compared to their prior 4 years of recorded activity to contextualize the type of contacts they have historically initiated. These reports also helped to contrast any contextual or environmental variations between an officer's previously established levels of traffic stops, warnings, arrests, etc., and their current levels of performance. Similarities and variations in activity therefore provided greater perspective and analytical depth for the sample, and for the individual officer's interpretive responses to interview questions, when they were identified as being associated with normal or abnormal activity rates.

It is from this analysis that the emergent categories and themes were developed to address the research questions. The most recent literature, cited above, suggests that third party observation and the inclusion of numerous internal and external data sources comprise the next ideal step in citizen-police research analysis (Jonathan-Zamir, Mastrofski, & Moyal, 2013, p. 23; Maguire & Johnson, 2010, p. 722). Using the process of categorical aggregation to distill common concepts and themes, the researcher sought to contextualize and contrast officer responses with objective observations and hard data pertaining to service and performance indicators and environmental factors. Figure 1 provides a visual representation of the entire research process.

For instance, an officer that was previously assigned to the traffic division may have a tendency to write more traffic tickets, conducting a greater number of citizen stops during his/her shift. That officer may also have a bias, or experience, that is due to a history of numerous traffic stops that outpaces or diverges from other participants in the study. Another officer may avoid traffic stops, preferring instead to initiate contacts with “more important” policing activities like potential drug abusers or individuals suspected of having felony warrants. By contrasting the themes that emerge from officer interpretations with the themes that emerge from performance data and objective environmental observations, many of these distinctions can be clarified and a cleaner, more precise analysis of officer decision-making and contributing factors revealed. Perhaps the first citizen contact of the day results in a positive outcome, while the last contact of the day is impacted by stress, previous calls, fatigue, weather, or other factors that produce a different result? Heretofore, the literature has avoided this accuracy, preferring instead to address officer actions as one monolithic action-group with the same motivational philosophies and behaviors. The data sets used in this study helped to solidify the accuracy of the findings by including officer interpretations, but validating them through objective criterion.

During the process of data analysis, *descriptive* and *in vivo* coding was used to reveal the basic concepts and topics of the participant responses. *In vivo* coding captured the essence of the participants’ responses, in their own words, and serves to mitigate any bias the researcher may have imparted to their voices during data analysis. With the addition of *attribute coding*, to record and contrast the environmental variables (settings,

participant demographics, weather, time of day, etc) the data analysis procedures of this study created a contextual synergy that organically captured the experiences and interpretations of the participants. Consistent with the qualitative aims of this research, these procedures ensured immersion in the data from which the essence of participants' meanings and relationships can emerge (Miles, Huberman, & Saldana, 2014, p. 74; Patton, 2002, p. 454). These coding procedures were also designed to align with the construction of the interview instrument, and the inquiry of this project, which was purposed to capture how the participants would interpret the questions (Maxwell, 2013, p. 101) and to compare those interpretations to contextual observations.

Lastly, the cross-case comparative model provided an ideal mechanism through which to record and analyze demographic information and further illuminate patterns in participant responses to the research questions. These categories were recorded on the interview sheets and include race, gender, education, years of service, and prior law enforcement experience in different regions. By comparing and contrasting the distinct concepts, categories, and patterns that emerge from officers' contacts with citizens, this case study sought an identification and analysis of contextual and contiguity-based relations that collectively enhance qualitative data analysis techniques (Maxwell, 2013, pp. 106, 112).

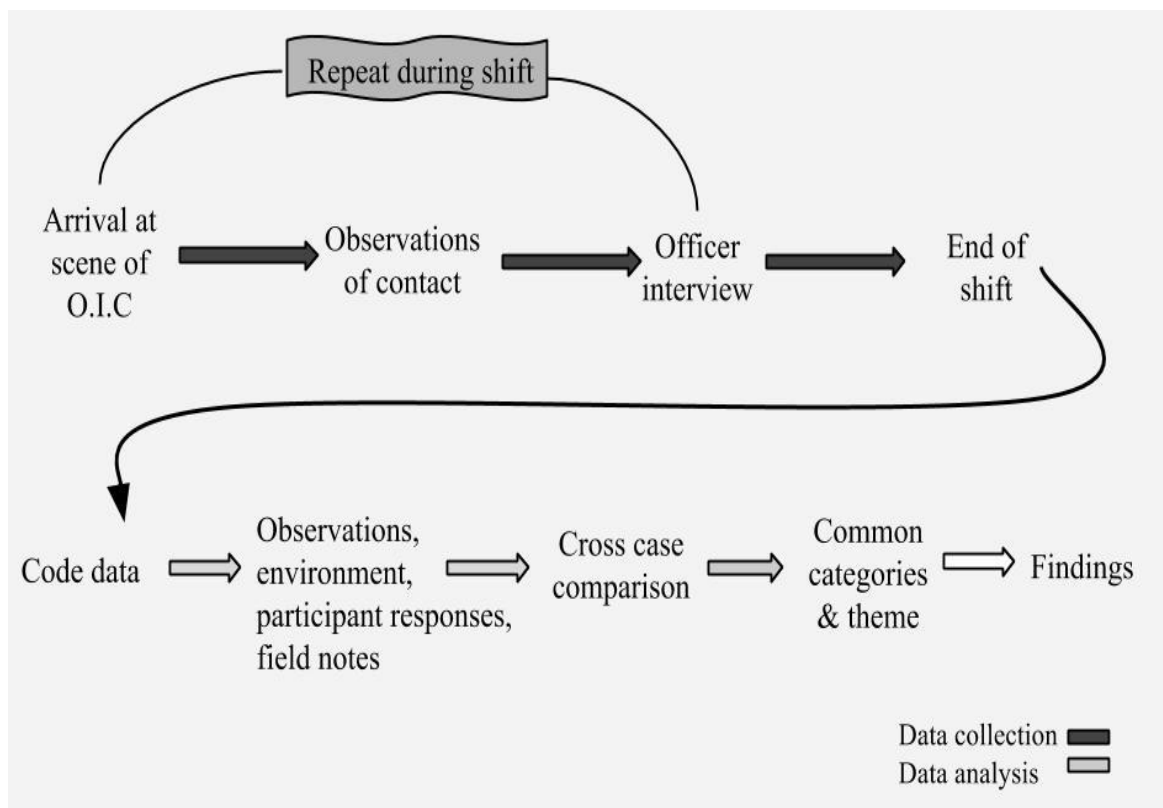


Figure 1. The research process.

Issues of Trustworthiness –Reliability, Validity, and “Convincingness”

As a qualitative case study, this project aimed at a scientific and methodological credibility, trustworthiness, and quality with the “potential to create an impact on the field and practice” (Harland, 2014, p. 6). Although there is some semantic, philosophic, and theoretical variance in the terms used to describe the veracity of quantitative research, the reliability and validity of this project must be addressed to ensure the reader that its “findings are based on critical investigation” (Rudestam & Newton, 2007, p. 113-114). But it bears repeating, the methods of this study were designed to be transferable to other municipalities, not the findings. Each community is unique, and although there is

the intent to establish a possible baseline for other populations it is the replication of methods (in an effort to derive deep, rich context from a specific sample) that this study seeks, not findings that are generalizable to other areas.

Considering the researcher's experience in law enforcement, and the frequently contentious nature of police contacts with citizens, one primary threat to the validity and reliability of this study was the researcher's interpretation and analysis of officers' perceptions. This was mitigated significantly by the use of *in vivo* coding to reduce the thwarting effects of researcher bias, and increase validity and reliability by honoring and directly including the perspective and voices of the participants (Miles, Huberman, & Saldana, 2014, p. 74). In conjunction with the transparency of methods, the coding process was documented and explained in detail through an *audit trail* that enhances the reliability concerns of consistency and replication (Rudestam & Newton, 2007, p. 113-114). This took the form of field notes, linked NVivo memos, and coding protocols listed in Appendix B. The coding process also lends "standardization and rigor" to the backend interaction of the data and researcher, reinforcing the grounds upon which to build and describe reliable findings (Patton, 2002, p. 127). The qualitative protocol methods of observational, descriptive, and reflective note-taking, and the frequent journal reflections of the researcher provides transparency about the development and analysis of the findings that illuminate to the research topic (Creswell, 2009, pp. 181-182). The cross-case methodology provided a further check to this bias through rigorous and objective coding procedures and categorical aggregation that reveals the essence of potential factors and participant interpretations that organically lead to reliable findings about the

“underlying constructs” (Creswell, 2013, pp. 86, 199; Stewart, 2011, p. 79). Additionally, the researcher’s experience was valuable when addressing the limitations of the data pool that is restricted to consenting police officer participants. It should also be noted that the researcher’s experience might have allowed him to penetrate the “blue-line” barrier by developing rapport and soliciting responses from participants that they may not have otherwise revealed to an outsider or other inexperienced, non-law enforcement personnel. A familiarity with the fast-paced, multi-tasking environment of policing, informed by a review of fluid, concurrent legal changes, allowed the researcher to quickly analyze the data of each interaction and represents a preexisting knowledge base that mitigated some of these concerns while maximizing the amount of data to be gleaned.

In the absence of statistical verification, qualitative studies rely upon the depth and detail with which the participant experience is recorded to address concerns about reliability, validity, and trustworthiness. But it should be noted, from a quantitative standpoint, the sample for this study (10 participants) represents approximately one-half of the active population (20). Qualitatively, the veracity and credibility of the findings can be trusted to speak directly to the research question when the data collection process includes the deepest, truest, contextual interpretations of participant responses. Stewart (2011) refers to this quality as “*convincingness*...a broader and more useful term than validity” which is established through a “robustness of measures and constructs” in the research design and reliability of instruments (pp. 73-74). The multiple data sources that were used to triangulate analysis provided this robust depth and establish confidence in the findings (Stewart, 2011, p. 79). The interviews themselves, and the use of the

participants own words, presented a wealth of thick, rich information derived from the source at its genesis. The breadth and depth of access to the participants secures internal validity for the casual inferences of the findings and helped alleviate distortions in data interpretation and transference (Rudestam & Newton, 2007, p. 113). Having such a rich pool of data to describe the “process, contingency, and context” of issues related to research questions is the heart convincingness (Stewart, 2011, p. 79). The process of categorical aggregation further distilled and refined the emergent patterns, meanings, and conclusions (Creswell, 2009, p. 175; Creswell, 2013, p. 86; Patton, 2002, pp. 57, 247) extracted from the interviews. This included the aforementioned memoing, field notes, audio recordings, public records, and legal updates.

Lastly, the possibility exists that data collection occurred during a period of unusual officer-initiated contact (OIC types (suspect searches, investigations, burglary rings, etc.) that might have led to potential conclusion validity errors. Here again, the researchers experience was used to detect and dispel this concern, as was the described method of sampling which allowed for an in-depth, but flexible methods of data collection (Harland, 2014, p. 6; Stewart, 2011, p. 70; Thomas, 2013, pp. 592), and the avoidance of any selection bias (Stewart, 2011, p. 71). The aforementioned triangulation of secondary data sources provided a comparative baseline for the sample against call type and performance averages from the previous four years, and were added to the *NVivo* database for further analysis. Additionally, legal updates from the State of Oregon helped to clarify any changing legal standards that would have impacted officer decision-making. For instance, preparation for marijuana legalization policies began to take effect

during the data collection period, and represent a prime example of the objective, legally mandated lens of analysis through which officer actions and citizen encounters must be viewed. Lastly, citizen surveys were also consulted to demonstrate and compare the link between citizen concerns and OIC activity types. All of these sources provided previously known characteristics and data points to triangulate and reinforce the qualitative case study findings (Creswell, 2013, pp. 120-121; Frankfort-Nachmias, & Nachmias, 2008, p. 152; Harland, 2014, p. 8; Rudestam & Newton, 2007, p. 113; Stewart, 2011, p. 79).

Ethical Concerns

This project gathered specific participant responses to emotional and potentially confrontational circumstances that inherently define citizen–police contacts. It was also designed to solicit responses about the motivations and attitudes of each participant, and their evaluation of their own actions as well as the actions of the citizens. Some of these interactions and resolutions might have be attributed to perceptions of socially-charged issues like racism, discrimination, or personal vendetta. For these reasons a full disclosure and detailed informed consent form was a critical component of an ethical approach to this research design. To respect the fundamental dignity of each person, the content of this disclosure included the purpose and standards for the research, the professionalism of the researcher, the value that the research holds for the participants, the methods of protecting and respecting personal information, and protecting any vulnerable populations within the project parameters (Rudestam, & Newton, 2007, pp. 275-276). To this end, issues directly involving children (under the age of 18) were not

included in this project. Only the researcher had access to the data, and any personal identifying information was kept confidential, stored in secure physical and digital locations, and not included in this final report. The NVivo software was ideal for this security purpose (Creswell, 2013, p. 204). Shredding of all hard copies and deletion of all digital copies will be done after the mandated five year retention window has expired.

Fortunately, the researcher does have the advantage of extensive experience handling these cases, and possesses a professional background in ethical policing that included specialized assignments working exclusively with certain vulnerable populations (youth, elderly, mental, and medical health, etc.). This entailed an ethical mandate to respect individual privacy and the design of this research project easily allowed any potential conflict to be immediately excluded. In this study, a clear balance was struck between seeking relevant research data from participants and respecting sensitive issues without causing any further anxiety, emotional trauma, or stress at very personal and vulnerable moments. In ethical research, a police officer's rights are just as valuable as citizens', and this study respects that fact even in its novel approach to including police officer interpretations. Measures were taken to ensure that the officers selected for participation were not compelled to do so by their superiors and they were advised by the researcher of their right to refuse comment on any issues or contacts that cause them emotional or psychological concern. The chief of the OPD was advised of this imperative, and provided the appropriate access to officers and historical reports including Data Use and Community Partner Agreements, as required. He was also given

the Walden University Institutional Review Board approval number for this project (04-27-15-0351446).

Lastly, citizens and police both possess an entire spectrum of coping skills and respond to potential emotional turmoil in a variety of ways. Police contacts are in fact, overwhelmingly non-confrontational. But even with the vast amount of purposes that police stop people for, it was the willingness of individuals to participate in this study, based upon their own sense of responsibility, comfort, and personal emotional capacity that determined their participation. Accordingly, this project understands that many officers might have felt professionally compelled to participate, or aid in the cause of science, while possibly masking their own inner turmoil. So while the overarching and guiding purpose of this study was to seek information to help alleviate human suffering, conflict, and social strife, the overriding rule of this study demanded, preemptively, that this was not pursued at the expense of the individual participant's mental and emotional well-being. Where that line was uncertain, the researcher endeavored in every case to err on the side of the latter, consulting with the participants, and reminding them of this imperative at each stage and case of their involvement.

Summary

The contextual examination of an officer's interpretive processes and decision making is most closely studied in the daily actions and choices of each contact, each case. For this purpose, a comparative case study aligned with the nature and purpose of the project and the inquiries posed by the research questions. Quality assurance measures were in place to ensure that the questions were designed to solicit reliable responses and

the processes and findings produced valid results. Transferability of methods and a qualitative “convincingness” are specific standards of trustworthiness woven in to the methodology and design structures. The voice of the participants, digital data collection and storage, journal and audit trail transparency, the selection of maximum variation participants cases, and comparative data collection methods are among the procedures employed to ensure those standard were met.

With these standards in place, the data collection and analysis process was set to begin, and will covered in detail in Chapter4.

Chapter 4: Results

Introduction

The primary purpose of this project was to examine factors that police officers described as their motivational and determining reasons for decisions made during OIC. By observing and interviewing officers from the OPD, the analysis of this project was designed to compare and contrast the interactive, perceptual, and environmental factors that help to shape officers' discretionary decision making. The secondary goal was to identify and categorize any themes expressed by an officer that might correspond to future discernible actions or outcomes. The project sought answers to the following research questions:

RQ1: Other than legal mandates, what factors (situational, environmental, attitudinal, etc.) do officers claim impact their decision making process?

RQ2: Do any of the items identified in RQ1 occur more frequently during contacts that result in discretionary, traditional enforcement action (arrest, ticket, etc.)?

RQ3: Of those items identified in RQ1 and RQ2, do those interpretations correspond to contextually objective observations of themes identified in RQ1?

The following sections will contain a description of how this project addressed those questions by outlining and detailing the setting and participant demographics, the process of data collection, and the evolution of the data analysis. The results of that analysis will be presented, as will a review of the discrepant cases and other variations that developed through the maximum sampling process. Finally, this section closes with a review of its qualitative trustworthiness.

Setting

The maximum variation sampling process for this study was drawn from police officers employed and on active patrol assignment with a Central Oregon police department (OPD). The department employs 32 full-time officers, only 20 of which were assigned to active patrol; the rest were detectives, management level supervisors, community-service officers, out on injury or on special assignments. The police department sample closely resembles the population of the city, and region, which is a fairly homogenous White community. The OPD shift schedule is two 12-hour shifts each working four consecutive days, from 6:00 p.m. to 6:00 a.m. and 6:00 a.m. to 6:00 p.m. During this study, participants underwent two shift changes, which was consistent with their normal scheduled switch every four weeks.

Demographics

All 10 OPD participants were white males, ranging in age from 26-53 (average age of 36.8). Their tenure with the OPD ranged from 1.5 to 20 years of service (8 yrs average); all of them had some prior law enforcement experience or exposure, mostly among local agencies. This included active police reserves, law enforcement Explorers programs, or both. Likewise, the participants had a variety of educational backgrounds. Most held an advanced degree in fields such as communications, criminal justice, public policy, and recreation. The average education level of the sample was 3 years of college. The sample represented ½ of the total population of officers.

Data Collection

From these 10 participants, 45 separate OICs were examined. Officer and OIC data were collected during 6 dayshifts and 5 nightshifts (one officer was accompanied during both a day and night shift). Of the 45 total OIC's observed, 22 were collected from dayshifts and 23 OICs were collected from nightshifts. These numbers were spread proportionally throughout the sample based upon the time of activity relative to OICs for police officers. While there may be more time available at night to engage in officer-initiated activity, there are many more people available for contact during the daytime hours. This is particularly true of traffic volume considering the representation of traffic contacts in the OIC types. Of the 45 total OICs, four categories of contacts types were observed for both shifts (see Table 3). The sample and participant pools were flexible enough that all days of the week were represented in the sample, and most days of the week were represented in both daytime and nighttime activity. Both sides of the OPD work-shift rotation were represented, although the participants were weighted to one side of that rotation. A further breakdown and contextual comparison of the OIC sample demographics and a justification and support for the sample size and type will follow below.

Table 3

Officer-Initiated Contact Case Types

OIC Type	Traffic Related	Citizen Contacts	Parking Related	Suspicious Circumstance
Dayshift	14	5	1	2
Nightshift	9	3	6	5

Of the 45 OICs shown in Table 3, the participant yield ranged from a minimum of 2 to a maximum of 7 OICs per officer shift. The participant sample averaged 4.5 OICs a shift, which is within the per officer average set for this study (3-5 OICs). All OIC interviews were conducted in the patrol car and were recorded and preserved in audio files and on written interview sheets. These recordings occurred throughout participants' shifts and as soon as practical after each selected contact. Most occurred immediately after the contact, and there were only three interviews that had to be pre-empted prior to completion. In those cases the remaining questions and data were retrieved within 2-20 minutes and a note of the delay was recorded. The interviews averaged 3-5 minutes in length, dependent upon participant input and a few minor situational exigencies that dictated the pace of police field work. The researcher was able to observe all of the OIC interactions from the patrol car. Field notes and researcher observations were transcribed and coded into the *researcher's descriptive and reflective notes* node in NVivo.

Transcription of the audio files and researcher field notes were completed by the researcher no later than 24 hours after each shift, but in most cases transcription occurred

immediately following the shift. Coding occurred as soon as practical after each ride-along and was usually completed by the researcher within 24 hours as well, but no later than 48 hours after the ride-along. A coding protocol sheet for this project was developed and followed consistently, step-by-step, for all sources of data entered into NVivo 10 (see Appendix B).

Weather, including rain and heat, may have had some impact on officer initiated activity. Two officers confirmed that weather may negatively impact their level of proactive activity, for similar reasons of safety and personal comfort. However, rain only occurred through part of the shift that registered the greatest number of OICs (7) while a shift that recorded a local single day heat record registered the lowest number of OICs (2). In this latter case the officer was later re-accompanied on a second ride-along to fulfill the desired sample variations (explained further below). Geography played a small role as officers usually moved frequently throughout the various parts of the city, but voiced a concern for certain areas in the central/west and central/north part of the city associated with criminal and drug activity. Two to three officers are assigned to north and south district areas of responsibility, but many of the participants made time to visit the higher crime areas of the city and those most frequently linked to illicit drug activities.

The maximum variation sampling was a critical element of this project, allowing for a spectrum of dynamics and variables to be considered, examined, and adjusted for. Some of these include points not previously listed in this report or in variance from the methods listed in Chapter 3 above. First, the ability to represent the frequency and type, but avoid an oversampling, of traffic stops was quite valuable. Second, the fluid

capability for selecting days of the week and the collection of data during night and day shifts allowed for the research to follow the normal, and abnormal, vicissitudes of police work. Third, the flexible data collection process allowed the inclusion of two field level-supervisors and one officer in a specialized position as all three were found to be initiators of OICs which added depth and scope to the data and comparative analysis. Fourth, it also allowed the researcher to include a discrepant case involving a CFS dispatched to another officer. Fifth, the sampling and methods used provided the opportunity to revisit a second ride-along with one participant that was underrepresented in the original visit. This included a switch from days to nights for that officer, which fulfilled maximum variations requirements at the both the officer and OIC levels of case analysis.

Data collection was twice halted, in accordance with the natural flow of police work, at times during a shift when an in-custody arrest or other CFS would consume the remainder of the officer's shift. Points of thematic/participant sampling saturation also terminated the ride-along prior to end of shift. Only one participant re-contacted the researcher with additional information, the day after his ride-along, to inform the study that his prediction of a complaint from a citizen turned out to be founded.

All of the annual OPD Reports were forwarded to the researcher prior to the start of field data collection and then updated shortly after data collection began. Provided in Excel format, the participants' prior year's performances were tracked therein, allowing for easy management of data analysis and comparison to current activity rates. An Excel spreadsheet was also created to track officer demographics (age, tenure, shift, etc) and

performance levels (number of OIC's, enforcement ratios, etc.) and a memo section and attribute chart duplicated these recordings in NVivo 10. This data was compared and contrasted with the OPD reports. The OPD Calls for Service reports also confirmed that the months of data collection for this study (May and June) are the second and third busiest months of call activity for the OPD. Combined, these provided great insight on activity levels, low to high, and contextualized the officers current activities with their established work rates, activity categories, and the emergent themes. To protect the anonymity of the participants, this data will not be presented in visual format here, but relevant demographic information will be provided in the data analysis section.

Finally, two other relevant sources were consulted to ensure transparency and depth in the data collection process. OPD provided the results of citizen surveys from previous years, providing insight into citizen concerns for the focus of police work in their jurisdiction. During data collection, and for months prior, the researcher subscribed to legal update notifications from the Oregon State Appeals and Supreme Courts that were delivered through email from the Willamette University College of Law. This helped to further contextualize the concurrent legal atmosphere under which participant decisions were guided and formed. This was found to be a valuable tool of contextualization as interpretations and recent changes in case law informed some officers' decisions for impounding or searching subjects' vehicles. Limitations to the "moving vehicle" exception of 4th Amendment were also prevalent in the current case law and officer commentary. Also, marijuana legalization went into effect two weeks after data collection was completed, and was another impending change to legal

mandates that may have altered the way some officers dealt with marijuana related contacts.

Taken together, these data sources provided a depth and breadth of interpretive and environmental data upon which to analyze the participant responses. Once collected, coding, analysis, and interpretation of the data were facilitated by the organizational and analytic mechanisms existing within the NVivo data management software. Protocols were also developed to accurately manage and record this process.

Data Analysis

Development of the Coding Protocol –Examples of Negotiated Terms

Open coding began after the first ride-along occurred and continued throughout the process of data collection. Audio files were first transcribed and downloaded into NVivo 10 as described above, and then the researcher went line-by-line coding both words and concepts expressed by the participants into separate nodes. The intent was the development and analysis of individual words and concepts in richer, thicker detail worthy of case studies endeavors (Cohen & Crabtree, 2008; Harland, 2013; Lincoln & Guba, 1985; Stewart, 2011).

For this purpose a coding protocol was developed and followed for each original coding session of the participant data. This helps to illustrate how the codes and themes above were examined and derived. The protocol details a 4-stage process that was used to code participant responses and the researcher's descriptive and reflective observations (see Appendix B). It also contains the strategies of node, category, and theme coding for the emergent concepts, including the theoretical and thematic elements of procedural

justice, community-policing, and social contract that underpin this project. The coding protocol sheet provided strict guidance and clarity on a process that began with open coding, and tracks through the formation of categories that formed the four central themes of this project (*initiated activity enforcement rate, compliance, citizen-dependent considerations of variable outcomes, Contractually Just Policing*). Additionally, specific coding and category procedures were assigned to the nodes that were discovered to speak directly to particular research questions (see Appendix B and the Results section). This evolution demonstrates an alignment between the research questions and the logical generation of an increasingly inductive analytic formula to derive their answers.

Each data source was examined multiple times with numerous run-throughs for coding purposes. At minimum, this occurred twice at the point of entry into NVivo 10 (Stage I), once during Stage III, and once during Stage IV. As data began to amass, the nodes were frequently re-checked for content accuracy, and conceptual veracity. Where certain concepts had to be revisited, the original text and audio were consulted to capture the truest meaning the participant intended, contextualized by the overall content of the contact. So while some nodes possessed little subjective meaning (contact type and outcome for instance) many of the interpretive words and concepts expressed by the participant had to be negotiated. This process was informed by Lincoln and Guba's (1985) naturalistic inquiry of interpreting negotiated outcomes by placing a premium on the existing scientific "proposition that context is all important for assigning meaning to data" (p. 212). The constant-comparative process was extremely enlightening and appropriate for the methodology of this study by providing clarity and context within the

officer and OIC case levels of examination, and by continually refining the emerging categories and typologies. This process of data analysis reflected elements of Glass and Strauss' "pure" inductive analysis and the inductive-generative-constructive-subjective end of the Goetz-LeComte continuum for qualitative case studies (Lincoln & Guba, 1985, p. 335). Additionally, although not the primary focus of qualitative studies, some elements of *enumerated systems* were used to develop and conduct frequency queries that informed and guided the emergent, comparative analyses of words and phrases mentioned by the participants.

Reconciling the text and context of the participant words revealed the essential concept in use and demonstrated that it is indeed "useful to carry that assigned meaning back into context for verification" (Lincoln & Guba, 1985, p. 212). This verification can now be presented in support of the findings (see Table 4).

For example, when one participant identified a subject's attitude and demeanor as "excited," this term was coded as a "positive" (+) demeanor due to the context of the words describing happy children receiving police badge stickers. Had this been an intoxicated subject or an agitated, "excited" victim of a crime that required calming, the coding would have been different. "Fine" was listed under neutral (=) demeanors, due to its use by a participant in a more repetitive and routine fashion seeming to indicate that nothing negative occurred. "Overly-apologetic" might seem to be a negative (-) or even nebulous term to classify in a +/-/= framework, but it was considered in the context of the environmental situation where the phrase was surrounded by statements used to describe

glowing praise of the citizen's understanding of the violation. These references and their corresponding contexts are illustrated in Table 4.

Similarly, a reference to a subject being "pretty-relaxed" was mitigated by its context when an intoxicated individual was also simultaneously described as being "guarded." Such terms were coded to the neutral attitude node when there were no refining statements or objective observations of negativity. A citizen has the right to be guarded, and can display such behavior without aggravating neutrality. "Calm" was reclassified out of the "relaxed" category when context revealed a more positive use of the word describing the subject's demeanor as having "reinforced the positive interaction between both of us" according to the participant. "Calm" was also listed as a positive trait for the officer's attitude and demeanor, when described under the same standard by one participant as a positive, reciprocating experience with citizen contacts (see Table 4). This same formula was applied to other expressions and descriptions such as "open."

The phrase "cooperative" was the most difficult to code and categorize as it generally denotes a positive trait, and one that most police officers would probably place very high on their wish list for citizen behaviors. But it was used in multiple contexts, and for contacts that fell into all three overall contact analysis categories (+/-/=). "Cooperative" was used to describe an intoxicated subject, individuals that officers expected negative contact with, and even those for whom enforcement action was taken. To respect the value of the diverse application of this word in various situations, and to honor the intent of the participants, "cooperative" was coded as a neutral word when it related to the *attitude and demeanor* node. But it was also used in conjunction with

positive word and phrase queries in raw word reference searches and models of analysis in NVivo 10. Where “cooperative” occurred in any positive context as a descriptor of *attitude and demeanor*, it was also most frequently used in conjunction with other words and phrases like “polite,” “nice,” or “friendly.” These words were themselves coded positively in that same node to preserve the representation of positivity in the participants’ descriptions of the contact. “Cooperative,” as shown in Table 4, was therefore assigned a neutral/positive value, in a consistent manner and in respect to the context of its use.

Table 4

Coding of Common Words and Phrases

Word or Phrase	Coded to Node/Theme	Used in Context to Describe
“Excited”	+	Subjects that were “excited” to see officers
“Fine”	=	A routine or normal state of interaction
“Calm”	+	Contacts and demeanors associated with + interpretations
“Cooperative”	=/+	Both types of contact ratings in different contexts.
“Overly-apologetic”	+	Contacts with subjects expressing significant remorse for their actions within + contacts
“Guarded”	=	Subjects that seemed uncertain or unsure of officer’s motives, but not confrontational
“Defensive”	-	Negative overall portrayals of a subject’s attitude, i.e. “standoffish.”
“Cordial” “Courteous”	Nice or Polite	Similar overall tone, descriptions, and use of terms
“Outgoing” “Cheerful”	Happy or Friendly	Similar overall tone, descriptions, and use of terms

The Evolution of Concepts, Coding, Categories, and Themes

As these nodes began to expand, certain categories emerged. A memo page in NVivo 10 entitled *evolution of nodes, categories, and themes* was created to track the chronological order and evolution of their coding and analysis. What follows is not an exhaustive list of this evolution, but should serve to demonstrate the progression of the data analysis process. It is also presented in visual form in Table 5.

For example, on 5-23-15 the *initiated activity rate* emerged as a potential measure of police activity and would become one of the significant final themes of this report. Examining the outcome of police initiated contacts, and considering the support for those decisions as offered by the participants, it became apparent that the social justice concepts expressed in the theoretical framework for this study might well be demonstrated and served by an hard, statistical representation of how often police use enforcement actions in OICs. A day later, this concept was refined into the *Initiated Activity Enforcement Rate (IAER)* measurement, which was then broken into two categories with two separate outcomes –enforcement rates, and maximum enforcement rates (IAER-M). The first displays the rate at which officer selected enforcement action for all of their OICs combined, while the second only represents those for which enforcement action was legally available as an option to the officer. These rates were confirmed through the researcher’s knowledge of police work and legal mandates, as well as departmental policies, state law, and current case law. These rates were recorded on the participant demographic spread sheet, and transcribed into the *researcher descriptive and reflective notes* that were also placed into an NVivo 10 memo and attribute matrix.

Remaining examples of the inductive analysis of codes and concepts will forgo the dates on which they were derived, but will be placed in chronological order with the node titles italicized.

Newly updated CFS, Offense, and Patrol Stats data were received from OPD records. Statistics were coded in Excel into high, medium, and low performance activity categories and tracked for historical comparison and analysis with the current observed OIC levels. For example, the 2014 averages for number of total incidents (859), traffic stops (201), and arrests (127) per officer were calculated, among others. These numbers were used as a benchmark for comparison with the average performance of individual participants over the same time frame and the previous four years. The historic department and individual data were then compared to the participants observed OIC levels of activity and then contextualized with specific demands on time and potential OIC opportunities throughout the shift. When a high number of citizen calls for service reduced available shift time to conduct OICs this was noted and considered when analyzing the officer's proactive OIC data. In one example, a high-end performance officer decided to make an arrest that the responding low-end performance officer declined. This high-end officer also registered a medium OIC count overall, but was busy throughout the remainder of the shift with calls for service. Context and standardization were provided by this method of analyzing and contrasting previous and current levels of performance. Although mention of precise rankings is avoided for the anonymity of the participants, an NVivo 10 memo was also created to keep track of these specific data

comparisons. Further analysis of the value of this data is provided in the section on trustworthiness.

Next, the *citizen-dependent considerations of variable outcomes* node was created after coding revealed repeated references to other potential outcomes and is defined in NVivo 10 as:

When an officer expresses potential or alternate suggestions, thoughts, contributing factors, or outcomes that would be dependent upon particular citizen-contingent actions and words. Links to procedural justice and social contract themes of citizen-participation, neutral-decision making, treatment with dignity and respect, and power sharing.

This node was developed to record and observe the growing theme of officers expressing procedural justice and social contract elements in their philosophy of policing through consideration for contingent decisions and outcomes based on citizen needs, concerns, voices, and actions (see Table 5). This would also become the second significant final theme of the study. In a related note, *educating citizens* was a recurrent phrase and concept, and was listed under the *community oriented policing* node providing further examples of the collaborative philosophy of policing were it was revealed.

During an early revisiting of the research questions, and to ensure the validity and reliability of the data being gleaned to speak to those questions, an alignment formula was created to link the data from the interviews to the questions posed at the outset of this research. This formula is described in greater detail below.

It was determined that the *researcher descriptive and reflective notes* would be placed in their own node and removed from coding in other nodes unless some unique and distinct concept was observed within. These notes were therefore coded and categorized separately to avoid being counted among the officer's statements that would later be used to extract and represent data on the frequency of terms, the impact of relationships, and overall outcomes.

Next, after a second review of all currently coded words and phrases, the *attitude and demeanor* node was identified as possessing some redundant terms that had to be examined for similarity and refinement. While words like “polite” and “nice” were included in the same child node of *attitude and demeanor*, all words expressed in response to Question 8 (three words to describe the contact) were given their own unique *3 words* child node to respect the voice of the participants. Subsequently, three distinct categories of *attitude and demeanor* emerged that corresponded to the operational definitions for positive, negative, and neutral (+/-/=) responses in this study. It was also observed that these definitions applied equally and proportionally in weight to three other nodes describing: the overall tone of contact outcomes (*contact rating*), the *impact* of citizens’ *attitude and demeanor* on officer’s interpretations, and the *3 words* nodes. As noted in Table 5, this +/-/= framework provided a solid and consistent means of classifying and analyzing data sources, as well as a means to perform data analysis when they were coded to specific corresponding code categories in NVivo 10.

Based on the convergence of similar concepts, phrases, and contextualized meanings expressed in the above categories, deeper consideration was given to

condensing the *community oriented policing, social contract, and procedural justice* nodes into one theoretical node and theme. While they are still mentioned in separate philosophical veins that respect their autonomy and nuance in the final reporting, they do appear to represent very similar conceptual and theoretical paradigms for the participants. These included: fair application of the law, treatment with respect, consideration of citizen's reasons and circumstances in decisions making, collaborative efforts for community quality of life, and seeking compliance with social regulations in lieu of available enforcement options. As part of this analysis, an existing relationship cycle of interactivity between officers and the current and future actions of citizens was observed.

Subsequently, the "relationship" tool in NVivo 10 began to emerge as a viable instrument for linking associated, linear, or interactive relationships between the existing categories and nodes. The concepts recorded in the *citizen-dependent consideration of variable outcomes*, as presented by the officer, were therefore linked in a one way relationship leading to concepts expressed in the *procedural justice, community oriented policing, and social contract nodes*. Being the catalyst of contingent outcomes, for both current and future consideration, *citizen-dependent* was also linked to the *suggestion - recommend action* node and a newly created *officer OIC decision* node that condensed all of the various outcomes (tickets, warnings, conversations, etc.) into one parent node (shown in Table 5). This last relationship is viewed as interactive, or symmetrical, and defined as, "The cycle/link between current and future citizen-dependent and contingent actions and an officer's suggestions and actions in response."

This is an important relationship to clarify; the interactivity and dependency was routinely referred to by officers and was frequently linked with the phrase "[voluntary] compliance." Subsequently, a *compliance* node was created, dedicated exclusively to that concept and to track the context and word frequency of "compliance" statements. Table 5 tracks an evolution of this formation and linkage. This association was also later used to demonstrate consistency with department policy and state law. So when a particular OIC type was impacted, controlled, or mandated by department policy or legislative statute, the discretionary reasons expressed by that officer were compared with items like the OPD traffic enforcement policy and Oregon State mandatory arrest laws for warrant arrests, restraining orders, and domestic violence related crimes. *Compliance* was also linked to the categories of *procedural justice*, *community oriented policing*, and *social contract*. But *compliance* also represented a tangible action and process for concretely demonstrating and achieving those theoretical ideals, and occurred with enough frequency and import that it was deemed worthy of being the third significant theme of this study.

A *traffic violation* node was also eventually recast to include specific child node coding for equipment violations, moving violations, and citizen assist/COP type contacts. This accommodated a need for closer examination of the contextual environment in which these specific contacts occurred, and for coding all +/-/= categories consistently. It was also due to the fact that officers expressed different levels of response considerations for the three traffic categories. All coded entries were later revisited for accuracy and refinement, as some of them were closely related to other classifications of contacts.

Table 5

Chronological Evolution of Major Categories and Themes

Node/Category/Theme	Purpose	Evolution
Initiated Activity Rate	To track OIC performance and outcome ratios	Developed into a potential tracking measure of theoretical and policy related policing activities
Citizen-Dependent Consideration of Variable Outcomes	To encompass the recurrence of citizen-dependent considerations	Informs and develops <i>compliance</i> related items and links to theoretical frameworks
Attitude and Demeanor	To track participant rating of citizen attitudes	Forms +/- framework for condensing and indentifying contact and attitude ratings
OIC Decision	To record contact outcomes. To compare and contrast officer and OIC levels case variables	Relationships created to link formative and interactive dynamics of citizen-dependent actions and officer decisions
Progressive Enforcement	To present the emerging importance of multiple violations and progressive enforcement in the officer perspective	Links and contrasts the <i>citizen-dependent, OIC outcomes, compliance</i> , and theoretical framework nodes in an observable and reliable indicator of discretionary outcomes.
Contractually Just Policing	To condense and refine the theoretical foundations of <i>social contract, procedural justice</i> , and <i>COP</i> .	Developed into a foundational and transitional philosophy of policing, backed by empirical data that demonstrates the tangible application of principles.

Based on the emerging nature of the "compliance" theme, a *get in compliance* child node was created under the parent node *suggestion -recommended action*. This was established to represent the frequency of participant suggestions that referenced citizen-dependent choices and the preferred desire of compliance-based responses instead of enforcement actions. It was also linked with other compliance related comments and philosophies on policing, citizen engagement, and the theoretical frameworks of this project.

After another run-through the participants responses, it was discovered that interview Question 7 (on the officer's discretionary reasoning) required a little further mining into the data. Two run-throughs of that specific response set yielded categories worthy of their own node. The *progressive enforcement* and *individual philosophy* nodes were created to capture and distill those distinct statements from the participants. *Progressive enforcement* voiced a preference for the aforementioned compliance, while reserving a progressive movement towards enforcement action for future violations (see the uninsured driver example below and Table 5). *Individual philosophy* expressed those philosophical approaches to policing that were individual in nature and not based on departmental or legal guidelines. These would most often apply to traffic violations and warrant arrests.

The *guarded* and *defensive* child nodes describing subject *attitude and demeanor* gave pause due to their conceptual similarity and differences. These nodes were revisited multiple times and re-coded after a review of the overall tone and contextual environment

of contacts revealed that “guarded” was used in a neutral context, and therefore placed in the *neutral attitude and demeanor* child node. Conversely, “defensive” was negotiated as an interpretation describing a more actively and verbally resistive or directly confrontational subject and added to the *negative attitude and demeanor* child node. As with all +/-/= elements these were coded to specific nodes.

The fourth and final significant theme of this study was formed when the *procedural justice, community oriented policing* and *social contract* themes were merged into a new theoretical paradigm entitled *Contractually Just Policing*. Further development of this emergent theory for policing can be seen in Table 5, and will be discussed later in this chapter and in Chapter 5.

Discrepant Cases –Emergence, Inclusion and Analysis

Each officer and OIC case in the sample was compared with prior average performance levels and the demands of police work in the OPD. In all but one case they were found to correspond to previous years’ performance levels. One officer case involved OIC data that appeared to be lower than previous levels, but upon environmental contextualization the aforementioned issue of unusually hot weather was revealed as a likely suppressant of activity. The second ride-along with that officer alleviated this discrepancy but also created a new one. Both collections periods were ultimately included in the data for their value at both the officer and case levels. This served to further enrich the work shift and day of the week demographics and analysis without unnaturally oversampling at either case level. The two supervisor cases might also be considered discrepant due to rank. But they were included in this study because

sergeants are actually assigned towards staffing levels as call takers. Their levels of proactivity were also determined to be weighted equally with patrol officers once recruitment began, and their peripheral duties as supervisors (approving reports, administrative duties, etc.) were not found to significantly impact the proportionality of their OIC activity levels. The inclusion of one specialized position was also based on its determined value and weight, and utilized to fulfill the maximum variation sampling for this project.

And finally, one warrant arrest was included in the sample despite the fact that it was generated by a CFS involving an intoxicated individual. However, the call was dispatched to a separate officer, and it was the participant that actually located and determined to arrest the subject. The value of including this contact was two-fold. First, there was a prior drunk in public contact with the same subject on a previous shift when the researcher was riding along with the officer originally dispatched to the second call. So issues related to community quality of life and *progressive enforcement* were exemplified through this case. Second, it provided a contrast-comparison between the two officers' case examinations. The subject's previous history, and the existence of the warrant, allowed for excellent analysis of the second officer's decision to enforce the warrant. This included his explanation of the mandatory arrest statute that the first officer elected not to enforce.

These discrepant cases added depth and insight for the contrast and analysis of officer and case levels findings. The flexible sampling method allowed for their inclusion, and has been cited as a methodological strength of this study, as well as an

asset of trustworthiness for this qualitative case study research. Before presenting the final results of this project, it is prudent to revisit evidence of the reliability and trustworthiness of those findings.

Evidence of Trustworthiness

As described in Chapter 3, and illustrated in the section above, this project was designed to provide the pliability necessary to expand the purposeful sampling technique for maximum variations and contact types. Unfettered by pre-determined sample limits, that do not bind the natural cases under examination, the qualitative validity and trustworthiness of this project is supported by the inclusive examination of the emergent data without restrictions to depth, detail, or thematic saturation. This inclusion respected the value of the discrepant cases noted above, while indicating transparency and objectivity through a contextually enriched set of findings (Creswell, 2009; Harland, 2014; Miles, Huberman, & Saldana, 2014)

Thick description is described by Lincoln & Guba (1985) as a way of achieving external validity. It is also a means of establishing credibility of analysis “by describing a phenomenon in sufficient detail” (Cohen & Crabtree, 2008). The use of participant descriptions in this project, and the extent to which the interviews themselves were examined and contextualized, through an *in vivo* coding of participants own words, presented a wealth of rich information recorded at the source and holding its own conceptual meaning. Applied in conjunction with the tenets of naturalistic inquiry and cross-case comparisons, the contextualized negotiation of terms like “cooperative” and

“guarded” or concepts like “compliance” or citizen-voice and participation are demonstrated to preserve their truest original meaning.

This was not just an effort, but an essential component of data interpretation that documented a consistent process for ensuring internal validity—by justifying inferences on the nature of geographically focused policing, or the identification of procedurally just themes—while clarifying and supporting the formulation of the findings (Rudestam & Newton, 2007). The rich pool of data collected in this study illuminated the spectrum of processes (officer decision-making) and developing contingencies (citizen-dependent variables) that surrounded the research questions, and examined them within their own environment and context, in individual and comparative detail. This revisits and meets Stewart’s (2011) standards for *convincingness*, while converging with other qualitative levels of quality assurance through an open distillation and aggregation of emergent concepts, categories, themes, conclusions. The methodological transparency of the research protocols included journal files, notes, and memo files used to track the chronological creation and evolution of nodes, categories, and themes.

The use of *in vivo* coding was also a significant tool for reducing any bias the researcher may have brought to the data analysis phase. While clarifying any interests in the terms and regulations of Oregon policing, validity and reliability were often reflected upon to avoid inserting the researcher’s experiential paradigm into the current experiential interpretations of the participants. To avoid “filling in the blanks” or making assumption about participants’ constructions and expressions, their perspective and voices were assured by referring exclusively and copiously to their commentary. For

example, when the researcher created the node *no small stuff* to capture discretionary decisions by officers that declined enforcement actions for minor offenses, deeper analysis of this category was demanded by a statement such as:

I went in to it knowing that I don't issue too many equipment violation tickets. If I do, often times they are the fix-it ticket variety to give people just the opportunity to gain compliance with the law. However if I were to find something else a little more significant I would have probably issued the citation for the equipment violation if it was part of a bigger issue like a DUI or something criminal.

Under contextual analysis and naturalistic inquiry, this statement revealed elements that spoke to the existence of other coded themes, including *compliance* (which, in this case, was voluntary), *individual philosophy*, and *citizen-dependent considerations of variable outcomes*. Their identification and development manifest an objectivity that lends support to quality and credibility while reinforcing the central tenet of trustworthiness, “neutrality” (Lincoln & Guba, 1985, p. 290).

Additionally, the researcher's experience was a valuable tool for contextualizing and determining when enforcement actions were available and when they were not. This began as the researcher observed potential traffic stops (broken windshields, missing license plates, etc.) that helped to quantitatively and qualitatively analyze the participants work activity, and continued through a full analysis of legal, departmental, and industry standards that participants referenced. While the researcher's experience in the field seemed to truly engage the officer's in deeper explanations of their decision-making, the potential for this to be a distraction was also noted in the audit trail. While not evident in

the activity levels of the participants, this admission and reflection demonstrates the transparency and critical analysis required to serve objectivity, validity, reliability, and trustworthiness.

In conjunction with the transparency of methods, the coding process was documented and explained in detail through an *audit trail* that enhances the reliability concerns of consistency and replication (Rudestam & Newton, 2007, p. 113-114). This takes the form of field notes, linked NVivo memos, and the coding protocols listed in Appendix B. During the inductive analysis and interaction between the data and researcher the coding protocols provided standardization, while the number and extent of data examination developed the rigor to reinforce the reliability of the findings (Patton, 2002, p. 127). The qualitative protocol methods of observational, descriptive, and reflective note-taking, and the frequent journal reflections of the researcher provide transparency about the development and analysis of the findings that illuminate the research topic (Creswell, 2009, pp. 181-182).

In further support of the project's reliability, validity, and trustworthiness this project claimed a qualitative depth and detail of the participant experience but also noted the high quantitative sampling threshold representing 50% of the population. Given the depth and detail of the experiential constructs and analysis methods (node/category/theme coding, alignment from question construction to response analysis, etc.) listed above, the internal validity and credibility of the findings do appear to align directly with the research question, and exhibit the qualitative "convincingness" (Stewart, 2011) for revealing the deepest, truest, contextual interpretations of participant responses. This

includes the aforementioned “robustness of measures and constructs” for research design and the reliability of instruments. Given the concrete, triangulating value of the legal and statistical data sources and their direct reflection and comparison with current activity levels, and the addition of the legal updates and department surveys, this project claims a robust depth required to establish confidence in the findings (Stewart, 2011).

The development and use of the coding and theme protocols outlined in the coding protocol sheet provide the transparency necessary for future critiques, and offer the potential for precise or “pure” methodological replication and transferability of this study. While the answers to the questions and their emergent themes may differ, these protocols may be used, or slightly modified as needed, to accommodate diverse communities, geographies, and cultural settings where all of the same instrumentation and forms of analyses apply. Linking “application” and “consistency” as critical elements of trustworthiness (Lincoln & Guba, 1985, p. 290) the methods of this project provided a deep contextual examination of the unique phenomenon of citizen–police relations. Those methods may appropriately reach different conclusions in different places, but exhibit a method of data collection and analysis “transferable to other times, settings, situations, and people” (Cohen & Crabtree, 2008).

Lastly, the project protected against potential conclusion validity errors through the application of the researcher’s experience and the aforementioned triangulation of secondary data sources. The comparative baseline data betrayed no extended periods of unusual call types and, in fact, OIC types corresponded, overall, to previous performance indicators and citizen-survey results. For instance, calls for service and OIC types during

the data collections period (May and June) were similar to the recorded OPD data for the previous four years. May and June represented the 3rd, 4th or 5th busiest months of the year for call volume from 2011-2104 and continued that trend at the time of this project. Similarly, one of the officers that registered the lowest number of OICs (2) in this study was also one of the officers on the lower end of officer-initiated statistics for the previous four years. Likewise, traffic stops have been the largest category of calls for service for the prior four years and were the number one concern cited by citizens in OPD surveys. Traffic stops were also the highest ranking initiated activity category for the entire department and for most officers individually over the prior four years as well. Correspondingly, traffic stops were also the most frequent OIC type recorded by the participants in this study. Excluding the one discrepant case previously described, all the observed OIC levels and types in this study were consistent with prior performance and statistically corresponded to their prior year's activity levels along a high-medium-low activity rate continuum.

The ability to contextualize and compare current levels of activity with prior year's performance gives the data a sense of consistency, standardization, and accuracy that can be then be transferred to the officer's interpretations of those current activities. Having verified the statistical consistency of their actions that consistency may then be transferred, in part, to the internal validity of participants' thoughts about those actions. Demonstrating a history and knowledge of the phenomenon under study, the analysis of the following results are contextualized and supported by the participants' experiential consistency and history engaging in similar interactions.

Results

This project can then begin to make some determinations about the interpretive data provided by the participants. Out of the 45 total OICs, 18 resulted in verbal warnings for violations (40%), 13 were citizen conversations or assists only (29%), and 11 resulted in enforcement actions (24%). In two cases the officer took down an information-only or field interrogation report (4%) and one case resulted in no action after it was determined to be unfounded (2%). Of the 29 OICs where enforcement action was a legal and viable option, 18 were verbal warnings (62%) while 11 resulted in some form of enforcement action (38%). Traffic violations represented 82% of enforcement actions, and only 4 of the 45 OICs were resolved at the maximum enforcement level (9%). 28 of the 45 contacts were described by the participants as generally positive (62%), 14 were described as neutral (31%) and 3 were described in a negative tone (7%).

Responses to RQ1, RQ2, and RQ3 were derived from the process of analysis described in the previous section. The answers were inductively generated from the identification, merging, contrast and comparison, and coding of similar concepts into categories and themes that aligned with the progression of each question. This was represented in the synthesis of NVivo 10 nodes described above, and through frequent consultation with audio and transcription files. The coding protocol sheet in Appendix B delineates the sequential order and alignment of coding and analysis for the concepts, categories, and themes that address each research questions, respectively:

- 1) RQ1 is addressed by the Discretionary Reasons node for officer decisions.
- 2) RQ2 is addressed by comparing and contrasting the Discretionary Reasons node with the Enforcement Action node.
- 3) RQ3 is addressed by comparing and contrasting the results of steps 1 and 2 with objective and observable outcomes in the Researcher's Observational and Reflective Notes node.

RQ1

Using these protocols and methods, each of the research questions were specifically aligned with interview questions and the codes and categories formed by their respective responses. RQ1 was answered directly by Q7 (and indirectly by Q5) which asked police officers to describe the factors that contributed to their decisions for OIC outcomes. These responses are represented visually in Figure 2 and Table 6.

RQ1: Other than legal mandates, what factors (situational, environmental, attitudinal, etc.) do officers claim impact their decision making process.

RQ1 is addressed by participant comments in both unique and recurring thoughts expressed throughout the data collection process. Encompassing 107 references over the 45 source OICs, there were 16 different discretionary reasons identified by the participants. Of these, 2 categories are excluded as the legal exceptions exempted per RQ1 parameters, leaving 14 discretionary reasons stated by officers that answer this research query. Figure 2 illustrates the major discretionary categories stated by the participants.

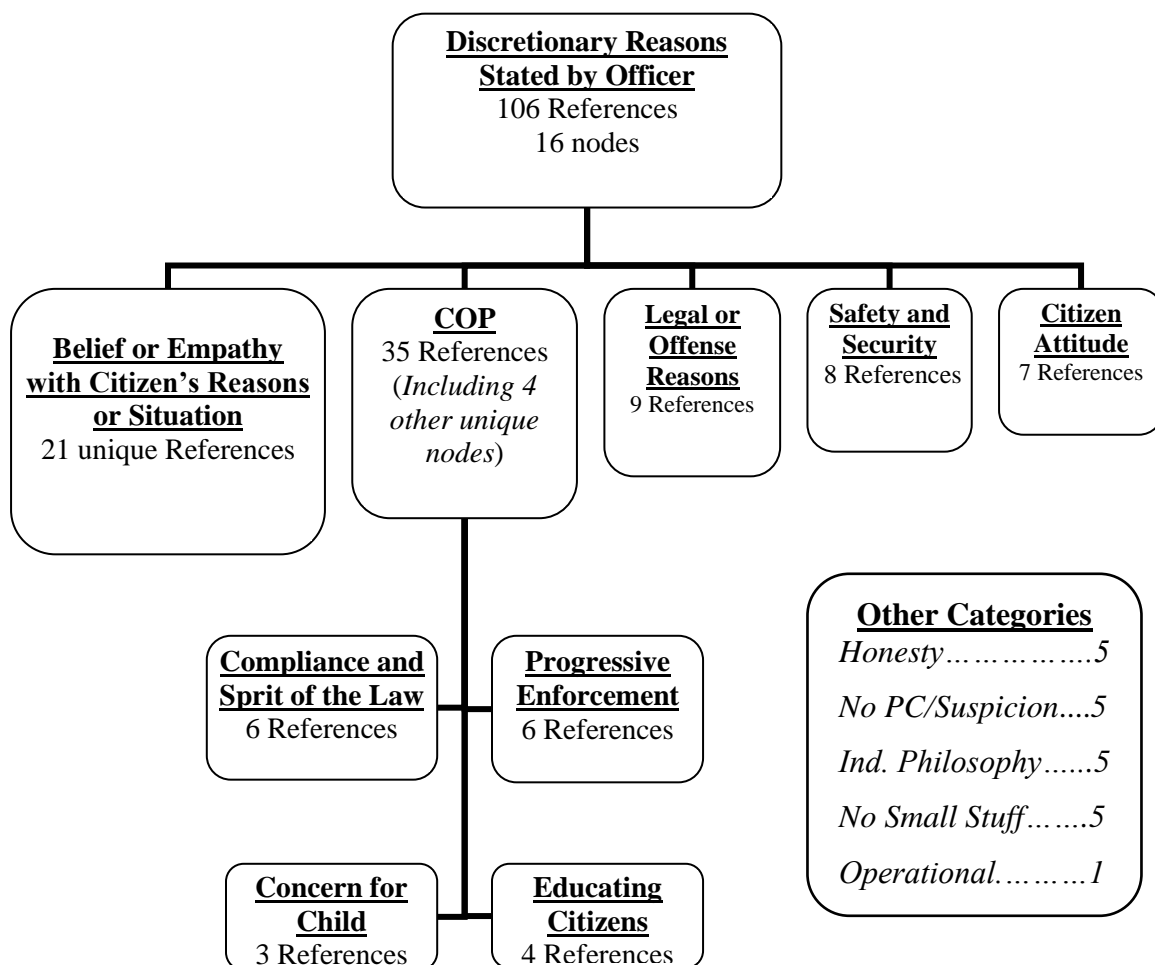


Figure 2. Categories of discretionary reasons stated by officers.

Many of the following references give precise normative context to the procedural justice concept of *discretion* that is operationalized in the literature by Tasdoven and Kapucu (2013) as *responsiveness*. These specific and contextual participant interpretations can provide a new approach and insight for recognizing, categorizing, and analyzing the theoretical precepts of procedural justice theory. As actualized by the officers themselves, a combination of the four procedural justice tenets mentioned in

Chapter 2 (neutral decision-making, trustworthy motives, citizen voice/participation, and treatment with dignity and respect) will be parenthetically identified where they were coded in this study. Expanded parameters and definitions of all 16 Discretionary Reasons nodes are provided in Table 6.

The most frequent single reason that officers stated for their discretionary decision was a *belief or empathy with citizen's reasons or situation* for the OIC violation. This category is listed second in Table 6, but is referenced 21 times in a single node and included: empathy for citizen's financial concerns, public embarrassment, professional considerations, and a general understanding of the situation in which the citizens found themselves. *Belief or empathy with citizen's reasons or situation* also included cases where officers generally believed the rationale for the offense offered by the citizen. In one case, a citizen was stopped for expired registration, but seemed to have completed the necessary steps to gain compliance after recently purchasing the vehicle. The officer decided not to cite for the violation stating, "I took her word for it. I believe she did not realize...the circumstances of her violation" (neutral decision-making, citizen voice/participation). Another officer came upon a car stuck on a curb after a non-injury accident where the subject tried to "drift" his car around a corner in an empty area of the city late at night. After providing for the safety of potential traffic flow and determining there was no criminal activity afoot, this officer also determined that enforcement action was not required. Considering the weight of the sanction incumbent in the driver's own financial loss, the officer also recalled that "I have been young and I threw a drive line

out on a car before messing around, so I can empathize with that” (neutral decision-making, trustworthy motives).

In another case, an officer opted for a verbal warning when a citizen rolled through a stop sign, stating that the citizen’s work exigencies and explanation (neutral decision-making, citizen voice/participation, treatment with dignity and respect) played a critical part in the application of discretion:

Well he understood what he did. He had all of his proper paperwork. His reasoning for why it probably happened was consistent. He was trying to get to work...and I think he understood the compliance that is needed without having to have that citation issued.

This officer also factored the subject’s attitude and demeanor into his final decision to warn, noting that citizen attitude and demeanor informs, but does not determine, his discretionary decisions (neutral decision-making, trustworthy motives). Contrasting these answers, he confided that the citizen’s attitude had “a significant impact” on the outcome and that after explaining the stop-sign violation to the subject “he was understanding... he didn’t give any heartache.” This meant that the subject was receptive to guidance on traffic laws and “had a really good demeanor and it kind of helps make the decision if he willfully did it or it’s just kind of one of those mistakes that happen.” This statement reveals that attitude and demeanor may be used to interpret compliance levels from citizens and impact discretionary decisions to some degree. It also expands on the theoretical foundations of procedural justice theory by infusing the citizen’s voice and participation into the operational and interpretive responses of police officers’

discretionary decision making processes in the field. The officer describing the absence of “heartache” in positive terms and context also reveals the interactivity of citizen and officer behavioral-attitudinal characteristics. Such statements were the genesis of the *citizen-dependent considerations of variable outcomes* theme and the development of an interactivity of relations paradigm encompassing social contract, procedural justice, and community policing theories.

There were 7 such references in all of the interviews that described citizen attitude as a discretionary consideration of an officers’ decision making process. As demonstrated by the quotation provided in Table 6, none of these were negative or resulted in higher levels of enforcement due to the citizen’s attitude. In fact, in all seven of these cases citizen attitude and demeanor was mentioned as a secondary or contributing factor to the decision or as an overall indicator of the officer’s sense of positivity about the stop. As indicated in this statement regarding one citizen’s attitude:

It resulted in her not getting a citation. So the circumstance of her violation in addition to she was polite and explained the circumstances of her recently purchasing the car led to her not getting a citation.

Recall from Chapter 2, Johnson’s (2010) quantitative finding that “officer attitudes...have a statistically and substantively significant influence on officer behavior” (pp. 302-303). This is a general and axiomatic statement, without precise prescriptive value for how those attitudes are impacting specific OICs. Current procedural justice theory research also suggests more specific and contextualized examination of the “variability” of OICs and the participants (Jonathan-Zamir, Mastrofski, & Moyal, 2013,

p. 20; Schuck & Martin, 2013, pp. 232-234). In addition to the theoretical applications for procedural justice, the qualitative statements provided herein offer normative and prescriptive value by demonstrating the exact context and interpretive paradigms upon which those attitudes are forming and interacting. Moving beyond the broad concept that our attitudes impact our actions, these case examples illustrate how officers perceive and interpret citizen behaviors as well.

In another example, the officer was called back to the police station by supervisors while conducting a traffic stop for throwing a lit cigarette butt out of the window. Citing the operational callback as the primary reason (see this statement in Table 6), the citizen's attitude also impacted his decision "a little bit" because "in attempting to gain compliance she was apologetic and told me repeatedly that she was going to purchase an ashtray or keep her cigarette butts." Here again elements of citizen-dependent actions and compliance converged with aspects of neutral decision-making and citizen voice/participation.

And that opportunity for citizen participation in the outcome of OICs was directly stated by one officer describing a man who "talked himself out of a ticket." While still adhering to the procedurally just elements of neutral decision-making and trustworthy motives, the officer qualified this statement with the amendment that police are not supposed to write "attitude tickets." Additionally, the final decision was mostly based on the aforementioned presence of empathy:

Since we pulled him over in the parking lot of the business that he works, and as his fellow employees were hootin and hollering at him that he was getting

stopped by the police in the parking lot I decided that the raft that would catch from his employees would be worse than me giving him a ticket. Because I think one of them was his boss also.

Statements like this also contain elements of discretionary considerations that segue to the next largest discretionary category; reasons cited by officers that correspond with *community oriented policing (COP)*. As illustrated in Figure 2, *COP* statements were aggregated from 35 separate references containing 4 other unique child nodes.

Some of the participant statements describing contacts are quite clearly *COP* related:

Good public relations. See us talking with her and just everybody at the car show seeing us, not so much in it but, there socializing. Good PR for the store also and with us.

Other comments displayed *COP* principles through the officers' decision to not only forgo enforcement actions, but to avoid any big-picture community conflict or to improve public relations. In one case this applied to a known drug dealer:

I just wanted to keep the contact positive and not be so police oriented this time around looking for bad guys. Just kind of a 'high, how you doing' type of contact. It's good to do that with people that we see often because those relationships can pay dividends in the future.

This demonstrated a larger view of the role of law-enforcement, and how that role impacts the future of the community. Another case included both communal and cultural concerns when a young Hispanic male was cited for driving on a suspended license.

When asked why the officer chose not to impound the young man's vehicle, the officer

stated that “it would have created an issue where an issue didn’t need to be created, especially with the family” right there watching from the yard (neutral decision-making, trustworthy motives, citizen, treatment with dignity and respect).

Similarly, one officer cited the value of individual and community relationships, and the need for “building a positive contact” by taking the “really important risk” of getting out of the patrol car and talking to people as a method of outreach and collaboration (see the Table 6 example). The assumptive risk involved is that citizens may or may not be receptive to casual conversations with police, posing a challenge that must be embraced to engage all stakeholder groups.

Compassionately managing issues with homeless individuals (in homeless camps adjacent to the city) was another reference coded under *COP*. After electing not to cite a homeless individual for panhandling in the center median of a street, one officer stated that the decision to warn was intended to “show a little compassion for the homeless.” And by suggesting the sidewalk as a more amenable location for such activities, this compromise would reconcile traffic safety concerns but also “let them earn their living” (neutral decision-making, trustworthy motives, and treatment with dignity and respect).

Theoretically related to *COP*, the theme of *compliance* or seeking “voluntary compliance” emerged as a nexus between the precepts of social contract, *COP*, and procedural justice, and the operational practice and action of police work. As defined in this project, and by the participants, *compliance* also provides theoretical alignment with social contracts theory because it refers to the manifestation of the tacit agreement and power-sharing structure of the citizen-state relationship (Jos, 2006; Levy, 2009). Like

COP, *compliance* is coded to its own thematic node, but also found a home as a child node of *COP* in *discretionary reasons* when it was used as a concrete application for adherence to the rules, laws and regulations agreed upon by society. The process and action of achieving adherence to those norms through democratically derived means is the catalyst for the *spirit of the law* phrase that compliance efforts seek to produce. Likewise, *compliance and spirit of the law* (6 references), *progressive enforcement* (6 references), and *educating citizens* (4 references), were all placed as child nodes under *COP* in *discretionary reasons*. As one officer summed up:

There are certain situations where a citation is going to make the situation worse. Sometimes it's just more appropriate to talk with them and you can get compliance that way versus citing them and making them have a bitter taste. They think the police are just out to write tickets, where if you give someone a break or not give them a citation and you take the time to educate them, that compliance goes a lot further.

Yet, to respect and interpret the will of the people, through their democratically shaped rules and institutions, enforcement action is occasionally required:

On the flip side of that, there are people that giving them a warning isn't going to correct the problem just because they constantly violate the traffic laws. So it's just one of those things where the color of the law and the spirit of the law, you gotta look at the totality of the circumstances and see what is the best option.

Concern for a child was another *COP*-linked context stated by officers as a reason to avoid maximum enforcement in some situations, usually pertaining to the legally justified

impounding of vehicles. In the case of one driver who was caught driving with no insurance:

I explained to him that the reasons I wasn't towing the vehicle now was that he had a small child in the car and I didn't want to hassle the child or make them carry the child somewhere.

And in one case for a suspended license:

And I chose not to impound the car since he had two small children with him. Didn't want to leave them out stranded since the closest ride was coming from [a distance away].

The presence of sleeping children was also given as a reason not to search the car of known drug users suspected in a theft ring:

I am not going to basically disturb the kid who is sleeping at 11:30 at night.

Finally, *discretionary reasons* also included concerns over *safety and security* (8 references), and *individual philosophy* (5 references). Under the *honesty* and *dishonesty* categories, citizens telling the truth impacted 5 cases while one citizen found to be untruthful affected a 6th case. In 5 cases officers terminated an OIC and took no actions due to *no further suspicion*. Table 6 depicts each of these categories and also shows the number of references in each discretionary category, along with the operational definition for the node encompassing the category in NVivo 10, and a brief, contextualized statement example for each.

Table 6

Reasons for Discretionary Decisions Stated by the Officers

Discretionary Reason	# of Ref.	Operational/Node Definition	Example Statement
Community Oriented Policing Concern for Child Progressive Enforcement	35	The officer cited a COP related reason for determining the OIC outcome.	Building on the whole community policing aspect...it can reinforce that positive interaction with the police.
Belief or Empathy with Citizen's Reasons or Situation	24	The officer cited belief in citizens' explanations or empathy with the circumstances surrounding or leading to the violation.	I took her word for it...she did not realize...the circumstances of her violation.
Legal and Offense Reasons	9	The officer cited the law or nature of the offense as a reason for the decision.	Had he not had a warrant he was getting picked up by a friend...but he had a warrant so I had to take him.
Safety and Security	8	The officer cited concern for individual or public safety and security.	Just keep them safe and keep people from running into them.
Citizen Attitude	7	The officer cited citizen's attitude and demeanor as a reason for the decision.	My decision to stop him was based off of the initial observation of his driving and from there I was using my interaction with him and just his receptiveness to receiving correction.
Honesty/Not Honest	6	The officer claimed the citizen's honesty or dishonesty impacted the decision.	If you can get compliance...and people are genuine and...honest with me up front, a lot of times you are not going to get a ticket.
No PC/Suspicion	5	The officer cited a lack of probable cause or suspicion for further enforcement options.	I guess the only other thing that contributed is not finding any narcotics or any probable cause of a crime.
Individual Philosophy	5	An officer stated an individual preference or philosophy behind their decision-making.	I went it knowing that I don't issue too many equipment violation tickets.
No Small Stuff	5	The officer expressed a desire to avoid small violations.	There was no criminal activity it was all ordinance violation.
Operational Reasons	1	Operational concerns cited as impacting contact outcome.	The sergeant called me back to the station, that would be kind of the primary one.

RQ1 therefore was addressed by several different specific and thematic discretionary reasons, beyond legal mandates, that were offered as cause for OIC outcomes. It should be noted however that while the data describing these reasons is detailed, full, and demonstrated recurrence, the infinite multitude of reasons for discretionary policing decisions is as diverse as the interactive multiplicity of police, citizens, and the situations in which these decisions are formed. There is no scientific study that can capture every potentiality and eventuality yet to occur. But these categories and themes offer a solid foundation for continued analysis, and a strong normative baseline for some of the most frequent OIC types. Having established the participants' responses to RQ1, the inquiry proceeds to an analysis of which discretionary reasons may correspond more frequently to enforcement actions.

RQ2

This leads into RQ2, which is an inductively narrower question to answer, and inquires which of the preceding reasons occurred more frequently during the 11 contacts that resulted in discretionary enforcement action.

RQ2: Do any of the items identified in RQ1 occur more frequently during contacts that result in discretionary, traditional enforcement action (arrest, ticket, etc.)?

To answer this question, the *discretionary reasons* node was compared to the 11 references in the *enforcement action* node. During a constant comparison of the officers' references that appeared in these nodes, certain persistent discretionary variables were observed. Notably, in the OICs where enforcement actions were taken a recurring theme was observed involving citizens presenting previous or compounding violations. In the

statements of many officers, the appearance of these variables violated the aforementioned concepts of *compliance* and *progressive enforcement*. A relationship was established in NVivo 10 to examine the interaction between officers' *discretionary reasons* and their *enforcement actions*. This revealed that a subject's previous violations impacted the decision to take enforcement actions in 7 of the 11 cases (64%). Also, the presence of multiple violations in the current contact impacted the officers' decisions to enforce in 6 of the cases (55%). Taken together these were strong indicators of discretionary enforcement action. Previous and multiple violations were also occasionally used in conjunction with the contributing factors of *COP*, *personal philosophy*, or public safety concerns (e.g. "unsafe driving").

Based on the presence of the *compliance* and *progressive enforcement* themes throughout the *discretionary reasons* category, and the corresponding presence of previous and multiple violations in enforcement cases, these themes represent a non-statutory, discretionary enforcement scale perpetuated by the goal of compliance. As shown in Figure 3, a continuum on enforcement emerged that reveals a general trend towards higher enforcement levels as the presence of previous and multiple violations increases.

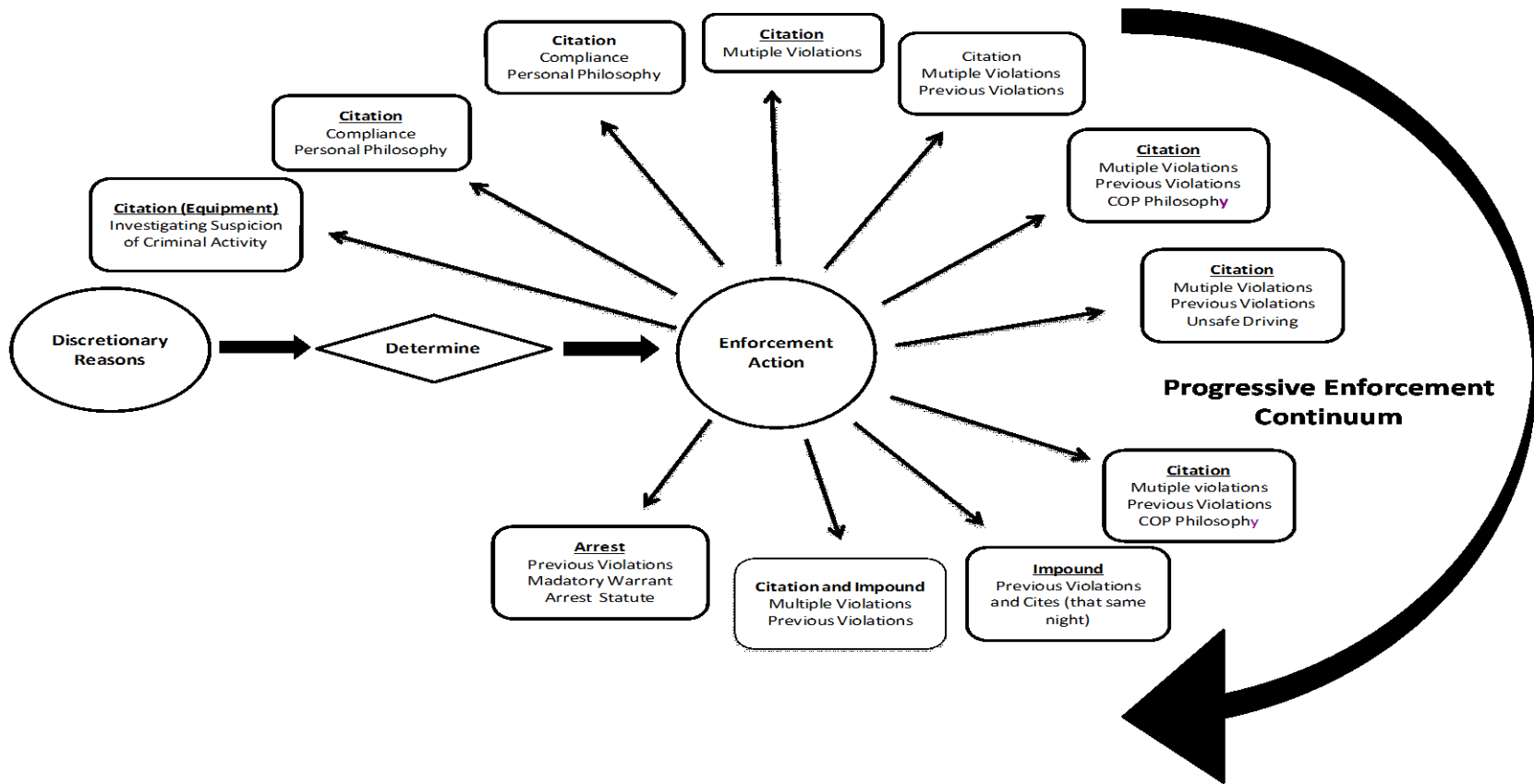


Figure 3. Progressive enforcement continuum

The subtle articulation of this discretionary continuum for police enforcement authority was contrasted in two statements. In the first, the officer declined enforcement for a misdemeanor offense stating, “Generally I don’t cite people for trespassing unless it is a repeat offense.” But for a traffic violation, enforcement action was taken when it was discovered that “she had already been cited for driving uninsured but she chose to drive anyway.” Here again the tangible and normative manifestation of social contractualism is observed through the role compliance plays in the application of legal and criminal enforcement actions. This illustrates the real-world application of a democratically and legislatively approved set of regulations applied in concordance with the will of the governed and through their tacit consent and active agreement within the *spirit of the law* mantra. Also notable here is the presence of enforcement action when there are contractual-compliance violations that might negatively impact other stakeholders (unsafe speed, no insurance).

But to fully report upon the contractually or procedurally just motivations and actions described by the officers, this study purported to examine the objective and environmental factors that surrounded the OICs. In an attempt to further contextualize, and to some degree confirm, the veracity of the participants’ interpretations of their own actions, the final research question for this project examines the objective observations of the environment in which the decisions in RQ1 and RQ2 were made.

RQ3

For this purpose, RQ3 inquires after the consistency of officers' enforcement actions; between their own interpretations of discretionary reasons and the contextual and objective observations completed during the study. Where these actions consistent with policy and state statute? Were they consistent with the researcher's experience and recordings of the environment? Were they consistent with the participants' prior performance levels? These distinct data points all provided foundational queries as a means of analyses for answering RQ3.

RQ3: Of those items identified in RQ1 and RQ2, do those interpretations correspond to contextually objective observations of themes identified in RQ1?

RQ3 was answered in the affirmative, but with the following context. None of the officers were found to engage in any extra-legal, fictitious, or erroneous application of the law. Each of the items identified and analyzed in RQ1 and RQ2 above are demonstrable in the objective observations collected for this study. In addition, the presence of the phrase "compliance," particularly as it pertains to traffic violations, infractions, or quality of life issues, was discovered to be a direct policy statement from the OPD Traffic Policy Section 5.13. The policy states that the "enforcement of traffic laws and ordinances is a basic responsibility of the department. The primary objective is to achieve voluntary compliance by all motorists and pedestrians and to reduce violations."

As noted by more than one officer, police authority is extremely autonomous, within definable legal patterns, and is applied through individual decisions determined by the officer's themselves. Therefore, the adoption of the "compliance" language and philosophy is still a uniquely individual choice and must be understood in that capacity to interpret these results, and maximize opportunities for growth or proposed reform. This will be revisited in Chapter 5 for its policy implications, but demonstrates a static variable of the objective contextual environmental upon which discretionary decisions can be compared and confirmed.

The presence of the phrase "educating citizens" is also a guideline of OPD policy, advising that the intent of traffic enforcement "is to educate the public regarding traffic regulation....giving ample notices and warnings." This directive was statistically supported by the individual and overall enforcement rates in the OPD Patrol Statistic averages for 2014 where a 66% warning rate for traffic stops was observed. Both of these facts align with, and support, the objective environment from which the actions and decisions of the sample were derived for purposes of RQ3.

As confirmed by the OPD Patrol Statistics, the validity of the sample is also supported and linked to RQ3 by providing objective performance levels for the type of OICs included in this study. In all cases, the sample conforms to prior data for total annual traffic stops, citizen contacts, parkers, etc. The only exception to this is the one discrepant case previously described which was

adjusted for with a second ride-along to maximize the sample and provide adequate representation of that officer's usual work rate.

Discrepant Cases Findings

As a discrepant case, there was a warrant arrest added to this study which revealed both a *personal philosophy* and the legal mandate to arrest when it was handled between two officers. This case was included for its perspective on the reconciliation of a non-discretionary enforcement mandate and the application of discretion. In this case, it was a relatively minor warrant that the responding officer to the CFS chose not to enforce, but the secondary officer did. The interesting contextual difference here is that listed under *Oregon Criminal Code*, Sect. 133.140 is a "command" to "any police officer...to arrest the person for whom the warrant was issued and bring the person before the magistrate." This section seems compelling, but it does lack the strongest legal and textual directive, "shall," that is present in other legal texts, OPD policies, and state statutes for domestic violence offenses and restraining order violations (Oregon State Legislature, 2014). The subject in this case was also recently discharged from a drug addiction program, and had recent previous public intoxication contacts with the police. Objectively then, neither decision was purely or exclusively "right" or "wrong," but they demonstrate the contrasting application of discretionary reasons in the same situation, and the variety of potential responses to the vast uniqueness of each case.

As functional call takers as well as first line supervisors, the two supervisor cases registered no divergent, disconfirming, or discrepant data for this section at the officer or case level. The same can be said for the second ride-along with the same officer, which added further depth to the results already discussed. However, the specialized position case did provide some greater depth of information related to COP and diversity issues. This one case offered some extensive thoughts on outreach to the Hispanic community and the need for relationship building, in a broader philosophical sense.

I always try to say hi to as many people as I can in passing. I think that is a really important opportunity that police need to take advantage of...so, acknowledging the relationship and the respect that we have for each other.

While speaking to general public-police relational challenges and of overcoming some of the difficult cultural barriers that exist with the Hispanic community, a “humanistic” relationship was suggested. The officer said, “You have to find opportunities to break bread together...but there have to be these [professional] barriers and it’s a tricky balance.”

Other Findings

Figure 4 provides a visual breakdown of how frequently enforcement actions were taken by officers. It also illustrates how often enforcement actions were taken in all OICs combined, and provides a separate ratio showing only the OICs in which enforcement actions were a legally available option. Enforcement

and maximum enforcement viability for all violations present in each OIC were confirmed by the researcher through the *Oregon Criminal Code*, OPD policy, objective observations, and interviews with the participants. Overall the sample for this study registered a 24% Initiated Activity Enforcement Rate (IAER) for all 45 OICs and a 38% IAER for OICs where enforcement options were legally applicable. Officers applied all maximum enforcement options available in 9% of all OICs and in 14% of the OICs where enforcement options were legally available (see Figure 4). These numbers are heavily weighted toward traffic stops which is consistent with the statistical examination of OPD policing activities (Patrol Statistics 2011-2014), public expectations (chief of OPD, personal communication, June 16th, 2015), and national policing data (Eith & Durose, 2011, p. 2).

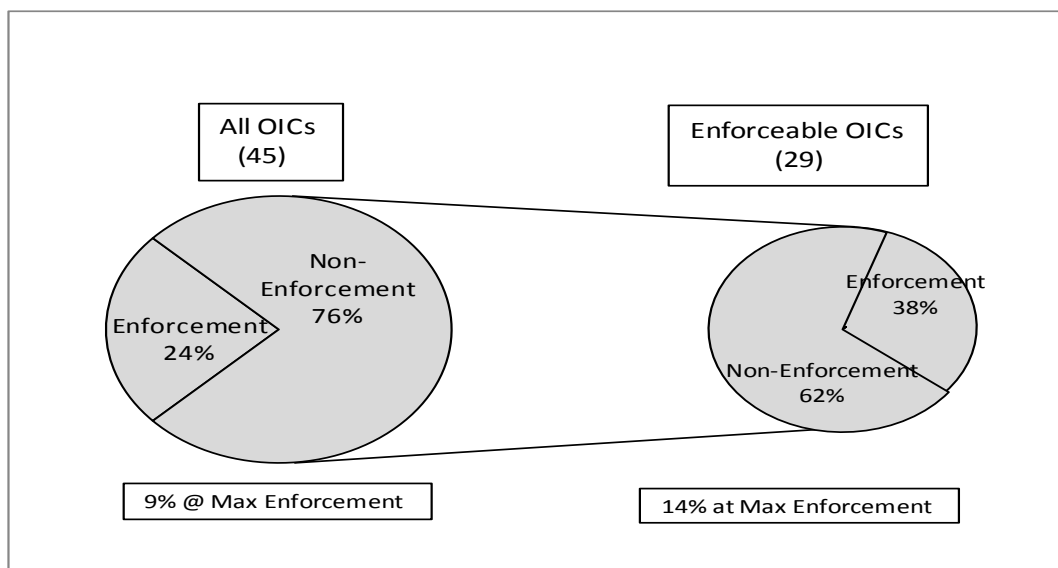


Figure 4. Ratio of initiated activity enforcement and maximum enforcement rates.

Although the 62% positive rating for OICs corresponds to the verbal warning rate, some contacts that rated positively ended in the citizen being cited, while other contacts where the officers did not cite, or only engaged in conversation, were rated negatively. This supports the need to contextualize citizen–police contacts and the action/attitude-dependency theme developed in this study. It also suggests that citizen–police contacts are not entirely determined and characterized by enforcement actions, at least according to the officer. Even after issuing a seatbelt ticket, one officer described this positive exchange: When I explained to him why I stopped him...he seemed to agree with me...seemed to know that was why I was coming to talk to him...Even though he got a ticket I would say that it was a very positive contact. Even though he got a ticket he has a good view of...law enforcement at this point still hopefully, I would think.

Researcher Observations

The researcher originally intended to create sub-headers in this section of both “officer” and “case” level findings. After the data analysis, these distinctions all but disappeared, prompting the merged analysis provided. For instance, consistent with other previous studies on law enforcement performance (Katz & Walker, 2012, pp. 133-134, 173-174) there were no observable differences for demographic like age or education level. Some comparative and experienced reflections on the process of analysis did reveal other notable findings worthy for this report. One was the presence of an ethical paradigm that frequently flavored

the officers' approach to their duty and the use of police powers. While reflecting on decision making in law enforcement, one officer stated, "I don't want to work with unethical cops," which is the ideal that both society and forwarding thinking police department's endeavor to meet. Having completing this project, the researcher is left to ponder what results would emerge if the methods of this study were applied to populations of other more diverse areas.

As the data began to merge into interpretive themes the related concepts, expressions, and theoretical foundations for the nodes representing *procedural justice, community oriented policing, social contract, and citizen-dependent considerations of variable outcomes* all began to demonstrate forms related to one another. The repetition and consistency of these terms were formed into one interactive hierarchy and theoretical paradigm of citizen police contacts entitled *Contractually Just Policing (CJP)*. In order of foundational necessity, this term reinforces the basic but essential democratic underpinnings of contractually founded societies as its opening and literal descriptor. This is followed by the socially and procedurally just concepts that entail the diverse and accountable challenges of police work within a society so derived. It closes with a collaborative focus on the specific communities and neighborhoods that comprise the stakeholder set. The very term, CJP, works from the broad to the specific, and each word of the term must be understood as a foundational element of the next. This concept is addressed further in the theoretical implication and application section of Chapter 5.

Summary

The results of this study revealed several specific concepts and overarching themes that address the research questions and provide new insights about the officer interpretive experience of citizen contacts. A variety of citizen-contingent and compliance based discretionary reasons appear to effect the outcome and decisions made during OICs with citizens. Enforcement options are most frequently selected when the consistent themes of previous and multiple violations are present, or when contractual-compliance violations might impact other stakeholders (unsafe speed, no insurance). Even in the few cases where extraneous factors impacted outcomes, the themes of compliance and citizen-contingent actions and words appear to dominate the outcomes. This project and its results are shaped through the theoretical lenses of social contract and procedural justice theories, but the methodology used to collect and interpret these results may provide a format and formula that can be duplicated in future examinations of citizen-police relations. The following chapter will describe how the interpretations of these findings may be used to inform future research, including methodological and theoretical applications. Chapter 5 will also explore the potential for these results to shape public safety policy and offer suggestions for the promotion of positive social change.

Chapter 5: Reflections, Conclusions, and Recommendations

Introduction

This study began an examination of the police officer's interpretive experience of citizen contacts through an experiential analysis of OICs. The aim was to provide a link between the extant literature and current understanding of the phenomenon; follow-up research can continue to collectively improve this crucial component of public-police relations and social harmony. Given the findings, as described above, the hope is that this project might provide some analytical and methodological guidance to future studies, while also providing (a) some empirical data that may inform public safety policy and (b) individual and collective understanding of citizen-police relations. The ultimate goal was social harmony and health, for both the sample population and for other communities.

Interpretation of the Findings

Connections to the Literature

The findings revealed that officers consider specific contextual and environmental factors in their process of decision making for citizen contacts. Among these factors, a consideration for the individual circumstances of each case contributed to enforcement action and non-enforcement actions. Where enforcement action was taken, it corresponded most frequently to the citizen-dependent presence of prior violations or multiple violations. This appeared to be motivated by a priority for gaining compliance, not a pre-determined or exclusive intent to apply traditional enforcement measures. Rather, the officer's use of

discretion in enforcement situations appeared to be used as a means of managing the spirit of the law philosophy and the dictates and parameters of the social contract. In most cases, discretionary decisions resulted in verbal warnings or partial enforcement. In these cases, a premium was placed on consideration of the citizen's circumstances, explanations, prior violations, and a desire to balance positive relations with contractual obligations.

During the analysis of the findings, the operational categories of procedural justice terms from Chapter 2 (neutral decision-making, trustworthy motives, citizen voice/participation, and treatment with dignity and respect) proved to be a valuable starting point for examining officer interpretations. Providing a broad social and theoretical perspective, the extant literature established these four concepts as an amalgamation of quantitatively derived concepts for citizen–police relations. This study did not find fault with those concepts generally, but these findings do suggest that deeper contextualization is required to reveal the essence of a much wider range of concepts and their usage. Though the four concepts of procedural justice have recently taken operational shape and form, any methodological and theoretical paradigms about how people feel should contain their own interpretive constructs, and accommodate more than five to seven scaled and confined terms. This study expanded on that method of inquiry.

For example, the participants' own interpretations of these terms revealed root causes that underlie the four generalized categories. This included the

foundational necessity of compliance with contractual terms, and the extension of procedurally just concerns to other non-present citizens' (dignity and respect, etc.) when determining discretionary decisions. So officers exhibited actions and perceptions that fit well within the established four categories, but they also expanded their use beyond the individual contact to include other stakeholders that were not present. Wentz and Schlimgen (2011) noted that anecdotal stories from friends and family may shape individual opinions about the legitimacy of law enforcement authority. The results of this study also supported the impact of third-person considerations on citizen–police relations, but from a different perspective. Where citizens may only be integrating individual OIC outcomes in their perceptual constructions, officers appear to be interpreting a broader role for the use of their discretionary powers as a justification that may conflict with the former. This divergence appears to be an area where great improvements and reconciliations can be accomplished once uniform terms are reestablished.

To its own small degree, this project begins that attempt by assuming the task established in recent research on procedural justice to examine citizen–police contacts in greater detail, and to include the voice of the participants (Jonathan-Zamir, Mastrofski, & Moyal, 2013; Schuck & Martin, 2013). Recall the work of Cheurprakobkit & Bartsch (2001) which found that “professional police conduct” was the most highly valued attribute of police in their quantitative survey of citizens. To achieve that conduct, the pre-determined options of “respect,” “honesty,” and “integrity” were ranked very highly. These are sound but fixed

terms that found forms of expression from the point of view of the officer's in this study as well. However, these prior terms possessed no context or interpretive definition for attitudinal and interactive variables. Nor were definitions of respect, honesty, and integrity applied to environmental situations, or reconciled for varying meanings and applications. Where terms were operationalized in the literature ("fairness" and "legitimacy" according to Schuck & Martin, 2013; "illegitimate stop" and "racial profiling" according to Gau, 2010), they were suggested by the researchers with little contextual, environmental, or legal support for objectivity. Perceptual value is an undeniably important component of public-police relations. But one might also add that a focus on conflicting or incorrect perceptions is not the absolute value science can bestow upon this opportunity for positive social change. The contextualization of OICs and the addition of objective data points for contrast and comparison were valuable additions to the body of research on social contract and procedural justice that attempt to develop more productive and collaborative relationships.

The use of legal and departmental texts and officer and department performance data to provide that objective context (rather than the assumptive interpretations of visiting interpreters of the phenomenon under study) added a depth and accuracy that suggests a move towards more community-centric observations of citizen-police relations. Having established broad procedural justice parameters, one of the gaps in the literature appeared to be the attempt to transfer concepts and results from one unique community to another. The results

of the current research add to that field of study by theoretically and methodologically suggesting the unique interpretive variables of OICs as the foci of citizen–police relations and the primary unit of analysis and measurement.

Specifically, to measure the rate at which the officers OIC decisions were made, the Initiated Activity Enforcement Rate (IAER) was created and appears to be a useful tool. The IAER not only measures the frequency of enforcement, but illustrates the spectrum and levels of enforcement. Heretofore, the literature has relied upon the quantitative analysis of static data without the benefit of the aforementioned tools for contextualizing the events. The IAER adds a new measurement to the body of research constructed by means of contextual variables that complete the individual and environmental mosaic required for any comprehensive analyses of an officer’s decisions and actions. In short, the raw data accumulated from OICs reflect only part of the experience. Only through a process of experiential contextualization can enforcement actions be examined, judged, and properly amended where it is deemed necessary.

This research adds that dimension to literature, filtering interpretations and reasonable standards for each situation through empirical measures of the environments in which they occurred. The IAER also adds an apparent means of measuring social contract and procedural justice concepts expressed in the theoretical framework for this study through a precise representation of how often police use enforcement actions in OICs. Both of those theoretical frameworks offered guidance and growth for the methods and findings of this project and

combine to further advance development on social theory. Theoretical foundations for law and order, citizen and state, have existed for millennia and continue to offer instructive improvements on models and principles of justice, equality, and governance.

Connections to the Theoretical Frameworks

The means of perfecting the contractual terms and achieving idyllic relations between citizens and the state are not new concepts. In his classical description of the ideal “guardians” of the ideal city, Plato (trans. 2004) claims society must select its domestic defender of the peace by discovering “which of them are best at safeguarding within themselves the conviction that they must always do what is best for the city” (412c:5-7). He admits that this is not always an easy process given the need for a combined existence of a selfless, gentle demeanor with a spirited, strong, and courageous individual nature that has the capacity for violence in protection of that city. Locke warns against usurpations of the powers that have been invested in those guardians by the consent of the governed for the express purpose of executing and enforcing their duly enacted laws:

For whatever violence is used, and injury done, though by hands appointed to administer justice, it is still violence and injury, however colored with the name, pretences, or forms of law, the end whereof being to protect and redress the innocent, by an unbiased application of it, to all who are under it. (p. 180)

Procedural justice theories have expanded on social contractualism, focusing specifically on the citizen–police relationship of power distributions and terms of enforcement through the lens of police legitimacy and public acceptance of police authority. The findings of this project add a small but specific addition to the expression of these theoretical concepts upon which society and social arrangements are founded. This is achieved by examining the protection of individual rights as collectively determined by the protected and constructed daily through the interactivity of citizen actions, officer interpretations, environmental factors, and statutory mandates that are elemental components of the social contract. These elements may be honed and refined by procedurally just principles, and realized through community-oriented actions and words.

To contain this process of social order, the term *Contractually Just Policing* (CJP) emerged from a synthesis of theoretical foundation and emergent interpretations and actions that demonstrate how those themes are practiced by the individuals vested with the power of enforcement. Illustrated in Figure 5, CJP moves through all three theoretical paradigms from the general to the specific, burrowing down from the uniqueness of the American system of democracy (social contract), to the uniqueness of each community (COP), and finally to the invariable inimitability of each contact (procedural justice) between the two unique actors (CJP). For police agencies, the terms *contact-based policing* might also be used.

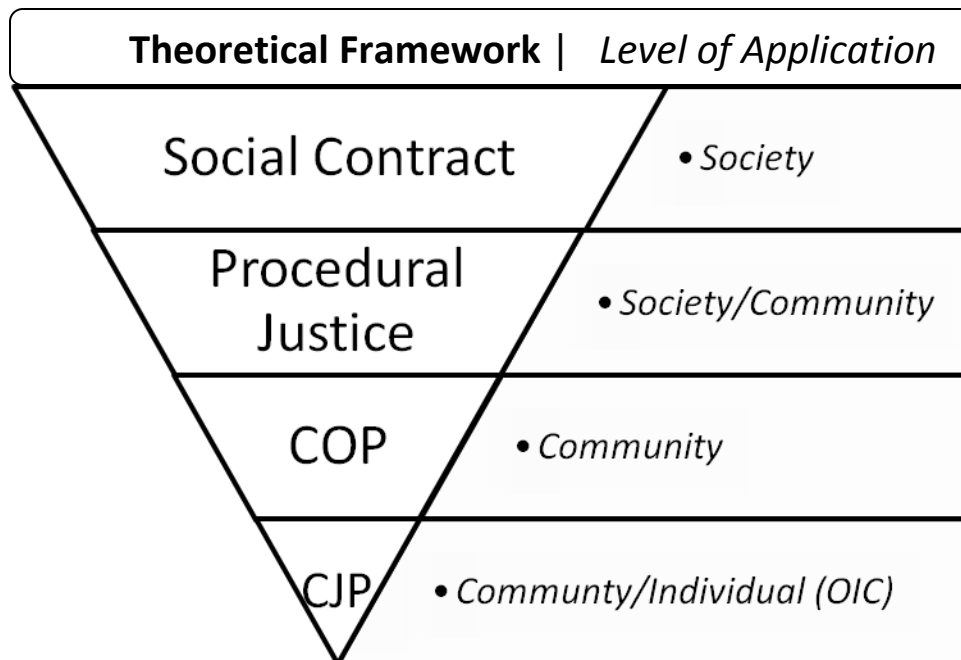


Figure 5. Contractually just policing and the hierarchy of theoretical frameworks.

But theories are only actualized through actions and policies. CJP attempts to blend these classical foundational concepts of social order and make them modern, by expressing the need to re-infuse public safety policy decisions with an overt focus on the original and contractual nature of democratic societies.

In addition to theoretical direction of the CJP concept, the IAER and the Max-IAER, provide a starting point for establishing and measuring a collaboratively acceptable level for the use of police powers and discretion. The spirit of CJP narrows the existing theoretical hierarchy, while the IEAR displays the tangible and explicit terms under which discretionary enforcement actions of the state are applied in each specific instance. The culmination of these incidents

forms the fabric of community relations and creates a nexus between actions and philosophy. The study of this philosophy, and the desired attitude that is can create, are particularly germane for criminal justice and policing agencies that are at the vanguard of efforts for securing social justice, fairness, equality, and equity.

This desirable attitude is illustrated by one officer's response to questions about refraining from saying something he would have liked to mention to a particularly belligerent individual. He said, "I don't think it would do any good. I think it would make me feel better, but the purpose of my contact at work is not to make me feel better, it's to keep the community safe."

Consider too the aforementioned references to "educating" citizen in preference to enforcement actions. This speaks to an understanding of the power sharing relationship and the distribution of public knowledge and laws endemic in social contract theory, as well as the collaborative philosophy of COPs and the procedural justice concepts of neutral decision-making, trustworthy motives, citizen voice/participation, and treatment with dignity and respect.

The goal now is to make this attitude organic, systemic, and public by reaffirming the early and classical definitions of justice and the means of its application. Having established something of a baseline of normative actions and their interpretive origins for concepts expressed under general terms in Chapter 2, this study begins a process for providing more precise prescriptive value in policing policy and future research on citizen-police relations. Having also established theoretical links between this project and the related theoretical

frameworks, and some possible considerations for the evolution of those theories, it is also prudent to examine the limits of this work and its applications.

Limitations of the Study

As for the limitations of this study, there are several notable points. First, the citizen interpretation of the events is lacking from the data set and should be included to examine the greatest detail and develop the greatest contrast and insight of police contacts. Some data suggests that citizen-initiated contacts are axiomatically more inclined to positive interpretations by citizens since OICs present some negative citizen preconception or context for the event (victim, suspect, etc.). This study demonstrates however, that assumptions about contact content and outcome are often guesses without analyzing the precise environmental and interpretive variables.

Second, and as noted in Chapter 1, the regional demographics of this study were limited to an all White male sample predominately from one side of the working days rotation. Similar to the third point about limits on OIC types, this study occurred in a region where the call types and sample demographics were relevant to nature and history of the area. However, with the potential for greater scope, this study should consider these limits in its final analysis, even as the methodology provides for greater cultural and OIC diversity in communities with those unique characteristics.

And finally, the researcher's experience in policing, in addition to the absence of the citizen viewpoint, should be identified as a limitation. While

protocols and methods were followed closely, the casual nature of the interviews and interaction between the officers and the researcher combine to provide only one side of this social phenomenon. It is a valuable side for sure, and one that has not been considered or examined in the literature relative to its import and weight. Still, one would be remiss not to recall this dynamic before offering recommendations for future studies.

Recommendations

In addition to the analytic roadmap, the qualitative paradigm and methods of inquiry seems advisable for measuring qualitative experiences. Some of these results will require further refinement that only new studies can offer. Having established a baseline of results and methods, this study might be replicated in other areas, and future efforts should strongly consider involving the next stage of multiple participant and citizen variables (race, gender, ethnicity, income, etc.). This should include a larger, more diverse population size that should also contribute a higher and more diverse OIC range. This may include the direct observations of the interaction and corresponding interviews with both the citizens and officer for further cross-case comparison and identification of divergent interpretations and perceptual themes. Consider, would a trial take place, and the results be considered just, if only one side provided testimony and there was no judge or jury to weigh the facts and fairness of the presentation? Future research should continue to operationalize and define attitudinal and interactive variables by comparing and aligning citizen and police interpretations

of OIC. This will provide a clearer picture of the presence of procedurally justice concepts, and further context and whole-sight to the analysis. To include citizen responses, the interview questions created for this study might be easily amended to fully address and extricate data from each type of contact.

Also a review of the data drawn from the interview questions might suggest slight revision, reordering, or reformatting of the questions for greater precision, veracity, and data draw. Notably, Q1a was clarified for participants on a few occasions and could be reworded to sharpen the placement and intent of the question to discover preconceptions of the contact. Perhaps Q1a could end with the phrase “before you spoke to the subject” to more closely inquire about the interactive nature of police discretion and citizen actions and attitudes. Despite its value, the order of the questions might be streamlined due to the recurrence of discretionary and contributing factors repeated in several answers. A product of open-ended volunteer responses from participants, the data derived was accurate and valuable for confirming information. But it was often repeated or revisited throughout the interview. Consistency and conformation is not undesirable however, and the interview questions were designed to reinforce and align equal weight and form directed at the primary research questions. Additionally, the question most officers seemed to wrestle with (and some verbally confirmed the difficulty) was Q8 asking them for “three words to describe the contact.” Although the answers provided were crucial for categorizing the participants’ overall interpretation of the tone of the contact, future studies may consider

various options for presenting this question. Providing the opportunity to write the answers down might alleviate some of the interpretive pressure of verbalizing a limited response to this question.

Implications

Public Safety Policy Implications

Qualitative case studies are described in Chapter 3 as possessing scientific and methodological credibility, trustworthiness, and quality with the “potential to create an impact on the field and practice” (Harland, 2014, p. 6). This potential exists and is suggested and supported by a few project outcomes. Although explanations to citizens are quite frequent for officers, training and policy recommendations might consider encouraging all officers to describe and share their discretionary reasons with citizens after contacts. Considering the presence and significance of the stated discretionary reasons, and their divergence from pop-culture depictions of citizen–police contacts, a new focus should be placed on the CJP (or contact-based) value of “selling a ticket” or “dusting” a citizen off after a contact. As exemplified by the OPD traffic policy and the frequency of the word “compliance” in key phrases repeated by officers, such terms should be written into department policy and procedures precisely as the department wishes that lexicon to be used. Further, the concept expressed by those terms should be clearly articulated to officers in conjunction with the department philosophy that it affects.

As noted by more than one participant in this study, police authority is extremely autonomous, within definable legal patterns, and is applied through individual decisions determined in all cases by the officer's themselves. This use of discretion is true throughout the American policing system and when combined with the guidance of department policies and strong supervisory oversight, represents the best and clearest means of administering public safety (Katz & Walker, 2013, 362). The interactive and citizen-dependent nature of OIC outcomes, and indeed all citizen-police contacts, must be understood in this light to illuminate, explain, and disclose discretionary reasons that shape public perception of trustworthy motives. This illumination helps resolve citizen-police relational misinterpretations that frequently occur, including assumptions that attribute officer's motives as being systemically untrustworthy. One common refrain is that police had "no reason to stop me because they didn't even give me a ticket" and this example occurred contemporaneous to this study when a television actress chose to apologize for assuming her son was racially profiled during a vehicle stop that resulted in a warning. Context and audio later revealed a very amicable contact between her son and the police when the officer chose to only warn him for drug possession, drug paraphernalia, and the maximum moving violations that would have harmed her son's future.

In this case, the IAER would easily explain all of the potential violations, in relation to selected warnings, and present objective facts that could potentially help to alleviate the social damage from harmful individual assumptions. The

IAER is also a valuable public relations tool that helps to quickly quantify a snapshot of an agency's enforcement rates, and might be used in those communities that would be well served by a more accurate representation of overall police conduct, and where concerns of over-enforcement or aggressive policing tactics might be legitimately mitigated or reformed. It is also an improvement upon the now famous COMPSTAT model that uses statistical algorithms to track officer initiated activity, but lacks further contextualization of the environmental variables that are the truest reasons and facts leading to outcomes. The IAER and Max-IAER are not only more precise data on *what* police are doing, but *why they are doing it*. In neighborhoods concerned with a need for greater enforcement, or in those where the perception of over-aggressive policing and over-enforcement are a concern, the IAER can be used to demonstrate current levels and to justify proposed adjustments. This provides a tangible means of measuring and integrating the street-level actions of officers with collaborative community expectations for increased or decreased enforcement levels. Giving police agencies another tool and opportunity for transparency, reform, training, and public outreach and collaboration on each of those important public safety policy components.

Finally, the findings of this study do seem to align with previous research that places a primacy in behavioral predictors of individual attitudes. While not the focus of this project, the responses received from the participants and the evolution of the CJP themes suggest more scenario-based training and stricter

analysis of the attitudinal-behavioral connection in police academies and police training.

Implications for Social Change

To citizens, police work is a largely unknown phenomenon. To police it is an experientially derived state of reality. This study sought to reveal that experiential interpretation of a phenomenon—from a known point of perspective in a collaborative and reflexive cycle, to an unknown point. This reveals the essence of the interactive-dependent nature of police contacts and can contextualize the officer's decision for citizen's who may be receptive to adding the objective criteria that determines the outcome of the contact into their own interpretations of the event. It might also encourage the presence and growth of the neutral decision-making, trustworthy motives, citizen voice/participation, and treatment with dignity and respect aspects of procedural justice by providing more interpretive and discretionary disclosures in an interactive relationship that vitally needs such disclosures. Opening these channels of communication and understanding should be a policy priority, which aims to achieve a collaborative atmosphere for the exchange of information. This is accomplished in part by exposing things that are axiomatic to police officers that citizens do not know, and things that citizens know that officers do not related to each other's decision making processes. It also provides an avenue for the exchange of beliefs and feelings on outcomes, and informs or dispels what each party assumed about the other in the absence of such collaborative discussions.

This collaborative communication is critical for the necessary and ongoing pursuit of ethical applications of justice concepts in an increasingly diverse culture. Perhaps it is worth noting, given some current lines of thinking and public debates on public-police relations, the focus on high crime areas revealed in this study. Law enforcement seems to consistently state that they focus on criminal activity, not racial or cultural variables. Given the homogeneity of the ethnic composition of the neighborhoods in this case study, there is empirical support for the proposition that police activity corresponds to geographic areas of criminal activity, irrespective of ethnic or racial makeup.

And in fact, when enforcement is taken there are potentially predictable elements of the citizen-dependent and contingent actions that can be shared with communities for reducing instances of conflict and social contract violations, and increasing the levels of compliance. Advising on the prevalent enforcement standards of multiple violations and previous violations, for example, in a community-based platform might allow citizens to move the pendulum from their end while simultaneously educating the public on objective standards of enforcement that can inform collaborative policy making. Where policing agencies can promote community awareness of discretionary decisions, and their foundation on compliance-oriented and citizen-dependent actions contractually established by procedurally just guidelines, there they can also integrate the social expectations of an informed populace in legal and policy reviews and reforms as well.

Methodological and Theoretical Implications

A few final points on the implications of this project for the field of policing research must be made before closing. The observable and recordable process of the enforcement continuum along with the importance of compliance (which determines the resolution of many OICs as based upon the citizen-dependent considerations of variable outcomes) should help to both quantify and qualify reliable and predictable resolutions of conflicts with the terms of the social contract. Additionally, it presents workable data points that manifest the nature of the COPS philosophy and the current procedural justice categories of neutral decision-making, trustworthy motives, citizen voice/participation, and treatment with dignity and respect.

Many of the theoretical concepts that shaped this project are actualized in operational and contextual instances of occurrence. For example, the process of forming *responsiveness* (as police discretion was recently renamed in the literature) is provided in clear and consistent terms, paving an avenue of manageability and malleability in future studies and for policy-making. The addition of the IAER and the Max-IAER provide a measurable context for observing, tracking, and perhaps most importantly shaping police responsiveness, and for sharing with communities the precise and discernible terms under which discretionary enforcement actions are taken.

By adding more qualitative methodological options to the literature, this study allowed the participants to name the terms and concepts they are

experiencing. Perhaps future research can benefit from this theoretical context, by focusing on a contextual understanding of police officers' motivations and interpretations. Consider the case of a citizen who feels their voice was not heard or included after receiving their first cite on the third instance of hazardous driving and/or in the presence of multiple infractions. The processes and findings of this study can provide objective standards for determining if the officer's decision were indeed genuine, in their attempt to serve justice, and to enforce the contract for all citizens. The use of legal and departmental texts must be considered in any future examinations that assert an objective, rather than the assumptive, analysis of citizen-police relations. Avoiding decayed or invalid assumptions, emotions, abstractions, and fictions that are sometimes related in other focal and methodological approaches, each of these interactions deserves to be understood in the context in which they occur and through the lens of the formative process that created them. In fact, it is imperative that society know the truest context in which the administration of justice occurs, in relation to all stakeholder, if communities are to engineer the most fair and equal adjustments when they are deemed necessary. To the extent it is capable and worthy this study hopes to provide a nexus between the well-considered social concepts of the past, and the policies and actions that perpetuate those healthy concepts in our current and future communities.

Conclusion

In conclusion, this project set out to provide a missing perspective in what may be the most important and impactful of citizen-state relationships. It is a relationship that endures the cycles and vicissitudes of political winds, social trends, and media-culture influences. Police officers make enforcement decisions based upon laws and powers that the citizens invest within their legislative and executive authorities. But it is the way that individuals perceive and report their experience with police officers that shape much the social persona of citizen-state relations. Identifying the importance of objective criteria, reasonable standards, and a professional and respectful demeanor are critical components of maintaining positive citizen-police relations in all cases where discretionary police powers are used. Therefore, the public must be aware of the discretionary terms identified by officers during the enforcement of the social contract if they are to establish and maintain healthy citizen-state relationships. This project presents, in its own small way, the officer's interpretive experience of citizen contacts through the prism of their own reasoning processes for decisions that define everyday interactions and community relationships. The next step is to inform, and then compare, the citizen's interpretive experiences so communities can collaboratively determine which perceptions and which facts should shape their respective public safety policies. There is more in common than might be assumed. Understanding each other's perspectives is the first step towards respecting them and ultimately agreeing on policies to codify them. As illustrated

by the profound statement made by one officer on the nature of building public-police relations that epitomizes the potential:

Interactions happen through relationships and you don't get to build relationships in the middle of a crisis. You have to have those relationships up front in order to be able to leverage them when you really need to.

It is worth noting that the inclusivity and collaborative nature of this statement is such that it could be uttered by a citizen or an officer.

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Appendix A: The Interview Instrument

Participant 01 Contact 01

Gender:

Age:

Education Level:

Years of Experience:

1) Why did you contact the subject?

1a) Did you know what the outcome of the contact would be before you initiated it?

2) How would you describe the subject's demeanor?

3) What suggestions would you make to the subject to improve the contact in the future?

4) What did you think the subject was expecting from you?

4a) Do you think this expectation was confirmed or dispelled?

5) How did the subject's demeanor or attitude contribute to the outcome of this contact?

6) Was there something you wanted to do or say that you chose not to?

6a) Why?

7) What factors contributed to your decision (to arrest, cite, warn, etc.) in this case?

8) What 3 words would you use to best describe this contact?

Potential follow up questions:

A-How would you describe the disposition of the contact?

B-What other actions or words might you have used to reach a different outcome?

C-Are there any recent legal or issuing updates or guidelines that affected this contact?

Appendix B: Coding Protocol Sheet

Stage I –Uploading Interview Sources (interview transcripts, and audio files)

- 1) Create new Internal Source folder for Officer
- 2) Add documents to Officer's Internals Folder
- 3) Auto code to new Officer's (child) node
- 4) Classify new Officer child node under Officer Classification
- 3) Add Officer to Interview Responses Set

Stage II -Coding of Interview Statements (following sequencing of interview questions)

- 1) Code contact type to appropriate node
- 2) Code disposition to appropriate node
- 3) Code any reasons for contact or themes in Q1 not listed Stage 1 above
- 4) Code Officer Assumption (outcome) parent node
- 5) Code Attitude and Demeanor (parent) node
- 6) Code any Suggestions made by the Officer
- 7) Code Officer Assumption (citizen expectation) child node
- 8) Code Citizen Assumption (citizen expectation -confirm/dispel) child node
- 9) Code Attitude and Demeanor (impact on outcome) child node
- 10) Code To Say or Not to Say node
 - a) Code sub-question of what was said to child node
- 11) Code 3 Words
- 12) Code contact to Positive, Negative or Neutral contact node
- 13) Review interview for any coding to Officer Attitude and Demeanor node
 - a) Ensure no redundancy with previously coded statements

Stage III –Theme Coding

- 1) Code any corresponding themes to Community Oriented Policing node
 - a) Check for redundancy with statements above
- 2) Code any corresponding themes to Procedural Justice node
 - a) Check for redundancy with statements above
- 3) Code any corresponding themes to Citizen Dependent Consideration node
 - a) Check for redundancy with statements above
- 4) Code any corresponding themes to Social Contract node
 - a) Check for redundancy with statements above
- 5) Add to Officers Prior Performance Comparison Memo

*Parent and child nodes are noted only when there are child nodes embedded

Stage IV –Uploading and Coding Researcher's Descriptive and Reflective Notes

- 1) Upload file to Researcher's Descriptive and Reflective Source Folder.
- 2) Auto code to Researcher's Descriptive and Reflective Node
- 3) Add new file to Researcher's Descriptive and Reflective Set.

From Researcher's Descriptive and Reflective Node:

- 4) Contrast and analyze any corresponding themes for prior Officer cases
 - a) Check for redundancy with statements above
- 5) Contrast and analyze any corresponding themes for Community Oriented Policing node
 - a) Check for redundancy with statements above
- 6) Contrast and analyze any corresponding themes for Procedural Justice node
 - a) Check for redundancy with statements above
- 7) Contrast and analyze any corresponding themes for Citizen Dependent Consideration node
 - a) Check for redundancy with statements above
- 8) Contrast and analyze any corresponding themes for Social Contract node
 - a) Check for redundancy with statements above
- 9) Code any corresponding themes to Officer Attitude and Demeanor node
 - a) Check for redundancy with statements above
- 10) Calculate and add to Initiated Activity Enforcement Rate Chart and memo
 - a) Add to Maximum Enforcement if Necessary
- 11) Add any emerging analysis from Steps 4-10 to appropriate memo or node.

**Items 3-8 to only include new instances of concept not previously coded in Officer node(s). Most Researcher Notes were coded and listed in linked Memos

Category and Theme Group Coding:

positive words, contacts, and expressions

negative words, contacts, and expressions

neutral words, contacts, and expressions

Concepts expressing *empathy/understanding with citizens, procedural justice, social contract, and community oriented policing* expressions.

Node and Theme Coding and Analysis for Research Questions (listed in order):

- 1) RQ1 is addressed by the Discretionary Reasons node for officer decisions.
- 2) RQ2 is addressed by comparing and contrasting the Discretionary Reasons node with the Enforcement Action node.
- 3) RQ3 is addressed by comparing and contrasting the results of steps 1 and 2 with objective and observable outcomes in the Researcher's Observational and Reflective Notes node.

***All theme development and evolutions tracked and recorded in NVivo 10 and researcher notes.