Toward a Developmental and Comparative Conflict Theory of Race, Ethnicity, and Perceptions of Criminal Injustice

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The perception of criminal injustice is common among disadvantaged American racial and ethnic minority groups. This perception of injustice is especially common for highly educated and socially and economically successful African-Americans. It is also well established that encounters between citizens and the police play an important part in such perceptions of racial injustice. Yet, there is much about these perceptions that remains unknown. For example, perceptions of injustice can be more acute among more, rather than less, advantaged minority group members. This is a conundrum that poses important explanatory and methodological challenges. We believe that a comparative conflict theory of crime and punishment can help to address this puzzle.

We first elaborate a comparative conflict theory by discussing the age structure and relative racial and ethnic gradients of perceptions of criminal injustice. We then examine the nature of police contacts that influence the development of these perceptions and the strategies of minority citizens for responding to their contacts with the police. Finally, we speculate about the broader developmental, comparative, and societal implications of minority perceptions of criminal injustice for racial and ethnic relations in America more generally. Our goal is to outline the foundations for a developmental and comparative conflict theory that can inform research and policy within, as well as beyond, the field of crime and punishment.
I. FOUNDATIONS OF A COMPARATIVE CONFLICT THEORY

Conflict theory historically has stressed the roles of group threat, hierarchical subordination and economic powerlessness in explaining crime and how it is controlled in America.\(^1\) While economic forces dominated early and influential formulations of conflict theory,\(^2\) subsequent specifications and elaborations have emphasized the salience of race, above that of class or status, in grounding social relationships.\(^3\) Much early empirical work assessing conflict theory revolved around the degree to which official decisions about punishment for crime are racially motivated and biased.\(^4\)

Despite an ensuing debate about the role of outright prejudice as a specific source of racial disparity in crime and punishment in America,\(^5\) there is certainty about disproportionality by race in rates of arrest, imprisonment and capital punishment.\(^6\) For example, African-Americans make up over half of the more than two million imprisoned in the United States.\(^7\) African-Americans regard this disproportionate imprisonment as unjustified,\(^8\) and some social scientists argue that imprisonment represents a new form of ghettoization, if not enslavement.\(^9\)

Large numbers of African-American youth come into conflict with the criminal law and perceive it as unjust. Yet, we know little about how this conflict is socially structured, or how a sense of injustice may extend to other ethnic groups and governmental sectors. There is growing concern that perceived injustice itself causes criminal behavior.\(^10\) This adds urgency to the need to better understand the micro- and macro-level mechanisms leading to racial and ethnic differences in perceptions of criminal injustice.
A. Race, Economic Disadvantage, and Perceived Injustice

The processes involved in perceptions of injustice may have broad and generic features that encompass a wide range of American institutions. For example, African-Americans perceive inequality and discrimination in areas as diverse as education, employment, health care, and housing.\textsuperscript{1} While the majority of whites may believe that African-American economic inequality results from motivational weaknesses, most African-Americans believe that inequality is the result of white racism and other structural barriers.\textsuperscript{2}

These beliefs about racial inequality are deeply and historically corrosive forces in American society. Orlando Patterson observes that “[c]enturies of public dishonor and ritualized humiliation by Euro-Americans were . . . certain to engender deep distrust.”\textsuperscript{3} Yet Patterson also argues that the American racial divide is even more complicated than this. We argue, consequently, that a developmental and comparative conflict theory must encompass this complexity to meet our explanatory and policy needs.

Race is considerably more important than social class in explaining variation in urban American arrest rates.\textsuperscript{4} Empirical evidence supports the importance attached to race in a renewed comparative conflict theory of crime. Still, there are suggestions that micro- and macro-level economic disadvantages can be further root causes of perceived criminal injustice. For example, using a national sample, Hagan and Albonetti found that unemployed members of the "surplus population," as well as African-Americans, perceive higher levels of criminal injustice than do Americans of higher class position.\textsuperscript{5} Sampson and Bartusch found that: individual level socio-economic status is positively
linked to satisfaction with the police; concentrated neighborhood disadvantage increases dissatisfaction with the police; and the concentration of poverty further accounts for racial differences in dissatisfaction at the individual level.\textsuperscript{16}

Sampson and colleagues make several noteworthy contributions to research on perceived injustice. First, in moving beyond the individual level to contextualize issues of racial disparity, Sampson and Bartusch suggest that we further conceptualize differences in racial orientations in terms of perceived macro-level "cognitive landscapes" of neighborhood and community.\textsuperscript{17} Second, Sampson and Lauritsen observe that it is potentially misleading to think of socially organized differences in cognitive orientations as neatly divided in binary, Black-White terms.\textsuperscript{18} They emphasize that "[r]ecent immigration from Mexico and Cuba in particular is reshaping the landscape of many American cities. Hence, future criminal justice processing may be closely tied to the experiences of race or ethnic groups that have heretofore been neglected by mainstream criminological research."\textsuperscript{19}

Meanwhile, Collins and Cose each provide compelling accounts of feelings of discontent and distrust among middle-class African-American professionals in the workplace and beyond.\textsuperscript{20} Affluent and better-educated African-Americans view disadvantaged African-Americans as much worse off than poor whites.\textsuperscript{21} Middle-class African-Americans are also the most impatient with the progress on civil rights in America.\textsuperscript{22} This pattern is further reflected in widespread suspicions that economically and educationally advantaged African-Americans have about the American legal system.\textsuperscript{23}
Studies of perceived criminal injustice that separate respondents by race often yield marked contrasting evidence. Some studies indicate that income reduces perceived injustice among African-Americans, while others report that class position increases the sense of injustice among African-Americans.\textsuperscript{24} Still other research finds no income effects, regardless of race.\textsuperscript{25} The possibility that better, rather than less, well—off African-Americans perceive greater injustice is an apparent exception to the conflict theory prediction that economic disadvantage should heighten perceptions of injustice. Variation in findings suggests that something beyond absolute economic deprivation is involved in racial perceptions of criminal injustice. We argue that this involves variation in frames of reference and comparison, which a more nuanced developmental and comparative conflict theory can elucidate.

B. Developmental and Comparative Processes in Socio-Legal Conflict Theory

Leading conflict criminologists have traditionally framed their hypotheses in class terms.\textsuperscript{26} More recently, however, Chambliss has emphasized that "the intensive surveillance of black neighborhoods, the corresponding looseness of surveillance of white neighborhoods, and differences in punishments for white and black offenders reinforce the belief that the system is not only inherently racist but is designed to oppress . . . black people."\textsuperscript{27} Bobo and Johnson also note that “a number of scholars see in changing U.S. criminal justice policy a deliberate, if loosely coordinated, effort to re-assert control and dominance over African Americans."\textsuperscript{28}

There is continuing debate in life course research about when, or whether, such politically sensitive beliefs ever fully crystallize. Nonetheless there is agreement that
adolescence is a critical formative period for such development. Bobo and Johnson emphasize that “political and social values are developed early in life and are rather stable,” and then conclude that “views on the criminal justice system are rather rigid and resistant to change.” Early and middle adolescence is the time when minority youth are likely to first regularly encounter the police. During this period, youth begin to range further away from home for longer periods of time. They are also undergoing changes in their physical and social development, through which they begin to be perceived as threatening by other members of the community. A developmental and comparative conflict theory of perceptions of criminal injustice must therefore focus first-if not foremost--on these formative teenage years.

Adolescence is also a developmental period in which youth begin to form “reflected appraisals” of themselves vis-à-vis others. For disadvantaged minority youth, these reflected appraisals have an important comparative dimension involving a growing awareness of the abstract consequences of racial hierarchy and subordination. More importantly, adolescence is often a period for minority youth of a more specific and connected awareness of a police presence in their social lives.

Davis observes that when a deprived person contrasts himself or herself with a non-deprived person, the resulting attitude may be "relative subordination," whereby “people's attitudes, aspirations and grievances largely depend on the frame of reference within which they are conceived.” Race is, of course, a sensitive point of reference in American society, and a reference point that can become acute for minority youth during early to middle adolescence.
Portes and Rumbaut highlight the racial framing of this issue, noting that “[i]n America, race is a paramount criterion of social acceptance that can overwhelm the influence of class background, religion, or language.” They add that a “racial gradient continues to exist in U.S. culture so that the darker a person's skin, the greater is the social distance from dominant groups and the more difficult it is to make his or her personal qualifications count.” We argue, similarly, that skin tone is a visible marker that can create inequality—a social fact that gives meaning to the concept of visible minority group status.

For conflict criminologists, visible social dissimilarity and distance are especially likely to be associated with powerlessness and threat. African-Americans are seen by dominant groups as less powerful and more threatening to whites than Latino-Americans, who nonetheless form a growing comparative presence and point of reference in contemporary American society. This sense of differential threat may further derive from the longer history involving slavery of African-Americans in the United States, as contrasted with the more recent and increasing presence of Latinos in many American cities.

The implication for a comparative conflict theory of crime is that Latino-Americans occupy a disadvantaged middle ground. Latinos are subject to a less comprehensive and less intensive focus of criminalization efforts than African-Americans, but they are still much more at risk than whites. Comparative conflict theory, therefore, predicts a racial gradient in adolescent perceptions of criminal injustice, with more visible and vulnerable African-American youth perceiving greater injustice than Latino-American youth, who are more likely to perceive injustice than white youth. The
few surveys that have considered Latino views yield some evidence that this is the case. Thus, a comparative conflict theory of perceptions of criminal injustice will increasingly require attention to Latino and African-American adolescent experiences.

Police attention to African-American youth is frequent and increasingly examined in empirical studies. Relatively little is known about how Latino youth respond to experiences with the police. A study sampling Latino-Americans of various ages reports that “in general . . . attitudes toward the police are good until [the respondent] has experience with the police,” but “as contact with the police increases . . . expectations for the police decrease.” As the Latino population grows in U.S. cities, this group will become more visible. Resulting encounters with police may become more problematic. Differences, as well as similarities, in Latino and African-American experiences with the police will need to be taken into account in assessing perceptions of criminal injustice for minority populations. Taking such differences into account may, ironically, prove to be a key to uncovering more fundamental commonalities between groups.

C. Further Elaborating the Racial Dimension in Comparative Conflict Theory

Neighborhood, school, and workplace experiences provide additional contexts of racial and ethnic subordination. These are public settings where hierarchical relationships are enacted, and these contexts further influence comparative perceptions of criminal injustice. Brooks uses a contextualized comparative perspective to explain the unexpected outrage about discrimination that we have noted among more advantaged African-Americans.
He observes that in contrast to advantaged African-Americans, "low-income African Americans may be more inclined to restrict the frame of reference to their immediate community when evaluating their outcomes." The concentrated separateness of the African-American ghetto experience may actually make the experience of police harassment so familiar that it becomes an “experience of the expected” and produces less outrage than would otherwise be predicted.

By contrast, “successful blacks develop multiple reference groups, which allow them to compare more easily their outcomes to whites and other racial groups,” so that “despite achieving good individual outcomes, they continue to feel deprived as long as blacks as a whole fare poorly.” Brooks argues that being aware of the possibility of improved outcomes may lead one to perceive familiar and even expected experiences (e.g., police contact) as more outrageous. In a parallel way, when less advantaged groups gain exposure to more advantaged groups in a surrounding neighborhood, at work, or in school, they may evince feelings of deprivation.

Brooks places the general linear relationship between opportunity and grievance within the quantifiable context of residential and occupational segregation. He suggests that middle-class African-Americans who move more widely in the mainstream of American life may be caught off guard when their status does not protect them from police harassment, while their peers living and working in measurably more homogeneous racial environments may be conditioned to expect less. The latter conditioning can result in the “experience of the expected” we noted earlier.

Alternatively, Brooks suggests, “African-Americans in integrated (or mostly white) residential or workplace settings may have more occasions to observe racial
bias.” He further notes that this may “place middle-class and upper-class blacks in a constant state of alert with respect to differential treatment.” This observation is consistent with Patterson’s observation that when Afro- and Euro-Americans “meet more and more, the possibility for conflict is bound to increase.”

For adolescents, schools provide an appropriate comparative developmental context in which they initially form observations and perceptions as part of the educational process and on their own. “The subversive potentialities of knowledge derive from its capacity to act as an independent influence on reference groups and thereby create relative deprivations where they did not exist before.” The experience of integration with whites in schools may be a key macro-level mechanism that unexpectedly drives perceived injustice. Yet, there may be more to this hypothesis than a simple linear, black and white formulation implies.

Brooks notes that “Scholars speculate that better-off blacks are more concerned about the status of blacks compared to other groups as opposed to maintaining a strictly black reference group.” This pluralization of reference groups invites an extension of the concept of a macro-level racial gradient into our comparative conflict theory. Specifically, it implies that the racial gradient of racial/ethnic effects on perceived adolescent criminal injustice results in African-American youth being comparatively more affected than Latino youth by the proportion of white youth in their schools.

In assessing this hypothesis, it is important to take differences in responses to police contacts into account. It may be the novelty of the reduction in separateness and isolation that is as salient as the familiar problem of police harassment.
In framing our model, we must also take into account the possibility of a curvilinear limit to the perceived injustices we are examining. An optimistic hope is that the impact of integration on perceived injustice eventually can reach a point where inclusion with the majority group begins to become more benign for perceptions of injustice. We cannot estimate in advance what this tipping point might be, and there is the further concern that the public schools’ general failure to prevent white flight, and to be meaningfully integrated, place an upper bound on the possibilities of reaching such a tipping point. Nonetheless, if such a tipping point can be established, it would have obvious policy relevance vis-à-vis the ordeal of integration. Patterson’s commitment to the ideal of integration implies his belief that such a tipping or turning point exists.

*The Chicago Public Schools Study*

It may be useful to illustrate some of what we have been suggesting in the context of the Chicago public schools. School segregation has been increasing in the U.S. since the 1980s. Chicago continues to be one of the nation’s most segregated cities. The proportion of white students in Chicago public schools has decreased from 19% in 1980 to 10% in 2000. During this same period the proportion of African-American students has decreased from just over 60% to about 50%; because of immigration and a higher birth rate, the proportion of Latino-American students is now more than one third.

The conflicts accompanying changes in educational and residential segregation in Chicago are played out through the lives of young people and prominently feature encounters with the law, often in ways that link the schools with the police and justice system. Nearly every Chicago public school has one or more police officers stationed in
and patrolling its hallways. In 1992, the Chicago City Council passed a "gang loitering" law, which permitted police to arrest anyone suspected of being a gang member for congregating with no apparent legal purpose. The crackdown resulted in more than 42,000 arrests before a string of court decisions ruled the law unconstitutional. The sheer volume of these arrests attests to the familiarity of the “experience of the expected” noted above.

In 1997, Chicago enacted a “reciprocal records agreement” which requires the city police department to release to each school's administrators on a daily basis the names of youth arrested off-campus. These arrests can be used to justify school suspension and expulsion decisions, thus suggesting an interconnection beginning in adolescence of the child’s school and justice system experiences.

By the 1960s, Gerald Suttles was writing about the racially and ethnically segmented neighborhoods of Chicago and the resulting conflicts between groups of youth as well as with the police. One notorious practice in white neighborhoods involved the police picking up African-American youth who they suspected, but could not charge, with crimes. The police dropped these youth off in locations where they knew they were likely to be beaten by local residents. A quarter century later this practice again came to light when the Chicago Police Board fired two officers who left two African-American youth in a former Back of the Yards white neighborhood, where they were assaulted by a gang of white youth. Such incidents persist as familiar topics of discussion in Chicago public schools.

Data we have analyzed from a Chicago Consortium sample of ninth and tenth grade students parallels and adds insight to the above account. The sample contains
18,251 students. African-American students make up nearly half of the sample, Latino/Hispanic youth form more than a third, white adolescents just over ten percent, and Asian-American and Native American students constitute the remainder.

The survey included five measures of perceived criminal injustice. Using a four-point Likert scale ranging from “strongly disagree” to “strongly agree,” respondents were asked their reactions to the following statements: “people from my racial group are more likely to be unfairly stopped and questioned by the police;” “police treat young people worse than old people;” “police treat rich people better than poor people;” “police treat people from my racial group worse than people from other racial groups;” and “police treat males worse than females.” With strong agreement assigned the highest value and the scale scores ranging from five to 20, ninth and tenth grade Chicago youth scored an average of 14.16 on this scale. Specifically, the results confirmed the predicted racial/ethnic gradient with African-American youth at 14.94, Latino youth at 14.20, white youth at 12.74, and Asian youth at 12.58.

We also found evidence of a substantial increase between ninth and tenth grades in African- and Latino-American perceptions of criminal injustice. Both before and especially after this shift, African-American youth perceive more criminal injustice than Latino’s. As expected, both groups react very negatively to their contacts with the police during this period.

Interestingly, while African-American youth are exposed more frequently to police contacts, Latino’s are actually more sensitive to police contacts when subjected to them. We believe that Latino youth, who are less familiar with police harassment than African-American youth, may fear that their contacts with the police place them in a
similar risk status as Black youth. Regardless of the level of police contacts, both groups are more likely to perceive more criminal injustice than white youth.

The comparative perceptions of Latino and African-American youth are shaped by the frames of reference that result from their daily experiences in school. As we noted, segregated residential and educational settings restrict the perceptions of ghettoized African-American and Latino youth. Meanwhile, more integrated institutional experiences increase contacts and comparisons across groups, heightening their relative sensitivity and placing them on intensified alert for differential treatment.

As this comparative racial frame of reference expands to include an awareness of the relative and group specific risks of exposure to mistreatment, minority youth who feel uniquely targeted by the police and courts become increasingly sensitive to the perception of injustice. The familiar “experience of the expected” is newly perceived as outrageous. This is the empirical confirmation of the “outrage of liberation.” We found this pattern in Chicago among both Latino and African-American youth who become more sensitive to perceptions of injustice as they are exposed to increasing contact with white students in their public school experiences. This pattern parallels, and is likely a foundation for, the more skeptical attitudes toward criminal justice among more advantaged and more highly educated African-American adults. Further, there may be a part of this story of comparative conflict that begins in adolescence and involves the minor nature of the contacts with police that often engender strong feelings of injustice among minority youth.

POLICE CONTACTS AND THE DEVELOPMENT OF PERCEPTIONS OF CRIMINAL INJUSTICE
Thus far we have discussed variation in the perceptions of criminal injustice between and among minority and majority group youth without giving much attention to the seriousness and frequency of the contacts these youth have with the police. There are indications that the minor nature but high frequency of these contacts heavily impact the perceptions of minority youth. It is important to first get a sense of youth encounters with the police in Chicago.

**Low Visibility Policing of Visibly Minority Youth**

The Chicago Consortium research reveals that adolescent contact with the police—ranging from the low visibility experience of being “told off” and to “move on” through the official and, therefore, more visible contact of being arrested--is quite substantial. At the lower visibility level, 45% of white students, 49% of African-American students, and 43% of Latino students were “told off” or told to “move on” by police. At the officially more visible and severe level of sanctioning, arrests of African-American’s were greater than for other racial groups: 12% of white youth and 14% of Latino youth were arrested at least once, while 19% of African-American youth had been arrested. Even more notable are the ways in which youth in Chicago and elsewhere respond to police contacts.

Friedman and Hott reported that young African-American and Latino men believe they are singled out and unjustifiably harassed by police in police interrogations. They found that 71% of students reported having been stopped by the police, with 62% of African-American students who were stopped feeling that the police had been disrespectful.
A survey of Cincinnati residents found that “nearly half (46.6%) of African-Americans said that they have been personally ‘hassled’ by the police, compared with only 9.6% of whites. “Hassled” was defined as being “stopped or watched closely by a police officer, even when you had done nothing wrong”. Furthermore, police harassment of suspects produced a vicarious effect that differed by race: 66% of African-Americans reported feeling vicariously hassled, compared to only 13% of white respondents.

This collection of studies makes a point which Brockett has provocatively summarized: “[t]he idea of being considered a suspect is incarcerating. It is a form of punishment. This punishment . . . places African-Americans in a state of conceptual incarceration.” As such, even low visibility police contacts involving verbal exchanges have highly negative impacts on the perceptions of minority youth who feel, as a result, highly visible and vulnerable to the police.

This point became particularly apparent in analyses of the Chicago school data. We expected perceptions of criminal injustice to rise as the visibility and severity of the police contacts increased. Instead low visibility contacts were perceived as most unjust, and the perception of injustice declined rather than increased with official visibility and severity.

The gradient of unstandardized regression coefficients summarizing the relationship between type of police contact and perceptions of criminal injustice ranged from 1.0 for being told off or told to move on, 0.8 for being stopped, 0.7 for being searched, to 0.2 for being arrested. Thus, there is an inverse, rather than direct, relationship between the visibility and severity of the sanction and the level of perceived
injustice. This relationship is very likely part of the reason that minority youth in more integrated school settings, as well as more educationally and economically successful minority adults, perceive higher levels of criminal injustice. In spite of being advantaged in other ways, the latter group continues to be highly susceptible to low visibility police contacts.

*Code-Switching and Police Contacts*

Anderson further delineates and demystifies the attitudes and behavior of minority youth in response to the police and criminal justice system, and adds an additional dimension to a comparative conflict theory of perceived injustice. He distinguishes two urban minority attitude sets: ‘decent’ and ‘street’ orientations. These categories are not fixed. Rather, individuals can oscillate between them. Anderson refers to this oscillation as ‘code-switching.’

Anderson asserts that an inner-city urban environment produces a “code of the street,” a set of informal rules governing interpersonal public behavior, including violence. According to Anderson: “At the heart of the code is a set of . . . informal rules of behavior organized around a desperate search for respect.”

The “code of the street” is viewed as a cultural adaptation to a profound lack of faith in the police and the judicial system. The police present a special problem for minority youth by insisting on deference and respect that, in effect, demands their observance of an asymmetric status norm in which the police return less respect than they receive from youth. Minority youth have the further problem of perceiving these encounters in terms that devalue their racial status as well as their youth.
Code switching is common among minority youth, as well as some minority adults, who must shift between inner-city street contacts, and contacts with the larger world of police, teachers, employers and other agents of conventional authority. Anderson further explains the mechanisms of this concept:

[A] person may behave according to either set of rules, depending on the situation. Decent people, especially young people, often put a premium on the ability to code-switch. They share many of the middle-class values of the wider white society but know that the open display of such values carries little weight on the street: it doesn't provide the emblems that say, ‘I can take care of myself’ . . . . Those strongly associated with the street, who have less exposure to the wider society, may have difficulty code-switching; imbued with the code of the street, they either don't know the rules for decent behavior or may see little value in displaying such knowledge.  

Anderson’s concept can be easily connected to the growing body of theory and research in which the importance of one’s appearance and demeanor in interactions with authority is emphasized. Vrij and Winkel present evidence that when black citizens exhibit nonverbal “white” behaviors, police tend to treat them with more respect. “This observation may be an indicator of the class differential that causes nonverbal behavior to be interpreted differently based on race.” From Brockett’s viewpoint, respectful behavior by police, a kind of reverse code-switching, often can result in reciprocity of respect between citizen and police.
Nonetheless, Walker, Spohn, and DeLone report that African-Americans have much less favorable attitudes toward the police than other groups.\textsuperscript{96} Further, many African-American parents make special efforts “to teach their children to be very respectful when confronted by a police officer, out of fear that their children (and particularly their sons) might be beaten or shot if they displayed any disrespect”.\textsuperscript{97} We suggest that this is a parent-induced form of code-switching that is designed to protect African-American youth.\textsuperscript{98}

In essence, code-switching is a device to change one’s “public identity” (i.e. race, presumed class, etc.) to elicit a more favorable outcome in an otherwise threatening situation. There is a class component to code-switching among peers-of-color who are sometimes referred to as “acting white:” this device may play a key role when the situation involves the police.\textsuperscript{99} Anderson has observed that social out-group members may relish conflicts with police, while more advantaged members of the same groups will more often seek to avoid conflict with police because they have more to lose.\textsuperscript{100} Thus code-switching in encounters with the police may occur more often among “middle-class” minorities, or among those with expanded frameworks of comparative experience.\textsuperscript{101} There is considerable evidence for Anderson’s claims, and therefore, for adding code-switching as a dimension of our larger developmental and comparative conflict framework.

Code-switching requires a competency from minority youth that is neither a part of any formal educational curriculum, nor demanded of majority group youth. It is instead an added burden assumed by otherwise disadvantaged youth. It should not be surprising if this informal obligation increases the cynicism of minority youth and
exacerbates their perceptions of criminal injustice. Understanding this aspect of police contacts with minority youth is another avenue that can be usefully developed with a conflict theory of perceived criminal injustice.

COGNITIVE LANDSCAPES OF CRIMINAL INJUSTICE

Sampson and Bartusch suggest the metaphor of "cognitive landscapes" to describe the demographic and ecological structuring of troubled American settings where "crime and deviance are more or less expected and institutions of criminal justice are mistrusted." Some of the contours of these landscapes are becoming clear as the surveys reviewed in this paper attend to the multiple groupings and age-graded settings in which citizens and law enforcement officials come into contact. We focus on young persons in secondary schools because perceptions of justice and political institutions are formed at relatively young ages and remain persistent through adulthood. Our Chicago research reveals that perceptions of criminal justice become more negative in middle adolescence among Latino and African-American youth, but not among white youth of the same ages.

Mental maps of distrust have both generic and differentiated features, including on the one hand African-American skepticism of a range of governmental institutions in addition to criminal justice agencies, and on the other hand distinctive Latino- and African-American perceptions of the justice system. These mental maps vary along dimensions that a developmental and comparative conflict theory can help to identify and explain.

In American cities where Latino and African-Americans live, work, and attend school in varying degrees of proximity to one another as well as with whites, there is an
implicit racial gradient of relative subordination that corresponds to the variable skin
tones and racial visibility of minority groups. Comparative conflict theory acknowledges
that, in the aggregate, African-American youth are most visible and therefore at
heightened comparative risk of justice system sanctioning relative to Latino Americans,
who in turn, are at greater risk than whites. These differential risks probably lead African-
American youth to collectively perceive more criminal injustice than Latino youth.
Latino youth nonetheless react strongly to police contacts, and in turn, when stopped by
the police, may perceive more criminal injustice than their white or African-American
counterparts.

This type of theory also emphasizes the impact among visible minority group
adolescents of exposure to white youth at school. Survey results indicate that as Latino-
and African-American youth encounter white youth in increasing numbers in school, they
also become more skeptical about their criminal justice encounters. Brooks anticipated
this finding,\textsuperscript{104} and Patterson described it as an effect of inter-group contact, which he
considered as an initial phase of the ordeal of integration and a preliminary source of
resulting outrage that accompanies liberation from some of the constraints of
segregation.\textsuperscript{105}

This outrage intensifies in early to middle adolescence, when youth begin to
confront the police in increasingly charged public encounters. Thus, this response to the
criminal justice system is likely a precursor of a wider skepticism among visible
minorities about a range of governmental institutions responsible for employment,
housing, health care, voting and other aspects of adolescent and adult life. That is,
criminal justice contacts and perceptions formed in early to middle adolescence are of wider developmental significance in later phases of the adolescent and adult life course.

Code-switching may be a crucial part of the comparative developmental process that merits further study. Code-switching is uniquely required of visible minority youth who often must anticipate and manage low visibility unofficial police contacts, as well as official and higher visibility contacts and conflicts with the justice system, both of which can occur while upwardly mobile minority youth are coincidentally achieving improved positions of advantage and distinction in school. Such youth are required to manage dual identities that straddle the demands of school, work and everyday living in minority and majority group settings. There may be notable social-psychological costs to managing the demands of these dual identities, with one cost being a skepticism that generalizes from the police and the criminal justice system to other authority-based governmental institutions.

CONCLUSION

In sum, we have argued that the structure of a developmental conflict theory of perceptions of criminal injustice will need to take into account a multiplicity of visible minority groups and police contacts in the developmental context of early and middle adolescence. Comparative conflict theory also will need to consider the comparative meanings, especially of injustice, that these encounters assume among visible minority youth who experience a widening range of contacts with white youth, and who consequently often become outraged by feelings of unjustifiable subordination. Finally, we have argued that a developmental and comparative conflict theory needs to explore how code-switching may be especially frustrating to these youth who must manage dual
identities in successfully moving between the inner-city and mobility contexts that extend well beyond the borders of their segregated communities. A broader sociological benefit of developing a conflict theory of perceptions of criminal injustice along the lines we have outlined may be the insights this theory can provide into a wider range of later adolescent and adult perceptions extending well beyond the justice system.

New Directions in Empirical Work on Race and Crime

Along with the theoretical developments discussed in detail above, we suggest that our ideas have significant implications for empirical advancements that are also required. Criminological analysis must take a new direction to explore the meaning of race and crime and the corresponding relationship of race and punishment, particularly in the context of urban youth. Although stops, searches, and arrests by the police are often used as proxies for delinquency, these same measures may also indicate bias in punishment or policing. This distinction must be addressed theoretically, methodologically, and analytically.

We have much to consider in understanding both the frequency and substance of youth contact with police. Markowitz contends that research studying the nexus between race and crime must do more than simply attempt to “define the motivation of the individual offender . . . It must also center on the interplay between individual and community and the extent to which such interactions are affected by race and produce criminality in various contexts.” The key is to focus on a dynamic portrayal of the processes involved, thus avoiding the static tendency that has dominated much research on race and crime. This will require a change in the research orientation of those who
study crime. Markowitz views the long-held commitment of social scientists to quantitative methodologies as useful in assembling only part of the puzzle. He continues, “If we are to understand the role of race in crime in a unique way, then we must commit the time and energies necessary to measure this phenomenon in all its complexity.”

We argue ethnographic studies, participant analyses, and longitudinal designs must be incorporated into this research tradition to explore the subtle dimensions of the social impact of race on crime.

The approach we are advocating emphasizes the use of both quantitative and qualitative methods. Sunshine and Tyler stress the need for tests of causal sequence (longitudinal data) and context (qualitative methods) to best assess their procedural justice-based model of legitimacy and compliance with the law. They warn, “It is always possible that compliance leads to legitimacy and perceptions of procedural justice.”

Laub and Sampson advocate integrative strategies for bridging quantitative and qualitative data. Their quantitative analysis of the Glueck’s data to explain their age-graded theory of crime in their book, *Crime in the Making*, was quite influential in shaping understanding of the life-course trajectory of crime. Further insight was gained from their quantitative analyses that examined life-course persistence in or desistance from crime, as predicted by various structural and process variables (employment, marriage, etc.). However, in addition to a traditional quantitative *variables-oriented* approach, they adopted a *person-oriented* strategy to understand the complex processes of criminal offending over the life course. This plan entailed the identification of a random subset of cases for intensive qualitative analysis identified by cross-classification of key social dimensions (e.g., employment, marriage, and crime). Consistent with the
goal of merging quantitative and qualitative methods, they used the results from the quantitative analyses as a means of identifying their cases (persons) for in-depth qualitative analysis.\textsuperscript{110} This allowed them to sample cases that were consistent with their hypotheses (high employment, less crime) and those that were clearly inconsistent (high employment, high crime) for deeper analysis.

We believe this approach may also be used to critically assess the complex (and hypothesized) reciprocal relationship between youth contact with police and perceptions of injustice. It is imperative that researchers of race and crime gain more in-depth information on youth’s reactions to police contact, particularly at the lower levels when discrimination by police is more likely to be perceived. Further examination of the attitudes of students with low-level or no police contact will allow an opportunity to understand when, why, and how these perceptions have been shaped vicariously.

\textsuperscript{1} For example, see: Turk 1969; Quinney 1970.

\textsuperscript{2} For example, see Chambliss and Seidman 1971.
For example, see Tittle 1994.

For a general discussion, see: Wilbanks 1987; Chambliss 1999; Mann 1993.


Western and Beckett 1999.

Bobo and Johnson 2004; Brooks and Jeon-Slaughter 2001; Brooks 2000; Wortley, Hagan, and Macmillan 1997. Also, for a study on African-Americans’ heightened perception of criminal injustice, see Hagan and Albonetti 1982. For a finding that the African-American middle-class neighborhood holds a unique perception of police-citizen relations to minorities, see Weitzer 2000.

Wacquant 2000.

Russell 1998; LaFree 1998; Mann 1993; Tyler 1990.


For a general discussion on the progression of white
racial attitudes despite the persistence of structural barriers to racial equality, see: Bobo, Kluegel, and Smith, 1997.

13 Patterson 1997:15.

14 Liska, Chamlin, and Reed 1985.


16 Sampson and Bartusch 1998.

17 Sampson, Raudenbush, and Earls 1997:918.

18 Sampson and Lauritsen 1997.

19 Sampson and Lauritsen 1997:364.

20 Collins 1997; Cose 1993.


23 Brooks and Jeon-Slaughter 2001; Peek, Lowe, and Alston 1981. For a discussion on a possible role class plays with respect to African-American attitudes toward criminal justice systems, see Weitzer and Tuch 1999.


26 For example, see Chambliss and Seidman 1971.
27 Chambliss 1999:75.
28 Bobo and Johnson 2004:152.
30 Bobo and Johnson 2004:155.
31 Ibid.
32 See Taylor et al. 2001; Piliavin and Briar 1964.
34 Anderson 1999.
37 For a related idea, see ibid.
38 Davis 1959.
39 Runciman 1966; Merton and Ross 1957.
40 Portes and Rumbaut 2001:47.
41 Ibid.
43 Portes and Rumbaut 2001.
45 Young 2004.
46 Carter 1985:498.
47 Carter 1985:498. Also, see Skogan et al. 2002.
See also Patterson 1997, for an example of this comparative frame of reference.

Brooks 2000:1256.


Patterson 1997:51.

Runciman 1966:25.

Brooks 2000:1256.

Runciman 1966:19.

Patterson 1997:52.

Frankenberg, Lee, and Orfield 2003; Frankenberg and Lee 2002.


Hirschfield 2003.


Ibid at 49.

Martinez 1998.

Suttles 1968.


Ibid.


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73 The measures and results described in this and the next two paragraphs are from Hagan, Shedd and Payne 2004.


75 Ibid at 36.

76 Patterson 1997; Brooks 2000.

77 Brooks 2000.


79 Patterson 1997.


81 Ibid at 21.

82 Shedd and Hagan 2005.

83 As cited in Walker, Spohn, and DeLone 2000:117.

84 Browning et al. 1994.


86 Brockett 2000:116-117. For an analysis of racial stigma, see Loury 2002.


Anderson 1999.

Ibid at 9.

Sykes and Clark 1975.

Ibid at 589-90.

Anderson 1999:36.

See Piliavin and Briar 1964 and Sherman 1993 for influential works on these issues.

Brockett 2000:120.


Walker, Spohn, and DeLone 2000:100.


Ibid.

Anderson 1978.


Sampson and Bartusch 1998:800.


Patterson 1997.

Markowitz 2000:12.

Ibid.

Sunshine and Tyler 2003:519.

Sampson and Laub 1993.

Laub and Sampson 2004:85-86.