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Despondent officer narratives and the 'post-Ferguson' effect: exploring law enforcement perspectives and strategies in a southern American state

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ABSTRACT

The fatal shooting of a young, black, and male citizen named Michael Brown by a white male police officer in Ferguson (MO) generated political and media backlash that continues to erode law enforcement legitimacy today. Law enforcement is sensitive to changes in the public discourse on their profession and has responded in kind. A plethora of discussion has focused on the potential existence of a so-called 'Ferguson Effect', whereby de-policing has emerged among officers as a result of concerns about being subjected to negative media scrutiny for racial profiling or excessive use of force, in turn increasing crime rates. Unfortunately, the 'Ferguson Effect' is long on anecdotes but short on data. To better understand officers' attitudes, perspectives, and strategies and the way in which the negative press related to the Ferguson incident interacted with these, in-depth semi-structured interviews with 20 law enforcement officials were supplemented with participant observations of officer deployments in two southern State counties in the United States. Officer confidence, morale, and policing strategies were queried within the post-Ferguson era. The data suggest that there had been an increased conceptual awareness of procedural justice but also a reduction in officer morale and emphasis on proactive policing strategies, and that Ferguson was often drawn upon as a reference point among officers. The implications for these findings are discussed in terms of future police policies and practices within a procedural justice framework that seeks to reduce crime and increase law enforcement legitimacy.

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Ferguson Effect; procedural justice; law enforcement legitimacy; de-policing

Introduction

On 9 August 2014, a young, black, male, citizen named Michael Brown was shot and killed by a white Ferguson (MO) police officer named Darren Wilson. An altercation, according to Officer Wilson, occurred when Mr Brown was stopped and questioned because he was walking in the middle of the street blocking traffic. In addition to being unarmed during the incident, a Department of Justice investigation found that several bystanders observed Mr Brown with his hands up, facing away from Officer Wilson, and cooperating with his commands when shots were fired. The physical evidence of the incident, however, would later dispute some of the bystander's claims¹ and somewhat exonerate Officer Wilson of wrongdoing (Department of Justice 2015). For many, these events were all too familiar, as another white cop had killed another unarmed black man.² In this

instance, however, familiarity was not met with complacency. Mr Brown's body lay in the middle of a Ferguson street for four hours after the shooting, and community outrage was fuelled by this delay as onlookers expressed their unhappiness with the police for this indignity (Bosman and Goldstein 2014).

Furthermore, the Ferguson Police Department, in the days that followed, seemed to be withholding information as they carried out their investigation (see Von Drehle 2014) and then, in televised press conferences, appeared to discredit Mr Brown's character. Citizens reported that they felt that the Ferguson Police Department was being deceitful, petty, and disrespectful (Botelho and Lemon 2014). The Ferguson community again organised to demonstrate its disapproval but was met with a militarised police force. Citizens from outside the Ferguson community joined 'hands up, don't shoot' protesters that were mobilised by a social media campaign.³ Local, national, and international news outlets descended on the city as peaceful and violent demonstrations ensued. A nightly curfew and state of emergency was initiated as Missouri Governor Jay Nixon ordered local law enforcement to cede their authority to the Missouri State Highway Patrol and National Guard (Bellow and Alcindor 2014).

The activism in Ferguson lasted for 16 days following Mr Brown's death (Williams 2014) but a larger movement, in spite of Officer Wilson's apparent innocence, continues today as the events in Ferguson have been shown to have a lasting impact on police and citizens. From the perspective of law enforcement, it has been suggested that officers are more aware of negative publicity surrounding their profession and mindful of the public's ability to video record police–citizen interactions following the events in Ferguson. This new consciousness is hypothesised to have made law enforcement less willing to be proactive to avoid suspicions of racial bigotry (Wolfe and Nix 2016). As a somewhat recent phenomenon, the extant literature on the 'Ferguson Effect', as it is more commonly known, is long on anecdotes but short on data (Pyrooz *et al.* 2016). The purpose of this study is to contribute to the empirical status of the Ferguson Effect by allowing the voices of law enforcement to be heard on this issue. A qualitative approach is used to explore officer confidence, morale, and policing strategies in a post-Ferguson era. Insights from in-depth semi-structured interviews with 20 law enforcement officers in one Southern American State are supplemented with those from participant observation of police deployments in order to highlight thematic concepts. Prior to getting into the data, this manuscript begins by situating this study in extant literature on law enforcement legitimacy, controversial media events, and the Ferguson Effect.

Law enforcement legitimacy

Citizens generally have an overwhelmingly positive perception of law enforcement in the United States (Weitzer and Tuch 2006). A 2008 poll, for example, found that 88% of American citizens had a 'great deal' of confidence in law enforcement (Gallup 2011). This effect has been somewhat stable over the last 40 years (Tuch and Weitzer 1997), but has diminished substantially since the death of Michael Brown. In 2014 and 2017, Gallup polls reported that less than 57% of respondents had a 'great deal' of confidence in law enforcement. Citizens in these polls appear to be more sensitive to declining neutrality, respect, and trust in their direct and vicarious experiences with law enforcement since the events in Ferguson. These features are key attributes of procedural justice, which is a philosophy that promotes fairness in criminal justice processes (Tyler 1988). According to Tyler (2006), in his seminal work on why people obey the law, procedural justice is linked to State legitimacy; the State suffers when law enforcement is perceived to be unjust and is best sustained by law enforcement decision-making that is seen as fair.

Law enforcement legitimacy, however, is complicated by the fact that it is not an all-or-nothing phenomenon and unevenly distributed throughout a community. In fact, racial and ethnic minorities tend to be more aware of disparate outcomes in their evaluation of police (Gau *et al.* 2012), whereas white citizens are often less likely to see prejudice as an important issue permeating the nation's discourse (Rice and Parkin 2010). This may explain, in part, why the death of Mr Brown promoted public

demonstrations by the Black Lives Matter (BLM) movement, while white citizen confidence in police has been somewhat unaffected by these events.

Law enforcement legitimacy and procedural justice are sadly omitted from many discussions on the Ferguson Effect; however, there is some indication in the extant literature that these approaches may insulate a community and department from experiencing a Ferguson-like event (see, for instance, Kochel 2011, Jonathan-Zamir *et al.* 2015). Substantively, the exercise of law enforcement authority that is fair, impartial, transparent, and gives voice to residents has the potential to increase the State's institutional legitimacy (Sunshine and Tyler 2003, Taylor and Lawton 2012).

Controversial media events

Law enforcement has a regrettable history of behaviour that contradicts many of the tenants of procedural justice. Police, for example, have long been associated with the practice of racial profiling or the differential treatment of racial or ethnic minorities during automobile stops (Fallik and Novak 2012). Research to this effect finds that racial and ethnic minorities are more likely to be stopped, searched, cited, and arrested during automobile stops with law enforcement (Smith and Petrocelli 2001, Withrow 2004, Roh and Robinson 2009). Law enforcement retort that the 'driving while black/brown' phenomenon, as it is also known, is a result of patrol deployments that are responsive to area crime rates and community calls for service. Nevertheless, disparity in police–citizen encounters is perhaps most concerning among use-of-force statistics. Though the number of people killed by police officers has declined since the events in Ferguson, black males tend to be overrepresented among these figures. In 2016, for example, Black males comprised 6.1% of the American population but were a quarter of people killed by police, according to the American Community Survey (2016) and a Washington Post (2015, 2016) database, respectively. Additionally, approximately 14% of the black males killed by police in 2016 were unarmed (Washington Post, 2015, 2016).

Substantively, the events in Ferguson did not create unfavourable sentiments for the police, such sentiments already existed for many racial and ethnic minorities (Weitzer and Tuch 2006, Bradford *et al.* 2009, Taylor and Lawton 2012). The events in Ferguson, however, were followed by a number of high-profile news media events depicting the deaths of young, black, males by police throughout the nation that confirmed existing beliefs (for instance, the officer-involved shootings of John Crawford II in Beavercreek (OH) on 5 August 2014; Laquan McDonald in Chicago (IL) on 20 October 2014; Walter Scott in North Charleston (SC) on 4 April 2015; Freddie Gray in Baltimore (MD) on 12 April 2015; and Philandro Castile in St Anthony's (MN) on 6 July 2016).

Though some have suggested that the frequency of these incidents has remained somewhat stable in the post-Ferguson era (Buehler 2017), these tragic events came to be viewed through a different lens as the nation's consciousness about police use-of-force was somewhat awakened by a constant bombardment of social and news media stories. Much like the Rodney King beating by the Los Angeles (CA) Police Department, these events were no longer seen as an anomaly but as a pattern that forced the nation to question the institutional order of law enforcement within the context of procedural justice.

In doing so and as Sunshine and Tyler (2003) predict, overt alienation, defiance, and noncooperation with law enforcement followed as conflicts among citizens and the police ensued. BLM members gathered and protested over several officer-involved deaths of young, black, male citizens. Anti-police demonstrations in each of these instances were not isolated, as protests often occurred outside the affected jurisdictions, including places without overt police–citizen conflicts (Wolfe and Nix 2016). Culhane *et al.* (2016), in a pre-/post-Ferguson analysis of citizen perceptions of police shootings, noted that this has caused police to have to 'pay' for the perceived injustices of other departments.

There is an abundance of anecdotes on the 'War on Cops' (MacDonald 2016b). MacDonald (2016a), for example, was told by officers that suspects and bystanders often 'stuck cell phones in officers' faces and refused to comply with lawful orders'. Similarly, Morgan and Pally (2016) noted that

there appeared to be 'a decline in community cooperation with the police' (p. 4). Matt (2014), a police office in a New York Post op-ed, suggested that the number of officers shot in the line of duty had spiked in the post-Ferguson era; though little empirical support was provided. Maguire *et al.* (2017), in contradiction to Matt (2014), found that there was no difference in the number of officer deaths before or after the death of Mr Brown in their time-series analysis. Nevertheless, public empathy for police has prompted a pro-police undertaking (i.e. the Blue Lives Matter movement).

The Ferguson Effect

These events have taken a toll on law enforcement. The perceived lack of reporting on officer in-the-line-of-duty deaths, while appearing to sensationalise the deaths of young black males, has led many officers to distrust the media for furthering an 'us' vs. 'them' narrative that isolates law enforcement from the communities they serve (Matt 2014). Perhaps the biggest impact of these events has been on de-policing or withdrawal of law enforcement duties. Though it is unlikely that police will stop responding to crime altogether, de-policing can take on several forms including fewer arrests and traffic stops (Mac Donald 2016a, Morgan and Pally 2016).

De-policing can also have more informal ramifications. Nix and Wolfe (2016), found that negative publicity surrounding the police profession in the aftermath of Ferguson was associated with lower levels of officer self-legitimacy. Additionally, Wolfe and Nix (2016), in a survey of 567 deputies from a southeastern American agency, found that negative police publicity has decreased officer willingness to engage community partners. To this point, they stated that 'some officers may feel that being a cop is a no-win situation' and queried 'if nothing they do pleases the public how can they be motivated to police?' (p. 3). Accordingly, several authors have commented that officers appear less willing to put in the 'extra effort', follow more discretionary pursuits, or be proactive in their day-to-day activities (Mac Donald 2016a, Morgan and Pally 2016, Pyrooz *et al.* 2016, Wolfe and Nix 2016).

Anecdotes from police indicate that de-policing is due to fear of being the next star of a career-ending viral video (Nix and Wolfe 2016). New York City Police Commissioner William Bratton called it the 'YouTube effect', whereby the appropriateness of police conduct is debated on the internet that drums up controversy and potential legal action. Within this context, police are understandably more hesitant for activities there is no mandate to undertake (Mac Donald 2016a). Morgan and Pally (2016) suggest that police may be withdrawing their services to punish politicians who have turned their back on police. They write that the Baltimore Police Department 'had pulled back from routine police work in protest against a lack of support from the city's leadership' (p. 1). They also suggest that de-policing is often necessary for a department to catch up on paid overtime work.

Regardless of the cause, crime may increase as an unintended consequence of de-policing. Widespread reductions in guardianship have been empirically found to embolden criminals, which can lead to a rise in crime (Levitt 2002, Braga *et al.* 2014). With regard to the events in Ferguson, Rosenfeld (2015) looked at monthly rates for homicides, violent, and property crimes before and after Mr Brown's death in St. Louis, Missouri. He reports that 'Only the timing of the change in property crimes is fully consistent with the Ferguson effect [...] but cautioned that] temporal consistency is not a sufficient condition to establish substantive proof' of a Ferguson Effect on crime (p. 3). Moreover, Pyrooz *et al.* (2016) evaluated index crimes in 81 American cities pre- and post-Ferguson. They found no support for a Ferguson Effect on overall, violent, or property crime. Their results, however, are much more nuanced, which was not lost on Mac Donald (2016a) who sharply criticised Pyrooz *et al.* (2016). In this critique, she argued that crime would vary in differing demographic settings which could have been masked by their methodology.

Another methodological issue in the extent literature is an absence of law enforcement voices. Over 60 years ago, Westley (1953) reported that 73% of officers felt that the public was against or hated them. In a more recent study, half of police officers in a Cincinnati survey of law enforcement reported that citizens disrespect them more often than not (Riley *et al.* 2006). Unfortunately, missing

from these studies are the words of officers and as Wolfe and Nix (2016) note, 'the only way to determine whether such a Ferguson Effect exists is to ask officers themselves' (p. 3). As such, Mac Donald (2016a) encouraged researchers 'to get out there and talk to some officers'. Substantively, the few studies that do give voice to law enforcement were conducted prior to Mr Brown's death. Consequently, for the Ferguson Effect, several unanswered questions remain, particularly relating to officer confidence, morale, and policing strategies in the post-Ferguson era.

Methodology

The purpose of this paper is to address these issues. As part of wider empirical research on the policing of gang violence in a Southern American State, conducted by the first author as part of a Fulbright scholarship in the first half of 2017, we collaborated as an international team to conduct a smaller sub-study focused on the perceived nature and impact of the 'Ferguson Effect' on serving officers there. The observed and interviewed officers serve in contiguous Counties and were selected based on convenience and access. In both communities, officers serve approximately 1.6 million residents with a median household income just below fifty thousand dollars. The bulk of registered voters in the two Counties are Democrats, while the racial/ethnic composition of these communities mirror national rates. The national breakdown is as follows – White 61.3%; Hispanic/Latino 17.8%; Black 13.3%; Asian 5.7% (US Census Bureau 2017). The crime rate in both communities is lower than national averages across all index crimes and, in some instances, half the national rate. While there have been officer-involved deaths in these communities, none garnered national attention like those previously discussed.

Our study's core aims were centred on the illumination of officers' personal perspectives and experiences. We were concerned about the nature and extent of the 'Ferguson Effect', its impact on law enforcement within the State, its perceived repercussions in terms of citizen engagement, and its apparent impact on officer confidence, morale, and policing strategies. In addition, since the research was conducted at a time of significant political transition in the US (during and immediately following President Donald Trump's inauguration), we were also interested in exploring the officers' views about the future of law enforcement, and the way in which they saw the new Presidential administration having an impact on this.

Our research drew upon ethnographic research methods (Hammersley 2006), but with a particular emphasis on gathering data via in-depth interviews and informal conversations with officers. By adopting the 'participant-as-observer' role, we were transparent about communicating our research intentions to officers, but also to some extent participated alongside them in their daily professional endeavours as a means of both building trust and gaining informal insights before exploring their views and insights more fully through in-depth qualitative interviews (Gold 1958). Across a period of three months and as part of the broader research study, the first author shadowed specialised teams of frontline officers from two different Counties within the Southern State. He engaged in ride-alongs during police deployments with both departmental officers and those working in County divisions, and also observed the covert surveillance work conducted by Detectives in one of the County Sheriff offices. In a more general sense, he engaged in informal dialogue with officers and Detectives across the two Counties during pre-deployment briefings, rest breaks during deployments and covert surveillance shifts. During this process, he routinely recorded 'jottings' of 'fragments of action and talk' to serve as focus points for later, more detailed written accounts of key events. He also recorded his own personal 'impressions and feelings' (Emerson *et al.* 1995, pp. 31–32) and later drew upon these to create field notes.

Access to the County Sheriff and Departmental offices was secured through the use of gatekeepers: contact was initially made with senior officers in County Sheriff and Departmental offices by drawing upon the existing contacts and networks associated with academics within the first author's host academic institution for the Fulbright award. Once the first author had

begun to establish the trust of officers through engaging in deployments, snowball sampling was then drawn upon whereby those officers he worked with provided him with additional police contacts to work with in order to expand his observations and insights. Through drawing upon his extensive previous experience of shadowing, working with, and building trustful relationships with police officers both in the USA and in Europe, the first author quickly became accepted and welcomed and gradually assumed the role of 'marginal native' (Hammersley and Atkinson 2007, p. 89) during the fieldwork research, creating a fine balance between being a stranger and a colleague to officers (Deuchar 2013).

In addition to engaging, shadowing, and interacting with officers informally, semi-structured individual interviews were conducted with a small sample of serving officers of various ranks, exploring in more depth their reactions to the media reporting and political rhetoric surrounding policing in the years since the Ferguson shooting (and other types of similar incidents), as well as their perceptions about the changing political environment and its impact on law enforcement. To secure participation in interviews, the author first approached the officers he worked with during ride-alongs and sought their willingness and consent to participate. Through snowball sampling, those officers in turn recommended other officers at both County and Department level that might be willing to be interviewed, and the first author continued with this process of access and engagement until data saturation was reached (Strauss and Corbin 1998).

In total, 20 officers were interviewed and participants had a range of experience in terms of their length of service and current police ranks. In one County, interviews were conducted with one Chief Deputy Sheriff, one Lieutenant, five Detectives, one Sergeant, and two Special Agents (who supported the police with special investigations related to drug enforcement and violent crime detection). Interviews were also conducted with participants within one of the largest police departments within the County, namely the current and outgoing Chiefs, one Sergeant, and three officers. Finally, in the second County interviews were also conducted with one Sergeant and two Detectives. Aside from those at Chief Deputy Sheriff or Departmental Chief level, the majority of the interviewees were assigned to units at either County or Department level that focused primarily on the detection, prevention, and enforcement of violent crime. However, one County Detective specialised in firearms investigations and one Special Agent focused on drugs enforcement. Of the 20 participants, 18 were male and 2 female. Of the two female participants, one had recently taken up the post of Departmental Chief of Police, while the other was a frontline Officer. While 16 of the participants were white, 4 were African Americans (two of whom were Officers, 1 a Lieutenant, and 1 a Special Agent) and the range of experience of officers varied greatly, with the newest officer having been in service for just over 4 years and the oldest having served for over 40 years.

Interviews were audio recorded and transcribed for ease of data analysis. Data from both interview transcriptions and field notes were anonymised and the participating officers were informed of this. A thematic analysis of data sets was conducted by all three authors. First, we engaged in an inductive approach to open and axial coding to identify the most salient themes (Strauss and Corbin 1998). Second, overarching themes were interpreted in light of the existing literature on policing, procedural justice, legitimacy, and the impact of the 'Ferguson effect'. Thus, our inductive approach to data analysis was in keeping with the interpretative paradigm suited to privileging participants' perspectives on the common themes that emerged from the data.

In this paper, we mainly share insights from the semi-structured interviews. However, we also include some supporting salient insights emerging from the first author's wider informal discussions and interactions with officers during police deployments and rest breaks during shifts as well as observations from ride-alongs. In the following sections, key insights are presented under three sub-themes. Pseudonyms are used to describe the research participants throughout, but the ranks of individual officers referred to are highlighted.

Findings

Media coverage, demonisation of policing, and reduced public cooperation

All of the officers in the sample were aware of the intense political and media scrutiny that police agencies across the US had experienced as a result of the 2014 officer-involved shooting in Ferguson and other similar events across the country in recent years. They described how policing was continually under the microscope. Both mainstream news reporting and social media tended to condemn officers on the back of very little evidence, and this in turn had an impact on public trust, particularly among highly impressionable young people:

I do definitely feel like (1) we are under-appreciated and (2) we're under a microscope, so everything we do is being looked at ... unfortunately the media and the public don't give law enforcement the same, I wouldn't necessarily say rights ... but if we do something that they don't agree with, they're already convicting us before we even go to trial. (Logan, County Detective)

When you get to the older crowd, where people that have been here for years, they're in their 50s or whatever the case ... there's a line of respect for these officers, but once it starts to get younger ... where they're easily persuaded by social media or media, you definitely see a big impact within the communication between officers and the civilians. (Calvin, Departmental Officer)

The persistently intense and negative reporting in the media had, in many officers' minds, led to a greater tendency for disrespect and lack of cooperation on the streets. Several indicated that this perceived disrespect had begun in communities of colour, but had increasingly begun to spread across cultural boundaries. Officers of different ethnicities described how this manifested itself. As Calvin (an African American Officer) and Owen (a white Detective) alluded to, this often involved refusing to comply, an increased filming of officers and at times led to greater confrontation and even arrests when officers ultimately retaliated:

With all the things that have happened, the people on the streets feel more and more to not follow your instructions ... you end up having to take action and they feel empowered, you know, to resist. (Calvin, Departmental Officer)

I would say post-Ferguson there's more of a challenge. 'Uh, you don't have the right to stop me, I'm filming' ... they're not paying any attention to anything you're saying because they got their phone in your face and they're trying to Facebook live or Periscope it ... they're not listening. It ultimately creates that lack of cooperation which can eventually lead to an arrest. (Owen, County Detective)

Ultimately, officers felt that the negative media coverage and lack of political support for policing in recent years across the country had led to the demonisation of policing. Only negative images of officers and positive images of offenders were promoted:

You can only call people monsters so long before people start going, 'wow, these assholes' ... so the media will pick stories where it's questionable – you don't see where, you know, law enforcement saves kid from burning building. (Owen and Joshua, County Detectives)

Well the last few years, [the biggest change] is the demonisation of police officers as being bad, and the sanctification of criminals. 'Oh, he's not a bad kid'; they show pictures on TV when he was at High School, not the picture of him with gang tattoos and when he did a robbery. They make him look like a saint and make the police officer look bad. (Michael, County Detective)

Several also talked at length about the way in which the negative portrayal of law enforcement officers had led to a situation where those living in disadvantaged, marginalised communities had become even more distrustful of the police than before. In particular, the long-held 'no snitching' policy in communities of colour had gained increased momentum where local citizens felt even less inclined to report crimes:

There is a lot of police mistrust, or at least the idea of that went round the country here over the last few years with the Gray case, with the Ferguson case. And actually, I wouldn't call it so much mistrust as I would call it a lack of

cooperation. It's the mentality, no one on the street ever wants to be a witness. They could be sitting on their front porches when a shooting happens and yet there are no witnesses. (Ryan, County Sergeant)

You take a place like [...] – you know, you can go in there and have a shooting, over a hundred rounds fired, six houses shot, five cars hit, a hundred misses and nobody saw anything. (Andrew, County Detective)

As discussed earlier in the paper, a growing literature provides evidence of the links between public perceptions of procedural justice, police legitimacy, and tendency towards public engagement with officers (Mazerolle *et al.* 2012). The insights from our sample of officers suggested a lack of perceived legitimacy, cooperation, and greater propensity for police–citizen confrontations (Deuchar and Bhopal 2017). Many of the officers drew upon media reports of high-profile incidents in locations like Ferguson (MO) as a cultural reference point for explaining the perceived lack of respect for law enforcement. However, the negative reporting and its repercussions on public reactions had also had a profound impact on the officers themselves, as the next section illustrates.

Reduced proactivity and officer morale, confidence and motivation

The participating officers described the way in which the post-Ferguson media attention had led to a situation where many officers were less inclined to be proactive in their approaches, particularly in relation to communities of colour and with respect to use-of-force:

There are cops out there that, they're afraid ... somebody's going to throw in the towel, what we call the 'race card' – 'oh, you're stopping me because I'm black, you're stopping me because I'm Hispanic. Whereas reality is 'no, I stopped you because you're committing a crime' ... I think it causes hesitation, hesitation not only to make the stop but hesitation to act, you know with any kind of force. You know, I think instead of being primarily concerned with their own safety that hesitation comes into play as to 'how am I going to be viewed?' (Ryan, County Sergeant)

Some observations during police ride-alongs illustrated the apprehension that certain officers had about potentially being accused of racial profiling. One such instance took place as the first author accompanied an officer through various fairground rides; after asking several young black males to remove gang-affiliated bandanas, the officer felt compelled to approach a young white man:

I notice a young white male approaching, hand in hand with his girlfriend. Like the young black men the Sergeant approached earlier, I notice he is also wearing a bandana. However, this one looks more like a fashion accessory rather than being in any way gang-related. 'Hey, buddy you need to take the bandana off,' Ryan, the Sergeant, says to him. The boy reaches up and slips the bandana off. He looks puzzled, 'Oh, is it gang stuff?' he asks. Ryan nods and the boy seems content with this and walks off. As he does, Ryan turns to me and says, 'yes, he's just a skinny young punk – he's tryin' to look cool in front of his chick, what gang is he in? Maybe a skater gang!' he laughs ironically. 'But you know, I've asked every African American kid in here to take their bandana off so if I don't tell him to do it I'll be accused of being racist,' he says in a very cynical way. (Researcher's field notes)

Previous research has drawn attention to the fact that, where police legitimacy is questioned, crime has been found to be greater (Tyler 2006). Participants in our sample referred informally to the increased reticence among officers to confront young black men in socially deprived communities in particular, for fear of being accused of racism. In some officers' minds, this had led to a situation where potential criminal behaviour was going unchallenged in some communities:

Bottom line, you now have officers being less proactive. You know, a drug dealer standing on the street, these guys – I'm not saying all – but you got officers who are not gonna go out of their way to push them off the corners because it's going to end up in a fight, and with the things that have happened the people on the street feel more and more inclined to not follow your instructions. (Andrew, County Detective)

Officers are getting sued for doing their job and doing it right ... so a lot of officers I think have taken a step back and aren't being so proactive and I think the criminals and gang members see that ... before where you could sit out, you know, and do whatever you want to on the street corner and you'd get stopped by a police officer or at

least questioned or, you know, a police officer would intervene ... now they're just driving by and the criminals know that. (Logan, County Detective)

The phenomenon of de-policing to some extent became apparent to the first author while shadowing deployments, where officers were not always proactive at intervening even when it was evident that young black men were engaging in drug deals:

Jennifer, the officer I am shadowing today, turns the car into the next side street. I can see a group of black guys in the distance standing on the corner. As the car comes within sight, they began to move. 'All of these guys sell, so they pull away when we drive up,' Jennifer explains. I ask her what they would be selling, and she says possibly heroin but that a lot of them sell weed, crack or other narcotics. As we drive past them they are walking in different directions. 'I don't really seek out dealers,' Jennifer explains, 'some patrol officers will jump out of cars and stop and frisk, but others won't now – depending on where they sit with the ideology'. (Researcher's field notes)

As Jennifer alluded to in the above field notes, the increased scrutiny and distrust of law enforcement had also led to a reduction in the range of tools at officers' disposal as a result of responsive policy changes in recent years. For instance, officers explained that stop, question, and frisk (SQF) could now only be used if there was 'probable cause' that a crime had taken place, or was likely to occur. Several interviewees described the increased formal justification that officers needed to give for using the tactic and that had emerged as a result of the post-Ferguson scrutiny of police agencies across the country. While some believed that it had never been an effective strategy in any case, others alluded to the potential negative impact the reduced availability of the tactic might be having on both community and officer safety:

I mean, it is unconstitutional so we can't do it ... I don't think it really helped, you know numbers have shown that stop and frisk didn't really solve the crime issues, you know what I mean, because ... if I have a weapon I am not gonna give you the opportunity to stop me, you know what I mean, cause if I know I have something that's illegal – I'm running. (Jonathan, Departmental Officer)

They [gun carriers] used to know that officers were going to stop them and jump out and check they weren't carrying them. I mean they would always have them somewhere, they have them hidden, they had them but they weren't just blatantly standing on corners with them. Where now, they know that officers are a little more unsure of the laws and a little bit more timid and know that we don't necessarily have the political support that we need and so officers have pulled back a lot in that aspect. And that's dangerous for officers and the community ... I know it's against people's human rights in some ways but that's not always a reason to stop doing it and just let crime happen. (Jennifer, Departmental Officer)

In addition to changes to SQF, several officers also described the way in which the pursuit policy had changed across the two Counties meaning that chasing a fleeing offender by car or in the air was no longer feasible unless he/she was a known violent felon:

You know, we can't even chase cars now unless it is a known violent felon – and people know you can't do these things, they tell you on the streets. It's a mess! (Jennifer, Departmental Officer)

Even our own policies have a huge effect on things. We have a no pursuit policy. We've been up on wires and every time we'll know the drugs are being delivered and we go to make the stop, they'll flee. We can't chase. It has gotten so bad that we can't even chase with a helicopter. (Andrew, County Detective)

Against the backdrop of the reduced availability of enforcement tools at their disposal, the interviewees described the way in which a range of alternative approaches were being used to reduce violence and criminal activity across the two Counties. For instance, in one County, in particular, there had been an accelerated emphasis on community-oriented policing strategies underpinned by procedural justice values, as a means of re-building police–citizen relationships and placing an emphasis on prevention, as the Chief Deputy Sheriff articulated:

You know what, if you want to be successful, you have to build a network. Because if you don't have it, when stuff happens you don't have anybody to go to. And if you don't have a relationship, then people don't trust you ... I am a thousand times the advocate for community policing. (Jacob, Chief Deputy Sheriff)

Drawing on the principles outlined within the final report of the *President's Task Force on 21st Century Policing* (2015), the Chief of police within one prominent police department in this same County articulated her vision to balance prevention with enforcement and to view officers as both 'guardians' and 'warriors':

You've got to find the balance between that guardian and warrior. People call us to be the guardian, they call us to be the warrior ... I think you could be a little bit of both. I think you see more of that guardian part as it's attached to being proactive and trying to prevent things in the community, but when the rubber meets the road, you've got to be ready to go. You've got to be willing to step up and be the warrior. Because people are going to expect that from you. (Emily, Departmental Chief)

Certainly, observations made by the first author clearly illustrated the attempts that officers were making to place an emphasis on building positive relationships, and treating local citizens in communities of colour with dignity and respect. The field notes below document the way in which one white male sergeant was engaged in positive rapport-building and active attempts to divert young black men away from street violence by steering them towards work schemes offered by local agencies the police department worked closely with in the local area:

As we drive into Third Street, the car slows down as I notice a group of young African American men standing on the street corner. Daniel, the Sergeant I am shadowing today, rolls down his window and shouts, 'what's up?' The guys respond by acknowledging him as he slows up. As we pull into the side of the road I notice that there are two black young men on my side of the car in their twenties, and three younger black men who are in their late teens or around 20 on Daniel's side. All are dressed in t-shirts and jeans. 'Hey, what's this vehicle you're in?' the boys on my side ask him. 'Hey man, it's fuckin' terrible. I told them I need a truck – it feels like 2 pounds of sausages in a 10 pound wrapper!' Daniel jokes loudly with them as they laugh and I am immediately struck with the relaxed approach that this officer has with the young men, and the rapport he has obviously built. 'Hey, man if you're interested in getting onto a work scheme for 18-24 year olds, I can get you into a programme for construction, hair cutting and all sorts of things – I got 35 spots and can get you in'. The boys seem interested in the potential scheme, and Daniel tells him he will come back with more details the next day. (Researcher's field notes)

Officers across the two Counties articulated their belief in community-oriented policing approaches and the way in which getting out of cars, communicating effectively and building trust with citizens could help increase cooperation and also instil confidence among local people to report incidents to the police. However, there was also clearly a sense among many of the male officers we interviewed that adopting an aggressive demeanour and the use-of-force were still important means of ensuring that crime was tackled effectively – but they also felt that this was no longer encouraged at Command level or held up and supported by Attorneys in the courts:

I hear it a lot because of Command staff ... they say 'we don't want you to look aggressive' because they feel like the vests and stuff like that, you look aggressive and they don't want you to look aggressive. They want you to look nice ... I guess presentable, more approachable ... rather than being aggressive, where somebody would feel like they can approach you. And I do see that. I get the understanding behind that, but also to another stand-point sometimes you need to be aggressive. (Calvin, Departmental Officer)

When you're out, you know, getting three, four shooting activities a day and getting intel that 23rd has beef with 29th and it's going to heat up, that's where ... you know, you have to put the 'kid gloves' down and be the enforcement ... one of the burdens that you do take on sometimes ... is you'll jump out on something and you'll be 'this is completely legal, I can't get in trouble for this' – but there's no way it's getting past the State Attorney. They're not going to prosecute on this. (Joshua, County Detective)

The diminishing levels of confidence in engaging in proactivity combined with low morale among many officers as a result of the lack of cooperation on the part of the public and the support from the judiciary were summed up by one Detective. He felt that policing was simply coming to be viewed as a rather toothless security system:

It's a bad time to be, like, in this job. It's a really bad time ... have you seen that commercial on TV where the security guard is at the bank and the bank's getting robbed? He says, 'I'm a security monitor, I just monitor in case there's a bank robbery. And then of course the bank robbery's happening so he calls and says 'there's bank robbery here.' Yeah, so we're kind of just becoming just monitors ... I mean, you're in a time right now,

you can shoot a guy with a gun in his hand pointed at you right now and you may still be on the front page of the paper. (Andrew, County Detective)

However, although pessimistic about the immediate past and current climate, officers were somewhat optimistic about the future given the changing political environment.

Changing political climate, policing, and the future

Officers across the two Counties were almost unanimous in the view that the political climate of the last decade in the United States had been one that had undermined law enforcement. This was conveyed to us mainly through informal dialogue during participant observation in police cars and offices:

On the day before the Presidential inauguration is due to take place, during informal conversations with several officers in the department they explain to me that they believe that President Obama did not do enough to defend the police but that President Trump has placed support of the police on his political manifesto – meaning that the latter has won the support of many police officers. One officer explains to me that, while Obama was slow to condemn violent offenders, he was ‘too quick to condemn the police’ following incidents like Ferguson, without considering all of the facts first. (Researcher’s field notes)

During formal interviews, our participants elaborated on their views by talking specifically about their optimism for the future under the Trump presidency. Although the interviews took place immediately before, and in the immediate weeks following, Mr Trump taking office many felt that the pendulum had already started to swing and that political support for enforcement would in time help to renew officer confidence and morale:

I think the current political system will support it, I just think it’s gone so far it’s going to be a lot of work to completely turn it around ... but I think that, yes, the current political system will support it from the enforcement side. (Samuel, County Lieutenant)

What I’ve noticed in 18 years is that there seems to be a pendulum factor. It does. It’ll swing way forward in one direction and it’s terrible. It’s, you can’t wait for it to come back. And recently, just me, just my opinion, it does feel like it’s starting to come back a little bit. And I pray it is because I don’t know how much further the other way [it can go], it’s bad. (Joshua, County Detective)

Accordingly, although our data suggest that many of the officers’ rhetoric suggested intense support for an increased focus on procedural justice values as means of enhancing police legitimacy, their views also reflected strong support for a return to conservative ideology and an adversarial mentality (Deuchar 2013).

Discussion

In this paper, we have alluded to the opposing debates that have emerged over the existence of the alleged ‘Ferguson Effect’. As Morgan and Pally (2016, p. 1) highlight, while some see the heightened publicity emerging on the back of the Michael Brown shooting and subsequent public unrest as a ‘welcome spotlight on police misconduct with no consequences for underlying patterns of crime’, others regard it as a potential ‘constraint on appropriate policing that generates opportunistic crime’. It has been suggested that, while some evidence has emerged regarding the impact of events such as Ferguson on citizens, researchers rarely consider how they impact police (Wolfe and Nix 2016). Against this backdrop, the focus of our empirical research was to prioritise the voices and perspectives of law enforcement on the issue within the context of one southern American State.

As discussed earlier in the article, a vast body of literature has suggested that the more citizens believe that approaches to policing promote procedural justice the more likely they are to support law enforcement institutions and respond to officers with compliance, respect, and cooperation (Taylor and Lawton 2012, Jonathan-Zamir *et al.* 2015). The insights from the interviews conducted

with officers in our sample suggest that they believed that they were consistently experiencing a profound *lack* of cooperation and willingness to engage with law enforcement, and that this was leading to heightened levels of confrontation, aggression, and tension (MacDonald 2016a).

Wolfe and Nix (2016) have suggested that American law enforcement is facing an apparent 'legitimacy crisis' and it seemed that the officers' descriptions of what they were experiencing out on the streets reflected this. Our participants clearly believed that there was a direct correlation between the perceived lack of police legitimacy within the communities they served and what they regarded as the reckless national media reporting that has persistently portrayed criminals as victims and officers as enemies and threats (MacDonald 2016a, Matt 2014). However, given the nature of our research (focused primarily on semi-structured interviews, informal conversations, and supplementary insights from participant observation) and the fact that we had no access to a pre-Ferguson comparison group, the insights presented in this paper represent the nature of our participating officers' views within the context of two particular County divisions at one particular period of time. Inferences about the extent to which these attitudes and perceptions were directly related to the Ferguson Effect must therefore be treated with some caution. It may well be that the cynicism and bitterness we detected in some officers' narratives may always have been there; while in other cases, it had not. The vignette we presented involving Daniel underlines this point: the positive rapport-building and active attempts he made to engage with young black men took place in the post-Ferguson era. Accordingly, it would appear that the so-called Ferguson Effect is not necessarily felt by all officers. While in previous years, some may have drawn on other points of reference to explain the lack of cooperation shown to them in communities of colour, it is possible that the Ferguson incident has become a cultural point of reference for some already disenchanted officers as they seek to understand their diminished role and the declining respect attributed to them within these communities.

Some have suggested that, when the media relentlessly portray police officers as the enemy, it can create a 'perfect storm' that leads to de-policing (Sutton [2015] cited in Wolfe and Nix 2016, p. 2). For instance, prior evidence put forward by MacDonald (2016a) suggests that, post-Ferguson, officers all over the country have been pulling back from discretionary enforcement as a result of negative media coverage. Further, MacDonald implies that this has led directly to a spike in criminal activity, predominantly in black communities. The views of many of our participants appeared to corroborate these suggestions. Regardless of rank or years of experience, there was a general feeling that a process of de-policing had gradually begun to take root in the County divisions where these officers were based. This was partly because of a perceived reduction in the enforcement tools available to them due to changes regarding SQF and mobile pursuit policies, and partly because of a general reluctance to become accused of racism and subsequently emerge as the next viral video star (MacDonald 2016a, Wolfe and Nix 2016).

Although it has been suggested in the past that where police legitimacy is questioned, crime has been found to be greater (Tyler 2006), to date there has been no robust evidence to prove a causal relationship between de-policing emerging on the back of the media attention that followed the Ferguson incident and the volume of national crime. However, the officer views emerging in our study often suggested that the perceived reduction in proactivity across the County divisions where they worked was gradually leading to the emboldening of criminals (Levitt 2002, Braga *et al.* 2014). Even though the location of our fieldwork was over 1500 miles away from Ferguson, in many officers' minds the impact of the events was seemingly profound. Some of the insights we gathered during ride-alongs suggested that the so-called negative Ferguson-type press had affected the officers we interviewed and evidently made them less motivated to perform their duties (Wolfe and Nix 2016, p. 7).

However, in spite of the demotivated views of many officers, in one of the Counties where we worked there was some evidence to suggest that the negative publicity around Ferguson had raised awareness of the need for procedural justice among officers. Our insights and observations suggest that this was primarily being driven through an accelerated focus on positive community

engagement and efforts to become seen as humanitarian ‘guardians’ within communities of colour. We can hypothesise that this renewed focus was principally being driven by a Command-level desire to prevent another Ferguson incident, but it also represented an attempt to become the type of ethically minded, socially just law enforcement officers that the public might finally begin to regard as legitimate. That said, it was also evident that many of the male officers we interviewed still held firmly to the patriarchal ideology associated with the ‘hard charger’ image of the frontline cop (Chare 2011, p. 24), characterised by a preference for aggression, confrontation, and enforcement (Deuchar 2013). However, the perceived lack of support for this type of ‘traditional’ police work at Command level and from the judiciary reinforced their low morale and the tendency by some towards de-policing (MacDonald 2016a).

Informal dialogue with officers also made it clear to us that some believed that Mr Obama, the former President, had overtly cast his lot with those who impugn the work of law enforcement by openly supporting the BLM campaign and by subtly disseminating the message that American policing was racially biased (MacDonald 2016b). Rhetorical evidence from Donald Trump’s 2016/2017 American presidential campaign clearly illustrated his intense support for policing, enforcement, and even police brutality (Reilly 2017). Our qualitative data illustrated that this had won the hearts and minds of our sample of officers, and that optimism for the future of law enforcement prevailed.

Conclusion

In the final report of the *President’s Taskforce for 21st Century Policing*, it was recommended that law enforcement should embrace a ‘guardian – rather than a warrior – mindset to build trust and legitimacy’ with the public, and that procedural justice should be prioritised (President’s Task Force on 21st Century Policing 2015, p. 1). It was also stated that community policing should be used as a ‘guiding principle’, and that law enforcement agencies should work with neighbourhood residents to identify problems and ‘collaborate on meaningful solutions that produce meaningful results for the community’ (President’s Task Force on 21st Century Policing 2015, p. 3). However, it has been argued that the Trump administration’s approach to law enforcement has since focused on the need for ‘cracking down on violent crime, not regulating the police departments that fight it’ and a determination to overhaul programmes and approaches that Mr Obama had used to ‘ease tensions between communities and the police’ (Elder *et al.* 2017).

We are naturally cautious about over-generalising from the insights from the small-scale qualitative research outlined in this paper. However, it was evident that there had been an increased conceptual awareness of procedural justice among some officers in the County divisions we researched and (in at least one department) this was leading to greater importance being placed on attempting to re-emphasise community policing approaches. Moreover, there had evidently been a reduction in officer morale and emphasis on proactive enforcement strategies in the southern State that was the site for our fieldwork. In both cases, the emergence of these phenomena indicated that officers were grappling to understand and come to terms with their diminished role, declining levels of public respect and cooperation. Furthermore, it was evident that there was widespread evidence of support for Mr Trump’s emerging policy rhetoric among many officers and the implications that it had for returning to a focus on aggressive police enforcement.

In the years to come, it will be important for policy-makers to ensure that the gains made in terms of the prioritising of community partnerships and rights-based policing are not lost, and that police divisions and departments in the US are encouraged to ensure that their practices not only promote effective crime reduction but also gain public trust (President’s Task Force on 21st Century Policing 2015). To that end, police Chiefs and senior officers need to continually be conscious of how the continued reverberations from incidents like Ferguson are having an impact on officer attitudes, morale, and practice and/or are being used as points of reference for despondent narratives. To do so, it is important that further, in-depth qualitative research into the perspectives of officers is conducted

across wider divisions and States and that this evidence is used to inform Command-level strategy through a collaborative and applied approach.

Notes

1. Some bystanders were discredited because they were found to have not viewed the incident firsthand or lied about being at the scene during the shooting. Officer Wilson was never charged or indicted with a crime as a result of the Department of Justice investigation (Department of Justice 2015).
2. President Barack Obama (2014) called the death of Michael Brown 'heartbreaking' in a Whitehouse statement.
3. The contagion/viral effect of this social media campaign yields 12.3 million search result on Google.

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