

---

**Commentaries on:**  
***Trust and Confidence in Criminal Justice***

Susan Herman  
Scott C. Newman  
Paul F. Evans  
Deborah A. Ramirez  
Paul A. Logli  
Tracey Meares

---

---

## **Commentary by Susan Herman, Executive Director National Center for Victims of Crime Washington, D.C.**

How can public trust and confidence in the criminal justice system be strengthened?

To answer the question from a victim's perspective, one must critically examine the predominant strategy of the victims' rights movement over the past 30 years. That strategy has sought to create statutory and constitutional rights to meaningful victims participation at all critical stages of the criminal justice process. Viewed on its own terms, the strategy has had mixed results.

Thirty-two of the 50 States have amended their constitutions to include victims' rights, usually including the rights to be informed, present, and heard at critical stages of the criminal justice process. Nearly every State has also enacted statutes codifying other victims' rights. Half the States give victims a general right to a speedy trial or require that courts consider the victims' interests in ruling on motions for continuance, and many jurisdictions are exploring automated systems of victim notification.

Even with this progress, victims are still dissatisfied with their actual access to information and levels of participation. A recent National Center for Victims of Crime study found that even in States with strong legal rights for crime victims, nearly two-thirds of victims were not informed of the pretrial release of the accused, half of all victims in cases resulting in plea agreements were not given an opportunity to consult with the prosecutor prior to the plea agreement, and nearly half of victims were never notified of the sentencing hearing at all. And these are States with strong legal rights for crime victims.

### **A More Victim-Oriented Process**

One way to increase trust and confidence among victims, then, would be to create and enforce in every jurisdiction comprehensive victims' rights that guarantee meaningful participation by victims of crime. We must also examine the experiences of victims in the criminal justice system. Victims have no meaningful interaction with the offender, and the sentence may or may not include restitution. We must also be more honest with victims about what the criminal justice system can and cannot do. However, even this answer would miss a larger, more profound point about crime victimization nationwide: The vast majority of crime victims never see a courtroom because there is no arrest of a perpetrator. There is no real involvement with the criminal justice system. Thus, a more pertinent question is how to develop ways to address the needs and concerns of all crime victims and not merely those involved with the criminal justice system.

If the process and the remedies were more victim oriented, justice system responses would begin with the occurrence of a crime and would attend to the needs of all victims, regardless of the perpetrator's status. The community would be asked to help victims rebuild their lives—to help with physical repair of the crime scene, to provide support and counseling for victims, to help

---

victims overcome isolation and fear, and to see that victims are reintegrated into productive community life. If offenders are apprehended and acknowledge responsibility for the crime or participate in a restorative process, all the better. Offenders can contribute enormously—and in a way nobody else can—to a sense of legitimacy for the criminal justice system. They can apologize, make restitution, and show remorse. Moreover, they can help victims understand what happened.

At present, our traditional criminal justice processes can occur with or without the victim. That is appropriate for a perpetrator-centered process. My hope is that someday we will also provide justice for victims, with or without offenders: not merely compensation, but justice. Why are victims eligible for justice only if their offender has been arrested? Our response to victims of crime continues to be problematic and incomplete because we have failed to ask a fundamental question: What should be society's response to victims of crime? Stated differently, we have failed to ask, what is justice for victims?

## **Offender Roles in Victim Justice**

Traditionally, as we conceive of justice, we do not think of victims. Justice is what happens to an offender. Victims often appreciate that the offender has received justice if the criminal justice system seemed fair and appropriate. However, what happens to offenders does not necessarily address the needs of victims. To create a concept of justice for victims, our thinking must evolve beyond arrest and adjudication of offenders to include broad social responsibility for helping victims rebuild their lives.

Crimes are violations of communal norms. When offenders are brought to justice, they are held accountable by the state for harms done to property or suffered by individuals. There is a societal response to the offender that says, "You violated the law, and we will hold you accountable and punish you if it is appropriate, isolate you if needed, and offer you services to help reintegrate you into the community."

The individuals who have been harmed—the victims of crime—have no comparable experience. There is no societal response that says, "What happened to you was wrong." There is no statement of communal responsibility that says, "We will help you rebuild your life."

A crime produces both an offender and a victim. Yet, as a society, we have created a path to justice only for offenders. We must ask whether the pursuit of justice can be for both parties. For example, can we create a forum for victims to be heard and to ask for help, either within or outside of our current criminal justice system? Is it possible to create a distinct path to justice for victims?

## **The Pursuit of "Parallel Justice"**

In my view, the criminal justice system would have far greater legitimacy if we decoupled the pursuit of justice for victims from the administration of justice for offenders. I believe we can create two distinct visions of justice, one for victims and one for offenders. Justice for victims

---

requires that, for all victims, we identify and address the harm caused by the crime. Victims need not only comprehensive social services to help them rebuild their lives but also a public forum in which to seek justice. One aspect of justice is a public acknowledgment that what happened to the victim was wrong and that every effort will be made to help them. At the National Center for Victims of Crime, we call this the search for “parallel justice.”

I have three summary recommendations:

- Create and enforce victims’ rights to participate meaningfully in the criminal justice process.
- Be honest with victims about what the criminal justice system can and cannot deliver.
- Develop a system of parallel justice for victims.

---

## **Commentary by Scott C. Newman, Prosecuting Attorney Marion County Indianapolis, Indiana**

These thoughts represent the perspective of the district attorney of a midsize city (population 850,000) on approaches to building public confidence in the justice system.

### **Trustworthiness**

Whenever issues of trust arise within or outside an organization, my first step toward resolution is always one of self-examination. Simply put, the most fundamental way to gain trust is to be trustworthy. The prosecutor's perspective is that one must be willing before engaging in dialogue to reflect critically on whether one is behaving in a trustworthy manner.

### **Self-Audit**

Accordingly, hard questions must be asked. Are the operations of the prosecutor's office allowing differential treatment based on wealth, political prominence, or access? On the simplest level, do prosecutors tolerate the "fixing" of traffic tickets? Special bail considerations based on "connections"? More favorable plea agreements based on which attorney is hired to represent the defendant? More or less aggressive prosecution of certain kinds of charges at the behest of pressure groups? A prosecutor can more comfortably and confidently enter into public dialogue on the subject of trust when he or she can truthfully answer "no" to these and similar questions.

### **Policies and Strategies**

The foregoing points suggest a kind of "self-audit" for what might be termed "conventional forms of corruption." In addition, we should force ourselves to examine more insidious forms of corruption that exist at the policy level. For example, does the prosecutor still differentiate in plea or sentencing policy on the basis of the possession of crack versus powder cocaine? Given the almost universal use of crack among current cocaine users (at least in our community), the person who possesses powder cocaine is likely to be a higher level distributor of powder for crack manufacture, so can harsher treatment of the person who possesses or sells crack be defended? Is there truly a balance in drug enforcement strategies between interdiction from external sources and street-corner dealers? Among users, dealers, and financial facilitators? Between addicts and those selling merely for profit? Between suburban and inner-city drug criminals? Do the resources devoted to these strategies reflect the balance claimed for them? Are the decisions regarding the level of resources to be devoted to each element based on objective considerations of community harm, or on such considerations as cases of detection and prosecution?

---

## **Legitimacy and Connection**

These discussions are difficult for prosecutors to engage in without their quickly becoming heated. After all, the feeling among prosecutors is, “Haven’t all those convicted committed crimes? On what grounds does any criminal have to complain if the result in any given case is the justifiable conviction of the guilty? Do we as prosecutors not stand on the moral high ground of viewing crime policy from the perspective of the victim, or of the law-abiding citizen forced to live next to the drug dealer—as opposed to the perspective of the finger-pointing mouthpieces of drug traffickers and gang members?” One should not underestimate the sincerity and ardor of these feelings on the part of most prosecutors, who may feel chastened and unappreciated. However, as prosecutors we must force ourselves to open our minds to such discussions if for no other reason than the potential to begin to forge a genuine sense of legitimacy in the community, a legitimacy that may result in more and better witnesses, better prospective jurors, and powerful combinations of neighborhood and authority figures pressuring selfish or disconnected individuals toward prosocial behavior.

## **Data**

Whatever attempts are made to address issues of trust and to forge links between the criminal justice system and communities, they will be strengthened by ready access to data—not merely case-centered justice “operating system” data, but geographical and demographic data integrated across multiple law enforcement and criminal justice agencies. In the absence of easily accessible, quality data compilation and analysis, debates about fairness will be driven largely by anecdotes and personal preconceptions. Trust can be built by rendering the justice system more transparent to the community. As the slogan of a midwestern restaurant chain where the kitchens are open to public view says, “In sight, it must be right.”

## **Facilities and Capacity**

Criminal justice outcomes should be just and should be driven by defensible (though always debatable) notions of prevention, intervention, accountability, and—in appropriate cases—incapacitation that shields the community from the most dangerous among us. In locations where these considerations are overshadowed by system capacity (e.g., the availability of jail space) the system as a whole appears to be operated without regard for legitimate considerations of public safety, quality of life, or indeed justice. For example, where criminals are repeatedly allowed to commit crimes while on pretrial release, without having bond revoked, citizens may well feel abandoned and at the mercy of the midlevel recidivist. When resource-based considerations mar outcomes that should be based on notions of justice or protection, the results are cynicism, contempt, and mistrust.

## **Community as Victim**

Most prosecutors in major metropolitan areas today call on computer operating systems and talented personnel to run fairly efficient “tough processing” offices that show substantial sensitivity toward the rights of crime victims, at least in the area of personal crimes. Yet whole

---

neighborhoods began to feel victimized as the rise of crack cocaine led to rapidly increasing caseloads that “swarmed the system” and caused chaos and disorder. The collateral effects of widespread open-air drug dealing made large numbers of law-abiding citizens feel brutalized in their own homes as they helplessly watched their stable neighborhoods erode past the “tipping point.” If the system fails to recognize these silent victims, they conclude it doesn’t care about them and therefore is impotent, incompetent, or simply insensitive. Prosecutors and police must search for ways to combat those perceptions; for example, by giving neighborhoods a voice at sentencing in the form of “neighborhood impact statements” or inviting neighborhood representatives to watch the court process. More profoundly, law enforcement and criminal justice actors must be willing to actively reorder their priorities along the lines indicated by those most affected. It is not enough to “hear community concerns”; one must be willing to shift limited resources toward addressing those concerns in ways that create not only safety, but also persuasive and genuine perceptions of order and security.

## **Ownership Experience**

Though perhaps contrary to conventional wisdom, I believe most criminal justice systems and prosecutors’ offices today are operating better than in past decades in efficiency, conventional criminal justice outcomes, and fundamental humaneness toward victims in individual cases. The national prevalence of sexual assault response teams, child advocacy centers, and substantial staffs of victim advocates are but a few examples of this. Yet as the executives at Saturn appear to have learned, it is not enough to sell a “pretty darned good car.” One can aim higher and differentiate oneself by going for a genuine “ownership experience.” People tend to value and trust to a greater degree things they help create. Thus, community courts and community-imposed and monitored sanctioning (such as community sentencing panels or restorative justice conferencing) may prove to be powerful tools in building trust. It is much more difficult, after all, to distrust oneself, and much easier to prejudge what one does not know well.

---

## **Commentary by Paul F. Evans Police Commissioner Boston, Massachusetts**

A lesson that informs Professor Lawrence Sherman's analysis of public trust and confidence in the criminal justice system, as well as that of many other participants, is the relationship among fairness, respect, and trust in a new social context. He makes many important points, two of which stood out in my mind.

### **Police Actions Influence Perceptions of Criminal Justice**

First, he argues persuasively that distrust has evolved less from the substance of what police and the other system components do, and more from how these practices are carried out. It is very rarely the speeding ticket that offends the public; it is the perception of being demeaned in the process of receiving the ticket. Consider what irritates the public. In the public safety survey we conducted in Boston in 1999, we asked citizens, "During the past year, have you had any negative experiences with an on-duty Boston police officer?" I am gratified that nearly 88 percent of the 2,045 respondents answered in the negative. Among the 12 percent who had a bad experience, more than half said they were treated rudely or indifferently. A related question asked people to rate how serious a problem the police use of excessive force was in their community. Only 6 percent thought it a "serious problem," down from 7 percent in our 1997 survey.

In the memo he prepared for this meeting, Tom Tyler, Professor of psychology at New York University, wrote, "My research shows that the most important factor shaping public trust in police officers and judges is fairness." Our experience in Boston bears out his point. In fact, our surveys measure progress on this point. In both the 1999 and 1997 surveys (the question was not asked in 1995), nearly 90 percent of respondents also believed the Boston police were excellent, good, or fair at "being fair and respectful to all people." Ratings of excellent and good constituted about 65 percent of that total. However, we also found a significant difference in the responses of members of minority groups and whites: About 50 percent of minority respondents and 75 percent of white respondents reported believing that police are excellent, good, or fair at being fair and respectful to all. Although we believe we have made progress in moving from conflict to conversation with Boston's African-American and other minority communities, we have still have a long way to go.

In that regard, our task in Boston is affected by the second of what I saw as Professor Sherman's key points. The sharp decline in America's trust in government since 1975 has been accompanied by citizens' higher expectations of recognition, respect, and the feeling of status. Citizens' frequent contact with the criminal justice system in particular—about 1 in 5 individuals each year have at least one contact—makes the system a flashpoint where the hierarchical design of criminal justice institutions conflicts with the egalitarian demands of the public. Isolated experiments with more egalitarian forms of justice have yielded substantial improvements in the

---

public's level of trust in and belief in the legitimacy of the criminal justice system, including increased compliance with the law.

## **Improving Perceptions in Boston**

If citizens in past eras did not like gruff treatment from the police, Americans over the past 25 years have made it clear they will not stand for it. People want to be perceived as equals worthy of respect and dignity in the eyes of police, judges, prosecutors, and others. In Boston, this has been an underpinning of our commitment to collaboration throughout all aspects of our neighborhood policing strategy. An example is the decentralized Strategic Planning and Community Mobilization projects undertaken in 1995–96 and 1999–2000.

In each project, we brought 400 participants—roughly half police officers and half citizen stakeholders—together as moral and professional equals. We did this on a highly decentralized basis, with individual teams in each of our 11 police districts representing themselves and 6 teams representing such key central functions as criminal investigations and internal affairs.

At the outset of the 1995 process, we engaged a broad cross-section of police personnel to create an explicit mission statement for our work. The statement that emerged has guided the planning process: “We dedicate ourselves to work in partnership with the community to fight crime, reduce fear, and improve the quality of life in our communities.” After formulating the statement, we asked each team to think about how it could fulfill the mission in its particular setting.

The language of the mission statement has significance. For example, we refer to “our” communities, not “the” communities. This reflects one of our larger goals: to change the relationship and orientation of police to community and vice versa. We sought to change the police role as remote and anonymous outsiders who rush into the community to respond only to emergencies and 911 calls. Research—and common sense—told us that officers have the most respectful, trusting, and effective relationships with people they see day and night. They are much less likely to be distant, dismissive, or brusque with people they know they will see the next day. We declared loudly and clearly that the police are to be part of the fabric of community life, in all its aspects.

Our belief in a decentralized planning model flowed from this commitment. We conducted planning and implementation on a highly decentralized basis to deepen the sense of ownership and accountability at the local level. I believe that this is a key to the issue of trust. Mutual accountability requires that people set aside old assumptions and abandon past battles. The issue became not who was right or wrong in a controversy 20 years ago, but how we work together from here to make our communities safer. The goal was to have those closest to the problems set priorities and develop shared expectations. They reached a rough consensus on what was to be accomplished and, at least equally importantly, how it was to be accomplished. This collaboration provided our neighborhood policing strategy with a strong foundation of legitimacy and authenticity.

---

Professor Sherman and many other participants have addressed the question of authorization because it is such a central ingredient in the formula for trust. Our experience in Boston provides an example. In 1988–90, a group of dedicated Boston police officers worked very hard to understand the problem of youth gang violence that was raging in our inner-city, largely African-American neighborhoods. Part of their assertive strategy was broad and vigorous use of *Terry* stops<sup>1</sup> and field interrogation observations. The ineffectiveness of this approach was only part of what was wrong with it. It not only failed to target the tiny proportion of truly dangerous offenders, it offended the broader community. Residents questioned the intent of these officers. Would they use these tactics in other neighborhoods? Because the officers are so general in their approach, are they really interested in preventing violence, or are they just interested in making arrests and throwing their weight around? To answer these questions, the vast majority of law-abiding residents could only make assumptions because no one was involved in the authorization process, which took place in the upper echelons of a city agency in which they had no voice. And based on historical experience, residents assumed the worst.

Today, the Boston Police Department leads a multifaceted, comprehensive strategy that involves prevention, intervention, and enforcement. The enforcement component is much tougher than that of the late 1980s and early 1990s because we now have agreement among a broad array of stakeholders about which offenders represent the greatest threat and, therefore, have to be dealt with in the most serious way. We now have greater credibility because community residents, through their leaders, have a voice in the authorization process. The police learned from the community that you have to be credible on prevention if you want to be credible on enforcement, and vice versa. Community leaders, such as clergy members who organized themselves into the Ten Point Coalition, learned the same lesson. They had to take a chance on trusting the police. One of the founders of Ten Point, Rev. Dr. Raymond Hammond, said, “There is a ministry for every youth, but for some it’s a prison ministry.” We reached the point at which an African-American religious leader could make this statement only through trust built case by case.

Boston residents feel better about their police department and their neighborhoods. In 1995, about 60 percent of those participating in the public safety survey indicated confidence in the ability of the Boston police to prevent crime. In 1999, that proportion rose to about 84 percent. More importantly, however, respondents feel significantly better about their neighborhoods. In 1995, 1997, and 1999, we asked: “How do you feel out alone in your neighborhood at night?” In 1995, about 55 percent reported feeling safe. By 1997, that figure was approximately 76 percent; in 1999, the number was 78 percent.

## **Shared Expectations Contribute to Success**

It seems more likely that the public’s distrust of the police in high-crime areas is driven more by crime than by police practices. If distrust is, in fact, a product of police practices, it may be the result of the failure of such practices to prevent crime, rather than excessive police presence.

It may be that we are at the threshold of a formula for building safe and civil communities. Building on Sherman’s analysis, we can suggest that police and community first must come together as equals and agree to hammer out shared expectations for both outcomes and methods.

---

As I believe we learned in Boston during the past 8 years, shared ownership and accountability make for a much more effective policing process. As we move forward, trust, effectiveness, and fairness gain strength from each other.

## **Note**

1. *Terry v. Ohio*, 392 U.S. (1968). The case held that an anonymous tip that a person is carrying a gun is not sufficient cause to justify a police officer stopping and frisking that person. However, an officer, for the protection of himself and others, may conduct a carefully limited search for weapons in the outer clothing of persons engaged in unusual conduct where, *inter alia*, the officer reasonably concludes in light of his experience that criminal activity may be occurring and that the persons in question may be armed and presently dangerous.

---

**Commentary by Deborah A. Ramirez, Professor of Law  
Northeastern University School of Law  
Boston, Massachusetts**

The once soaring rates of violent crime in the United States are now in dramatic decline. To the disinterested observer, it would seem that police agencies are doing their jobs and doing them exceedingly well. Indeed, most citizens will readily acknowledge that the streets are safer and their communities and households are more secure. Public officials, policymakers, and the press in large measure have attributed these successes to the advent of community policing.

As we enter the new millennium, the challenge that confronts American police organizations is to sustain the historic decline in rates of criminal activity while enhancing perceptions of police legitimacy in the communities they serve. If police are the face of democracy on the street, then within a representative democracy the primary goals of police organizations should be to effectively combat crime and to facilitate accountability by striving to develop community legitimacy and respect.

As Professor Lawrence Sherman's paper on trust and confidence in the criminal justice system indicates, in general, public confidence in the police has steadily increased. However, communities of color continue to express fear and distrust of the police.<sup>1</sup> They remain critical of the manner in which law enforcement activities are carried out in their communities and they wonder whether the success in reducing crime has been due in part to overly aggressive police officers who ignore the civil liberties of people of color. The tragic shooting death of Amadou Diallo in New York lent greater credence to this belief. Suffice it to say that this community distrust of police practices is perceived as so pervasive that Attorney General Janet Reno recently spoke out on the issue of police misconduct and has even gone so far as to convene a national conference on police integrity.<sup>2</sup> In commenting on the problem of continuing distrust of police in communities of color, Reno said:

[T]he issue is not just one city. The issue is national in scope and reaches people all across this country. For too many people, especially in minority communities, the trust that is so essential to effective policing does not exist because residents believe that police have used excessive force, that law enforcement is too aggressive, that law enforcement is biased, disrespectful, and unfair.<sup>3</sup>

President Bill Clinton echoed Reno's concerns a few months later, saying:

While public confidence in the police has been growing steadily overall, people of color continue to have less confidence and less trust, and believe that they are targeted for actions by the police not because of their illegal conduct but because of the color of their skin.<sup>4</sup>

---

With these public comments, Reno and Clinton effectively redefined the notion of what constitutes police success to include broad measures of legitimacy and integrity as indicated by police courtesy, respect, excessive use of force, use of racial profiling, and perceived issues of racial inequality. It is the thesis of this short response that, in fact, effectiveness and legitimacy are intimately interrelated and that truly effective policing will be achieved only when police both protect all neighborhoods from crime and respect the civil liberties of all residents. When law enforcement practices are perceived to be biased, unfair, or disrespectful, community members are less willing to trust and confide in police officers, to report crimes, to participate in problem-solving activities, to be witnesses at trials, or to serve on juries.

## **Police Use Data, Research, and Technology to More Proactively Address Crime**

Historically, police organizations have defined their mission as regulatory: ensuring the greatest possible order. Their task was reactive and involved responding to obvious signs of disorder, such as emergency calls. Realizing the profound limits of this model, the community policing strategy began to use information, technology, research, and data to engage in more effective and better managed policing by anticipating and disrupting the causes of disorder, rather than merely reacting to it.

One example is “hot spot” mapping, a strategy whereby police measure violent crime by mapping its locations, identifying crime clusters, and designing strategies to intervene and disrupt violent crime before it occurs. The Federal role in this transformation has been to provide technology grants, research on promising and best practices, training, and funding for demonstration projects.

## **Police Must Begin to Measure and Manage Legitimacy in Order to Improve It**

As any management consultant will say, you cannot manage what you do not measure. If police organizations truly want to begin to improve and manage legitimacy, they need to begin by measuring it. Listed below are the kinds of data collection systems and measurements that every police organization, in collaboration with community groups, should design, implement, and publicly disseminate.

- **Each police organization should conduct an annual community justice audit.** The purpose of the audit would be to obtain a quantitative and qualitative measure of police performance through a city-level survey of community perceptions of and satisfaction with local police. The audit would provide detailed information about how the community of color perceives and is affected by both crime and police activities to combat crime. From the community’s perspective, the audit would be a means of making the police accountable to the community by facilitating community monitoring and assessment of police programs. From the police perspective, the results of the audit would function as an early-warning system to help officers identify problem areas and fine-tune and focus police training.

- 
- **Each police organization, working with community groups, should design and implement a racial profiling data collection system.** By providing information about the nature, character, and racial and ethnic demographics of traffic and pedestrian stops, data collection has the potential to shift the rhetoric surrounding racial profiling from accusations, anecdotal stories, and stereotypes to a more rational discussion about the appropriate allocation of police resources.
  - **Each police organization, working with community groups, should design and implement a system to collect data on use of excessive force.** Police should provide information about the nature, character, and racial and ethnic demographics of any use of force on civilians. Community members should be able to learn: What type of force was used? How much force was used? What was the outcome of the contact? How often are individual officers using force?

## **The New Federal Role: Conditioning Federal Funding and Participation in Federal Training Programs on Legitimacy Reporting Requirements**

The Federal Government now mandates the collection of information about police performance with respect to crime control through the Uniform Crime Reporting system and a hate crimes reporting system. In the same way, Federal funding of police organizations and participation by police organizations in Federal training programs ought to be contingent on the design and implementation of yearly community justice audits, a racial profiling data collection system, and an excessive use of force reporting system.

### **Notes**

1. Smith, S.K., G.W. Steadman, T.D. Minton, and M. Townsend, *Criminal Victimization and Perceptions of Community Safety in 12 Cities, 1998*, monograph, Washington, D.C.: U.S. Department of Justice, Bureau of Justice Statistics and the Office of Community Oriented Policing Services, May 1999, NCJ 173940, 25.
2. Johnson, K., “‘Too Many’ Believe They Can’t Trust Police, Reno Says,” *USA Today*, April 16, 1999, 8A.
3. Attorney General’s remarks to the National Press Club on April 15, 1999, transcript by Federal News Service, 1. Retrieved December 7, 2000, from the World Wide Web: <http://www.usdoj.gov:80/ag/speeches/1999/npc.htm>.
4. Remarks by President Bill Clinton at the U.S. Department of Justice conference on Strengthening Police-Community Relations, Marriott Wardman Park Hotel, Washington, D.C., June 9, 1999, transcript by Federal News Service. Retrieved December 7, 2000, from the World Wide Web: <http://www.whitehouse.gov/WH/New/html/19990609.html>.

---

## **Commentary by Paul A. Logli, State's Attorney Winnebago County Rockford, Illinois**

If we are to improve public trust and confidence in the criminal justice system, we first must determine what the public perceives as the weaknesses or, in some cases, the excesses of the system. Contrary to portrayals in popular media, the perception of the criminal justice system, by at least some accounts, is still favorable. The American Bar Association (ABA) conducted a study of the criminal justice system that was released in February 1999.<sup>1</sup> Among the study's key findings was that people still believe strongly in the American justice system although they can also identify areas that need improvement.

The ABA data indicate that 80 percent of all respondents either "strongly agree" or "agree" that "in spite of its problems, the American justice system is still the best in the world." Certain components of the justice system were the objects of more confidence than others. For instance, respondents had the most confidence, surprisingly enough, in the U.S. Supreme Court, with 50 percent showing strong confidence in that institution and only 15 percent having slight or no confidence in it. Confidence in other Federal courts and judges and in the justice system overall was not as strong, with about one-third of respondents saying they felt "extremely" or "very confident" about each institution. Compare that, however, with the same survey's finding of confidence in the U.S. Congress among only 18 percent of respondents, and strong confidence in lawyers shown by only 14 percent of respondents. The media fared the worst, with a strong confidence rating from only 8 percent of respondents and a low or no confidence rating from 60 percent of respondents.

When the results of this 1999 study were compared with a similar study conducted in 1978, the ABA found that confidence in some key components of the justice system showed significant increases. Confidence levels in all kinds of courts have risen. Confidence in the local police has also increased significantly. On the other hand, confidence in doctors, organized religion, public schools, the U.S. Congress and, most notably, the media has decreased.

### **Quality of Experience Influences Confidence**

Generally speaking, the survey showed that people with greater knowledge of the American justice system have significantly more confidence in it than do those with less knowledge. Further, people who have had positive court experiences were also more likely to have greater confidence in the justice system than those who have had negative court experiences. The problem identified by the survey, however, is that other data from the study indicate that people's knowledge of the justice system is quite uneven. For example, 99 percent of respondents knew that a person accused of a crime has the right to be represented in court by a lawyer. At the same time, only 66 percent knew that a criminal defendant is innocent until proven guilty.

---

The executive summary of the ABA study of the criminal justice system concludes as follows:

This study clearly shows that there is strong support for and a firm belief in the justice system. Additionally, it identifies several ways of increasing confidence in the system; through education, to improve people's current uneven knowledge of the system; through actual court experiences; and through focusing on key attitudes that drive confidence among targeted demographic groups.

## **Media Raise Questions About Effectiveness of Criminal Justice System**

In contrast to the rather positive findings of the ABA study, the public is constantly given a negative slant on that criminal justice system by the conventional media. An informal survey of recent articles reveals that the media have concentrated on the following concerns as indicative of the problems in the criminal justice system:

- Serious questions about the wisdom of the current "War on Drugs."
- Severe problems with the death penalty in this country, many of which have been spurred by the release of death row inmates in the past 2 years and a moratorium on executions imposed by Illinois Governor George Ryan.
- Articles in the *Chicago Tribune* and other major newspapers that create the impression prosecutors are engaging in widespread misconduct by convicting innocent people of serious crimes.
- Projections that the U.S. prison population will reach 2 million in the year 2000. That figure is followed by assertions that many of those inmates are nonviolent drug offenders and that, in many States, more money is being spent on prison construction than on construction at State institutions of higher learning.

At the same time that the media create numerous negative portrayals of the system, other facts would seem to support the point of view that the system is quite successful. It certainly could be viewed as favorable that more offenders are behind bars, regardless of the costs, and less able to victimize other citizens. Crime figures for 1999 show an extension of the 7-year trend of declining crime rates. In the first 6 months of 1999, the number of serious crimes reported to police plunged 10 percent. A recent survey by the Partnership for a Drug-Free America shows that teenage drug use is leveling off and, in some cases, declining.<sup>2</sup>

Another cause of this divergence between the facts as we know them and the system as portrayed by the media might be found in a recent study by the Center for Media and Public Affairs.<sup>3</sup> According to the Center, although the U.S. homicide rate dropped by 20 percent from 1992 to 1996, the coverage of homicide in evening news reports during the same period went up by 721 percent. Although a majority of Americans believe juvenile crime has been rising, the fact is that the juvenile crime rate has been dropping even faster than the adult crime rate. The mistaken

---

impression of most Americans may result from the fact that teens make the news almost exclusively in connection with violent crime.

## **Recommendations for Improvement**

As a prosecutor, and especially as a prosecutor from the state of Illinois, I am not asserting that all is well and that there are no problems in the criminal justice system. There have obviously been major problems in our State with the cases of death row inmates who have been released and, in some cases, fully exonerated of the crime. There certainly are problems in the criminal justice system, and those problems must be addressed. At the same time, the problems are not as severe or as widespread as the media would have everyone believe. I believe that our efforts to improve the public perception of the criminal justice system must be concentrated in two major areas:

- To the extent there are problems in the system, the problems must be fixed. Prosecutors, judges, and legislators must take a comprehensive look at the parts of the system that are clearly not working all the time. Although a batting average of .300 will land somebody in the Baseball Hall of Fame, the criminal justice system is expected to operate at 100-percent efficiency—literally, batting 1.000. Although we may be batting .900 or better, we must still make every effort to close the gap. The American people will not be satisfied with any system that in 1,000 cases may successfully prosecute 999 guilty people but improperly convicts 1 innocent person.

Some things that might be done to improve the system include restricting the number of cases eligible for the death penalty; extending the use of DNA as a postconviction tool for proving or disproving guilt, especially in capital cases; and improving financial support for certain parts of the criminal justice system, including the recruitment and retention of prosecutors and defenders. Much of the high turnover problem in these positions is due to a lack of economic return for a person who wishes to make a long-term commitment as a prosecutor or defender. Federal support through unrestricted block grants could help in this area.

- The justice system simply has to gain the upper hand in promoting its story through conventional media. Whether an organization or system makes automobiles, builds homes, or moves people through the criminal justice process, the negative story will always get top billing. Favorable press will make the inside pages, but it will never come to the forefront as much as news pieces that reveal a flawed, ineffective, or corrupt process. Although I am not suggesting that the criminal justice system buy 60-second commercials during the Super Bowl, it is important that our story gets out. Every component of the system must undertake efforts to smooth out the uneven gaps in knowledge about how the system works and why it is still the best system in the world.

---

## Notes

1. *Perceptions of the U.S. Justice System*, Washington, DC: American Bar Association, 1999.  
Retrieved December 7, 2000, from the World Wide Web:  
<http://www.abanet.org/media/perception/home.html>.

2. *Partnership Attitude Tracking Study*, New York: Partnership for a Drug-Free America, 1999,  
Retrieved December 7, 2000, from the World Wide Web:  
<http://www.drugfreeamerica.org/research/pats1999T.asp>.

3. Overholser, Geneva, Op-ed column, *Washington Post*, December 24, 1999.

---

## **Commentary by Tracey Meares, Professor University of Chicago Law School Chicago, Illinois**

The theory behind a policy opportunity I have designated “law enforcement for law abiders” was presented earlier. (See appendix.) The concept of law enforcement for law abiders is that perceptions of government legitimacy—or public confidence—are intimately related to achieving compliance with the law. Here I will explore three ideas related to this concept.

### **Public Trust as a Function of Perception Rather Than Outcome**

My notion of law enforcement for law abiders is premised on achieving compliance through promoting the attachment of individuals to governmental authority. As Tom Tyler and Allan Lind have explained, “[T]he use of procedures regarded as fair by all parties facilitates the maintenance of positive relations among group members, preserving the fabric of society, even in the face of the conflict of interest that exists in any group whose members have different preference structures and different beliefs concerning how the group should manage its affairs.”<sup>1</sup>

Thus, relational procedural justice provides individuals with indicators of how the authority in question views the group to which an individual perceives himself or herself belonging. To make such an assessment, individuals focus on three factors: standing, neutrality, and trust.<sup>2</sup> By “standing,” researchers are referring to indications that the authority recognizes an individual’s status and membership in a valued group and affords him or her dignified and respectful treatment. “Neutrality” refers to indications that the individual is not made to feel less worthy than others in the decisionmaking process. “Trust” refers to the extent to which an individual believes that the authority in question can be trusted to behave fairly. Each factor affects the relationship between the individual and the authorities using the procedure.<sup>3</sup> The procedures themselves inform the individual about his or her value to the group. The assessments individuals make about their value to the group in turn influence their assessment of the legitimacy of authority, which influence their inclination to voluntarily comply with the law.

Perceptions are critically important, not outcomes. What matters is whether people believe authorities think they count, as manifested in the way authorities behave. What authorities actually think is largely irrelevant. The management of perceptions, then, has great potential for influencing compliance in the new millennium. At the same time, the lack of a necessary connection between perceptions and actual beliefs potentially suggests a dark side to this approach.

### **The Generality of Perception Matters**

One limitation of Tyler’s work on the link between legitimacy and compliance is that it treats primarily people who have specific experiences with police, courts, or some other institution. However, the vast majority of those who form and express opinions about governmental entities

---

(as documented by the surveys discussed in Professor Lawrence Sherman's paper on public trust in the criminal justice system) do not have such experiences. Rather, those individuals' experiences are indirect—through their social milieu—instead of through direct encounters. There is a need for research that addresses how perceptions (and subsequent dispositions to obey the law) are affected by indirect encounters.

One study by psychologist Janice Nadler explores this indirect connection.<sup>4</sup> Nadler's experiment empirically tested the theoretical link between perceptions of the justice system and compliance with the law by exposing participants to unjust legal outcomes.<sup>5</sup> Her hypothesis was that those exposed to unjust outcomes would exhibit decreased legal compliance. Interestingly, there was an overall effect of *increased* compliance (preferences for guilty verdicts 63.8 percent of the time among those primed with an unjust outcome, compared with 50 percent among those primed with the just outcome). However, subgroups of African-Americans and Hispanics reacted as hypothesized: When primed with unjust outcomes, those subjects uniformly refused to comply with the law. Other subjects were either apparently unaffected by the "prime" or displayed higher rates of compliance after witnessing an unjust result (e.g., whites and males).

This study suggests the possibility that when minorities are exposed to very egregious examples of injustice—whether or not they themselves experience it—that exposure may affect both perceptions of the system's legitimacy and compliance with the law.

## **Accountability Matters**

The previous points underscore the importance of creating accountability structures in the implementation of criminal justice. Accountability can be achieved in many ways. Citizen review of police is one common method. Victim participation in criminal justice decisionmaking is another. One largely untapped method is to encourage citizen participation in enforcement of the law. I have promoted one such method in Chicago by drafting language in the city's revised antigang loitering law that creates a partnership between community members and police by requiring police to consult with community groups before designating areas of enforcement as the ordinance requires. As far as I am aware, this legislation is unique.

## **Increase Legitimacy of Authorities to Increase Confidence**

I have addressed the link between legitimacy and compliance because it is clear that by addressing issues of legitimacy and accountability at a general level, outcomes can also be affected. Carrots and sticks *do* work in producing outcomes, but often the benefits of instrumental programs are costly because they depend on limited resources. These programs can be fleeting and time consuming. Rather than attempting to achieve compliance through instrumental carrot-and-stick means that are inherently unstable and costly, it may be preferable to attempt to achieve voluntary compliance by increasing the store of legitimacy held by authorities—a store that may be changed simply by changing the procedures and methods that authorities use when dealing with citizens.

---

## Notes

1. Tyler, T.R., and E.A. Lind, “A Relational Model of Authority in Groups,” in *Advances In Experimental Social Psychology*, ed. M. Zanna, San Diego, CA: Academic Press, 1992: 134.
2. See Tyler, T.R., “The Psychology of Procedural Justice: A Test of the Group Value Model,” *Journal of Personality and Social Psychology* 57 (1989): 833.
3. See Tyler and Lind, “A Relational Model of Authority in Groups.”
4. Nadler, J., “The Effects of Perceived Injustice on Deference to the Law,” paper presented at the Annual Meeting of Law and Society Association, 1999.
5. The subjects were first exposed to a “prime,” a videotaped news story about David Cash, the 18-year-old who watched his friend abduct a 7-year-old in a Las Vegas casino, and who did nothing when the friend raped and murdered the girl. Some of the subjects then received an unjust outcome story (nothing happens to David Cash in the criminal justice system—[the truth]), and others received a just outcome story (Cash is convicted of accessory to murder and receives a prison sentence of 1 year). The second part of the experiment tested compliance with the law by asking the subjects to sit as jurors in a case of a homeless defendant with two prior felony convictions charged with the felony of stealing a shopping cart in which he kept his belongings. The materials made clear that the jurisdiction’s “three strikes” rule would result in life imprisonment for the defendant if he was found guilty, and they also made clear that there was no doubt about the outcome if the jurors faithfully applied the law to the facts at hand. Those who rendered a not guilty verdict were nullifying the law.

---

## Appendix

I'd like to promote a single policy opportunity, "law enforcement for law abiders," and discuss the policy components that must be implemented to achieve it. My focus is on what I have sometimes referred to as the "normative" conception of law enforcement.<sup>1</sup> I want to demonstrate that the normative conception of law enforcement offers a vision of law enforcement and policing that is very different from the popular "get tough" approach. I also want to demonstrate that the alternative vision of normative law enforcement ultimately will be more effective than our current approach in both reducing crime and doing less harm to community structures. I use the term "normative law enforcement" in contrast to a conception of law enforcement that is instrumental.

As Tom Tyler explains in his excellent book, *Why People Obey the Law*,<sup>2</sup> they do so for at least three categories of reasons. The first category includes instrumental reasons. That is, people obey the law because they fear the consequences if they do not. The instrumental view of compliance fuels our current get-tough deterrent strategies. These strategies focus on lawbreakers, and they attempt to control criminal behavior by convincing the lawbreaker on the margin that the costs of breaking laws are higher than the benefits.

Tyler offers two additional categories of reasons for compliance, which he refers to as "normative." Morality is one: People obey the law because the articulated law comports with their own moral schedules. Legitimacy is another: People obey the law because they believe that government has the right to dictate proper behavior. Tyler also empirically demonstrates that the normative categories are more important to compliance than the instrumental category.

Legitimacy as a basis for normative compliance is the engine driving my position. I believe the concept is especially interesting and useful for thinking about innovative criminal law policy because of the way it links with a community-level explanation for criminal offending. The community-level explanation for criminal offending is grounded in the classic sociological work by Shaw and McKay.<sup>3</sup> Their thesis is that community characteristics themselves, as distinct from mere aggregations of demographic factors, such as poverty, joblessness, and family disruption, contribute to crime in a neighborhood.

### **Community-Level Structural Factors Weigh Heavily in Compliance With the Law**

Indeed, the empirical work in this area suggests that when we are able to control for such community-level structural factors as the prevalence of friendship networks, participation in formal and informal organizations such as churches and PTAs, and the level of communitywide supervision of teen peer groups, then the impact on crime of a factor such as economic disadvantage diminishes significantly.<sup>4</sup>

In addition to factors that influence community structural cohesion, the level of cultural organization in a community is important to determining the ability of that community to control crime. Cohesive communities exert social control by realizing common values centered on

---

obeying the law. These common values are reinforced among a community's residents through daily conduct and discourse. A community that has wide-ranging, diverse, and fragmented values and norms can be considered to have low levels of cultural organization.

Fragmented and diverse values that lead to lawbreaking flow predictably from weak community organizational structures, such as infrequent participation in formal organizations and low levels of teen peer group supervision. Thus, because of the connection between social structure in a neighborhood and cultural cohesiveness, we might say that community organization structures operate like "norm highways," along which cultural values that have crime control as their goal travel. Urban ethnography helps to make this point.

### **"Street Values" Versus "Decent Values"**

In *Streetwise*, sociologist Elijah Anderson describes the clash between the "decent" values (norms associated with hard work, family life, the church, and law-abiding behavior) held by some families in an urban community he calls "Northton," and the "streetwise" values (norms associated with drug culture, unemployment, little family responsibility, and crime) held by others.<sup>5</sup> Anderson explains that the diffusion of norms in Northton was correlated with a weakening in the community-level structures that could function as norm highways in the community.

The critical aspect of Anderson's research is his demonstration that in the highest crime community studied, neither streetwise values nor decent values predominated. Although many of the community's residents continued to adhere to decent values even as the structural components indicative of community cohesion began to weaken, they did so in a world where they were forced simultaneously to negotiate a significant and rival set of values—the streetwise code of conduct—in their daily lives. Competition between streetwise and decent values made it more difficult for law-abiding Northton residents to achieve and reinforce a common set of values—one directed toward obeying the law—among all residents in their community.

### **Current Policy Works Against Itself**

To this condition in the inner city, we apply contemporary law enforcement policy. But our policy too often does not reflect familiarity with the lessons of social organization theory. Contemporary law enforcement policy is obsessed with the lawbreaker; much of it is dominated by an instrumental view of compliance with the law. As I have outlined in some of my work, we can expect this approach to have negative consequences.<sup>6</sup>

Consider drug law enforcement. First, we have ratcheted up the penalties for drug offenders—large and, especially, small—at the State and Federal levels. Second, we have trained our sights on low-level drug dealers because people tend to think that dealing is worse than possession and dealers are, in a sense, a more cost-efficient target: They are fewer, more concentrated and, in some ways, easier to catch.

---

Our current policy attempts to reduce crime by raising its price for the potential criminal offender by lengthening sentences and increasing the number of police officers on the street. We might think there could be an associated benefit for social organization (see exhibit). That is, reduction of crime (on the right side of the exhibit) could lead to stronger community social structures, which in turn will amplify the outcomes of a get-tough strategy. Thus, we might be able to purchase improvement in social organization through the business-as-usual plan. However, the diagram also demonstrates that there are negative consequences of this approach, even if crime is reduced.

Again consider drug offending. Drug dealers are not randomly distributed throughout society. They are geographically concentrated in communities that are poorly structured for crime reduction. High incarceration rates mean high rates of removal of individuals from the neighborhoods where they live. When we remove these people (usually men) from the community, we can predict family disruption, an unemployment base with low potential for social capital creation, and geographic mobility. In short, we can predict the precursors of disruption of social organization. Our current policy, then, is at loggerheads with itself.

Additionally, the normative conception of compliance with the law demonstrates that there is another important reason to be skeptical that law enforcement-as-usual will get the job done. Racial asymmetry in law enforcement outcomes can diminish the commitment of law abiders to government authorities, thereby undermining the third category of normative law enforcement: perceptions of legitimacy.

The level of commitment to government among law abiders will determine in part the norms they pass on to their children. My concern is that a weak attachment to government predicts even weaker attachment on the part of their children and predictably higher levels of offending.

## **Success Is Linked to Law Abiders, Not Lawbreakers**

According to the normative view of compliance, our goal is not to manipulate the cost of crime for lawbreakers; rather, our primary goal is to manipulate the perceptions of government legitimacy held by law abiders. In this way, we can hope to embed norms of voluntary compliance—intergenerationally—to achieve crime reduction.

What would a law enforcement policy that focused on law abiders look like? Let me start with policing. I have explored various police practices and law enforcement policies that I think are conducive to improving social organization. Many of these policies, such as curfews, loitering laws, and reverse drug stings, look much like regular policing retooled to improve social organization. To fully realize the potential of law enforcement to improve social organization, however, we must make our “target” not crime, but rather the social structure of communities. We know from empirical work that positive social norms are already prevalent in communities. It is just that they are losing the norm competition because the infrastructure is damaged.

Law enforcement for law abiders focuses on ways to bring individuals to community-level social processes and promote methods of integrating institutions particularly suited to the task of crime

---

reduction through the promulgation of law-abiding norms. The targeting of institutional integration is particularly important, as the work of Northwestern University sociologist Albert Hunter shows. Hunter demonstrates that there are three levels of social order that we should be concerned about.<sup>7</sup> The first is the *private* level, which is essentially family, friends, and sometimes neighborhoods to whom an individual is closely connected. The second is the *parochial* level, which is the melange of community-level institutions such as churches, community groups, local business, and so forth. The third level is the *public* level, which is composed of formal bureaucratic agencies. The police would be part of the third level, as would other agencies of local government.

Hunter explains that the public level of social order relies on the state's legitimate monopoly of the use of coercion and force to maintain order, while the other two levels cannot sustain such use. The problem is that while the public level's use of coercion is sometimes necessary, its use alone is never enough to counteract the disorder that supports fear and feeds crime.

The social organization thesis also suggests that the breakdown of the parochial level of social order—the withdrawal of individuals from parochial-level institutions—feeds crime in crime-plagued neighborhoods. In such areas, we see tightly knit groups of family and friends relying on each other, but not on a wider group of neighbors, to prevent crime. Such a “barricade” approach is inconsistent with collective efficacy and leads to a fragmentation of social networks that makes promoting the parochial level of social order difficult.

At the same time, these close-knit groups at the private level continue demanding more of the public level of social order—demanding higher and higher levels of use of force and other public-level resources. These demands ultimately undermine the legitimacy of this use of force, leading to lower levels of trust in the state and lower levels of voluntary compliance. The way out of this situation is to reinforce the parochial level of social order. How can this be done? One strategy is to look at the ways in which the public level of social order might reinforce the parochial level.

## **The Expanded Role of Law Enforcement**

Law enforcement agencies are uniquely situated to provide resources and direction for the organizational efforts of private individuals and groups. Participation by residents in community policing programs is itself an aspect of local community solidarity. Such activity, moreover, not only reinforces the community social processes that prevent crime, but also constructs and transmits law-abiding norms. The key is to locate and unite the right institutions. In my most recent work, I have focused on institutional cooperation between the church and the police. The black church today is one of the few stable social institutions in low-income inner-city neighborhoods. The police are another stable presence. In many urban areas, however, predominantly black churches have little contact with the police and, where there is contact, it is too often adversarial.

---

Black churches and church leaders have traditionally played a role in faulting the police for their abusive behavior toward inner-city residents and their lack of response to crime in low-income communities. Consequently, it is very difficult for church leaders, who serve at the pleasure of their congregants, to assume what might otherwise be their natural roles as trusted intermediaries between congregation members and police. The reluctance or refusal of church leaders to vouch for the police sustains an institutional resource mismatch in many urban low-income communities.

Social organization theory, however, suggests the possibility of considerable crime reduction benefits to communities that are able to bridge the gap between the church and the police. For example, in West Garfield Park, a community all but devastated by violent crime, the commander of Chicago's highest crime police district led approximately 1,000 Chicagoans in a 30-minute prayer vigil. In groups of 10, the participants stood on designated corners—the same corners where lookouts often hawked their wares by calling out, “rocks and blows!”—and prayed. Following the prayer vigil, the whole group and more than 7,000 more community residents went to a large park for a “praise celebration,” where music was provided by a 400-member gospel choir, as well as food and inspirational speeches.

It is easy to dismiss this event as a publicity stunt, and more than a few of the law enforcement officials involved were uncomfortable about the explicit association of religion with policing. But attention to norms suggests that such an assessment is misguided, as the link had an important police purpose. Although it was not stated as such, a central potential outcome of the prayer vigil was behavioral change on the part of the law-abiding residents of West Garfield Park that will lead to improved social organization and eventually greater normative compliance with the law.

Police-facilitated prayer vigils are just one aspect of a new vision for law enforcement that is focused on law abiders. The full potential of this approach can be realized only by thinking about ways to bring individuals to community-level processes as well as ways to promote methods of integrating institutions particularly suited to the task of crime reduction. Additionally, greater strides must be taken to prevent law-abiding residents of the most crime-plagued communities from being further alienated from government institutions.

## **Strategies for Improvement**

### **Preventing further alienation**

- Pay greater attention to racial asymmetry in punishment.
- Provide alternatives to prison for low-level drug offenders.
- Track the racial demographics of arrest more efficiently.
- Ensure that serious offenders receive just punishment.

### **Promoting community policing strategies that are consistent with parochial institutional integration**

- Place the focus of community policing at the parochial level, not the individual level; the key actor is the local police commander, not the beat cop.

- 
- Promote a vision of policing that sees beat meetings as opportunities for deliberative democracy.
  - Promote bottom-up programming rather than top-down, expert-based programming.

### **Enhancing legitimacy**

- Understand that law abiders are essential to law enforcement.
- Understand that advertising is as important as traditional crime policy.
- Emphasize that local police need to understand their communities and cooperate with institutions that are an accepted part of the community.

### **Notes**

1. See Meares, T.L., "Place and Crime," *Chicago-Kent Law Review* 73 (1998): 679–80.
2. See Tyler, T.R., *Why People Obey the Law*, New Haven, CT: Yale University Press, 1990.
3. See Shaw, C.R., and H.D. McKay, *Juvenile Delinquency and Urban Areas*, Chicago: University of Chicago Press, 1969.
4. See Sampson, R.J., and W.B. Groves, "Community Structure and Crime: Testing Social Disorganization Theory," *American Journal of Sociology* 94 (1989): 774; R.J. Sampson, S.W. Raudenbush, and F. Earls, "Neighborhoods and Violent Crime: A Multilevel Study of Collective Efficacy," *Science* 277 (August 15, 1997): 918.
5. See Anderson, E., *Streetwise: Race, Class, and Change in an Urban Community*, Chicago: University of Chicago Press, 1990; see also Anderson, E., "The Code of the Streets," *Atlantic Monthly* 273 (5) (May 1994): 80–94.
6. See Meares, T.L., "Social Organization and Drug Law Enforcement," *American Criminal Law Review* 35 (1998): 191.
7. See Hunter, A., "Private, Parochial and Public Social Orders: The Problem of Crime and Incivility in Urban Communities," in *The Challenge of Social Control*, eds. G. Suttles and M. Zald, Norwood, NJ: Ablex Publishing, 1985.

---

## Exhibit

