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A Review of Fairness and Effectiveness in Policing: The Evidence

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<https://escholarship.org/uc/item/6k143566>

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Publication Date

2005-12-01

Fairness and Effectiveness in Policing: The Evidence

Edited by Wesley Skogan & Kathleen Frydl. National Research Council Committee to Review Research on Police Policy & Practices, Committee on Law & Justice, Division of Behavioral & Social Sciences & Education. Washington, DC: National Academies Press, 2004. pp. xiii + 413. \$44.95 (hard).

A review by Michelle Chernikoff Anderson & Howard Giles
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Prior to the 1968 Omnibus Crime Control and Safe Streets Act, which created today's National Institute of Justice (NIJ), scant scientific research on policing was available. Since then, the topic has become more of a focus of social science research, and much of it, like this book, NIJ-supported. At various junctures throughout, the authors—self-referenced as “the committee”—usefully summarize their evaluations of past research (for further elaborations from many of these authors, see Skogan, 2004) by means of (ultimately dozens of) formal propositions. Based as they are on insufficient or mixed evidence, however, the vast majority of these are rather inconclusive. This notwithstanding, the committee contends that law enforcement should be at the forefront of ensuring that its policies and practices are based, not on hunches or national trends, but on sound evidence. To this end, they argue that, far from being competing interests, police fairness and effectiveness are mutually reinforcing, while proffering a plethora of recommendations for future research. By far the most glaring “finding” for us, however, is the conspicuous absence of any *communication* re-

search on policing. This is not a failure of the committee per se, as few such studies actually exist (see, however, Giles, 2002). As will be evident below, the language describing the phenomena reviewed is, nonetheless, replete with communication constructs, although they are not labeled as such. Although far from the intent of its authors, this book opens the doors for communication scholars so that in future discussions of, and models for, policing, our testimony and research can play a vital role when the scientific community, law enforcement, and policy makers consider expert evidence.

The committee, despite some mixed data, finds that extralegal factors such as a suspect's demeanor towards an officer can affect the likelihood of arrest and physical force, underscoring the fact that “there is no legal justification for punishing a citizen whose demeanor is unpleasant but not illegal” (p. 120). In parallel, the committee reviews studies examining the effects of race on an officer's demeanor toward citizens, such as whether the officer is friendly, comforting, or reassuring, further work on which they contend is a “high research priority.” (p. 125)

The issue of police legitimacy arises frequently across the chapters of this book (particularly as it relates to differential racial perceptions) as it does often in the popular press. As Los Angeles Mayor James Hahn said in response to a recent video in which an officer is beating a suspect—who appeared to have surrendered—with a flashlight, “this jeopardizes reforms . . . and will test the ‘bond of trust’ with the community” (*CNN.com*, June 24, 2004). Legitimacy is defined herein as the subjective judgments that civilians make about the rightfulness of police conduct and the institutions that employ and supervise

them. This process is argued to be crucial to policing in a democracy in which the consent of the public lies at the heart of the authority held by law enforcement. Relatedly, studies on differential racial perceptions of police legitimacy and trust, as well as their consequent effects on compliance, are afforded considerable textual attention. As the committee points out, a more legitimate police force is a more effective one because the public will (a) invest it with more authority, (b) provide it with more tax dollars, (c) call it when in need of help, (d) assist it in solving crimes by providing information, and (e) be more likely to comply with its orders. Important research findings from the fields of law and psychology also show that when officers treat victims, bystanders, and suspects with dignity and respect, perceptions of police legitimacy increase. What is more, legitimacy is shown to be a greater factor in determining the public's support for the police than are instrumental measures such as law enforcement's ability to deter crime. Because the committee views the creation of legitimacy as under the control of the police, attention is focused on this process.

In addition, research on complaints, as well as citizen reviews, of police rudeness, discourteousness, arrogance, unfriendliness, overly casual treatment, unreasonableness and unfair behavior are also discussed. Needless to say for this readership, all of the foregoing are communicative constructs—a perspective given implicit and passing credence by the committee, as in pleas for the police to explain their decisions and account for their conduct "...in ways that make clear their concern about giving attention to people's needs" (p. 304). In this vein, ongoing research by us and

collaborators in different continents points to the crucial role communicative practices play in many of the abovementioned spheres. For instance, how accommodating officers are perceived to be (i.e., whether they are seen to listen to, and take the perspective of, the public) can directly predict civilians' attitudes towards their local police agency and also mediate their sense of trust in it (e.g., Giles et al., in press).

The committee extols the virtues of independent research itself being a means to increasing the legitimacy of law enforcement by claiming that "when their operations fall under scrutiny, adopting agencies can point in defense to . . . best practices reports distributed by . . . research institutes" (p. 309). Hence, any police department's investment in research addressing a police-community issue may enhance its perceived legitimacy, making both law enforcement and the public all the more interested in working with academics. At the moment, police science is not attending to research and theory in interpersonal, intergroup, media, nor organizational communication, to name but a few of our tendrils, and (apart from some important exceptions, such as Randy Rogan, Mitch Hammer, and Brian Spitzberg) neither are we yet impacting them.

References

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Skogan, W. G. (Ed.). (2004). To better serve and protect: Improving police practices. *Annals of the American Academy of Political and Social Science*, 59.

Oprah Winfrey and the Glamour of Misery: An Essay on Popular Culture

By Eva Illouz. New York: Columbia University Press, 2003. 300 pp. \$73.50 (hard), \$24.00 (soft).

A review by David W. Park
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Oprah Winfrey is an irresistible and difficult subject for the cultural scholar: irresistible because she connects with so many important themes in cultural studies; difficult because her use of different media and her fluid persona defy some of our most familiar tools for understanding culture. Eva Illouz's *Oprah Winfrey and the Glamour of Misery* embraces Winfrey as a subject of analysis while addressing directly the problems that have frequently arisen from less perceptive approaches to popular culture.

The book argues for a new approach to popular culture. Illouz argues that the "power-pleasure-resistance conceptual trio" (p. 1) that has defined much of the study of culture has impoverished our ability to understand phenomena like Oprah. Illouz approaches culture as "a way to respond to chaos and to meaninglessness by offering rational systems of explanations of the world" (p. 7). This leads her to consider Oprah as a moral entrepreneur, with a focus on the tools that she uses to forge her relationship with her audience and also on how Oprah provides tools with which her

audience members construct their own selves.

The analysis begins with Oprah herself and with a description of how Oprah draws on traditions within African American culture to establish her program above all other talk shows. One of Oprah's greatest feats has been her success in weaving herself into her own show, expanding the talk show genre, a development that Illouz ties to the chaotic (and, yes, postmodern) condition of identity. Subsequent chapters are devoted to the meaning of suffering on Oprah's show, the play of postmodern identity, the tools for living that Oprah makes available, and a new, reflexive critique of Oprah's oeuvre. Much of this follows from Pierre Bourdieu's notions of strategy and habitus; Illouz breathes life into Bourdieu's theoretical mechanism without getting bogged down in it. These largely structural-level insights are matched with an exacting description of the content of her show, the book club, and other things Oprah. Illouz does this with a nuanced appreciation for the ritual and performative aspects of these messages.

There are some problems here. Because she emphasizes how Oprah's audiences use Oprah as a Swidlerian "tool kit" for addressing chaos and meaninglessness, one might wish that Illouz had also provided some more information regarding how these audiences understand her, what kind of problems they experience, and how they think Oprah fits into those problems. Also, Illouz's approach leaves little space for a discussion of the role played by organizational and institutional forces.

Still, what makes this book outstanding is how its author digs deeper into her subject matter than any other researcher yet to address Oprah. Illouz