

**Evidence to Advance Reform in the Global Security and Justice Sectors:
A Workshop-based Consensus Study Series**

Workshop #4:

Police and Community Trust and Legitimacy

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Workshop #4: Police and Community Trust and Legitimacy

- Why it is important to care about improving trust and legitimacy?
- How has trust and legitimacy been operationalized in research studies?
- How do motivations and definitions of trust and legitimacy vary between countries?
- For recent interventions, has improvement of trust and legitimacy been the primary goal or secondary benefit?
- How have recent interventions striven to balance/incorporate improving trust and legitimacy with other goals (e.g., crime prevention)?
- Which police practices seem most promising to build community trust and legitimacy?
- What is known about the influence of contextual factors on the effectiveness of such police practices?

Workshop #4: Police and Community Trust and Legitimacy

- **Why it is important to care about improving trust and legitimacy?**
 - *What contextual factors shape the relationship between trust and participation?*
- **How has trust and legitimacy been operationalized in research studies?**
- **Which police practices seem most promising to build community trust and legitimacy?**
- **What is known about the influence of contextual factors on the effectiveness of such police practices?**

Why it is important to care about improving trust and legitimacy?

Conflicting Evidence @ Trust as an IV

Trust IS important: (Survey research, Large N)

Lack of trust does not uniformly deter political participation/provoke rebellion & exit

(Qual/Mixed Methods; Single Case Studies)

Findings from: Hilbink, L., Salas, V., Gallagher, J. K., & Restrepo Sanín, J. (2022). Why People Turn to Institutions They Detest: Institutional Mistrust and Justice System Engagement in Uneven Democratic States. Comparative Political Studies, 55(1), 3-31.

Why it is important to care about improving trust and legitimacy?

1) Eroded political trust will lead to exit from system participation

- Individuals who lack trust in the justice system will be less likely to cooperate with or seek recourse through legal institutions

Roberts & Stalans, 1997; Tyler, 2006; Tyler & Huo, 2002

- People may avoid the legal system to resolve grievances altogether

Kirk & Papachristos, 2011

Why it is important to care about improving trust and legitimacy?

2) Low trust/confidence → Illegal behavior

- Low levels of perceived institutional legitimacy are associated with a greater acceptance of or engagement in illegal behavior, including lethal vigilantism
Marien & Hooghe, 2011; Nivette, 2016; Tyler, 2009
- Low public trust in the justice system may put the rule of law at risk
Bühlmann & Kunz, 2011; Cann & Yates, 2016; Salzman & Ramsey, 2013

Why it is important to care about improving trust and legitimacy?

1) Mistrust motivates people to *engage* the system

- People frustrated with police/judicial institutions may be more likely to get out and vote, become involved in civic organizations, or take to the streets to demonstrate peacefully for change: critical citizens thesis
 - Booth & Seligson, 2009; Norris, 2011

Why it is important to care about improving trust and legitimacy?

2) At the very least, mistrust doesn't *deter* system engagement

- Rational calculations: There are no other options
 - Hendley, 2012, 2017 [Russia]; Taylor, 2018 [Colombia]
- Emotional, Cultural and/or Ideational factors to explain recourse to justice institutions in which people have little faith
 - Gallagher, 2006 [China]; Lake et al., 2016 [Congo]

What contextual factors shape the relationship between trust and participation?

- Focus Groups: Middle path between surveys & interviews/ethnography: Hilbink, Salas, Gallagher, Restrepo-Sanín
- Focus groups “*examine the construction of meaning negotiated by participants in the course of their interactions; observing the range of perspectives about a topic expressed in people’s own words; and understanding how social forces and structures help explain the motivations, attitudes, and beliefs of individuals*”
Kamberelis & Dimitriadis, 2013; Morgan, 2012; Wilkinson, 1998

What contextual factors shape the relationship between trust and participation?

16 Cross-National Focus Groups: Chile & Colombia, 2017

Table I. Focus Group Composition¹².

	Women	Men
Chile	High-income, 40–60 years old (CHI-3)	High-income, 40–60 years old (CHI-1)
	High-income, 25–35 years old (CHI-4)	High-income, 25–35 years old (CHI-2)
	Low-income, 25–35 years old (CHI-6)	Low-income, 25–35 years old (CHI-5)
	Low-income, 40–60 years old (CHI-7) ¹³	Low-income, 40–60 years old (CHI-8)
Colombia	Afro-Colombian (COL-2)	Afro-Colombian (COL-1)
	High-income (COL-4)	High-income (COL-3)
	Displaced (COL-6)	Displaced (COL-5)
	Low-income (COL-8)	Low-income (COL-7)

What contextual factors shape the relationship between trust and participation?

Focus Group Instrument:

What would people do in the face of a hypothetical rights violation?

- 1) Noisy neighbor – escalation to threat
- 2) False accusation of theft by police – escalation to police abuse

Then:

One word: opinion of your country's justice system

What contextual factors shape the relationship between trust and participation?

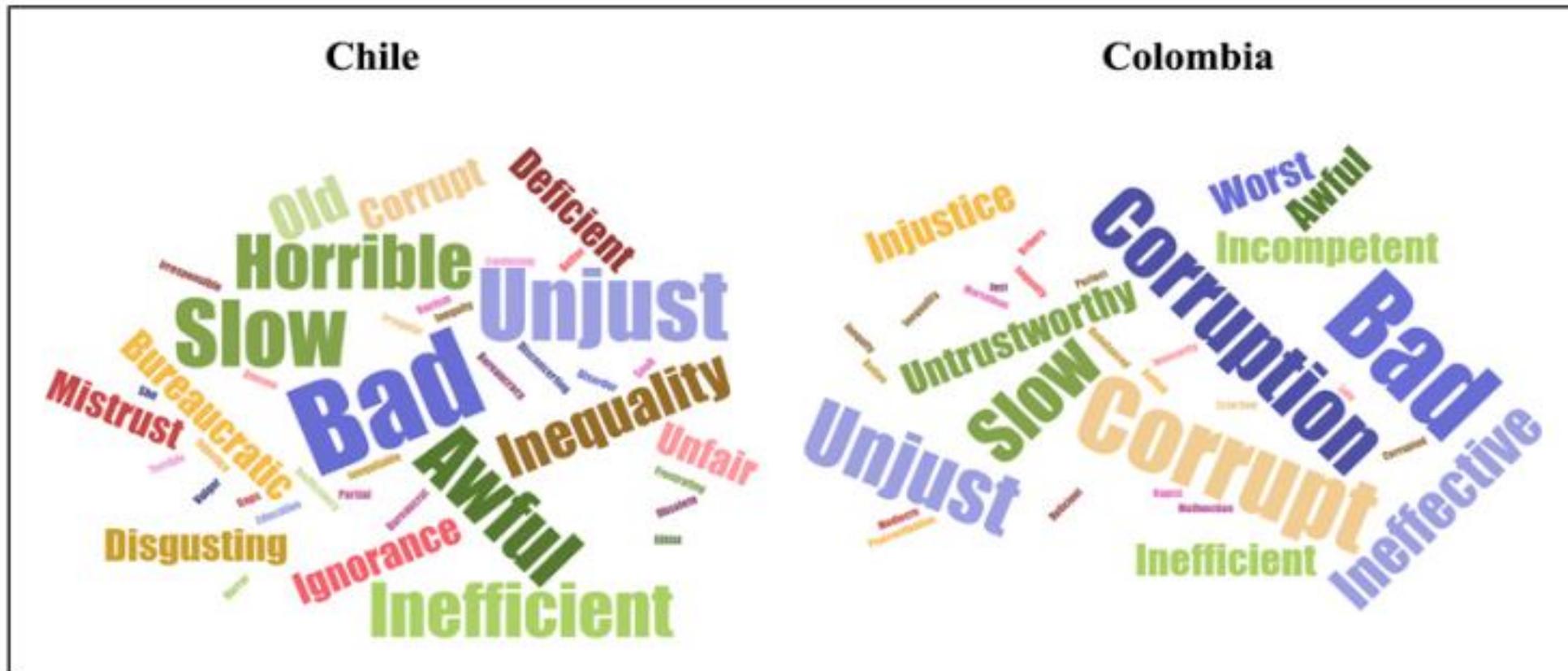


Figure 1. Word clouds of most common words used to describe the justice system.

What contextual factors shape the relationship between trust and participation?

Despite uniformly negative opinions of justice system, justice system engagement was the most common response to rights violations.

Table 2. Frequency of Coded References to Different Behaviors.

Behavior	Category	Total Frequency	Chile	Colombia
Justice system engagement	<i>N/A</i>	489	231	258
Pro-social alternatives	Individual	171	104	67
	Collective	117	77	40
Exit	Resign	135	66	69
	Vigilantism	85	42	43

Why Do People Turn to Institutions They Detest?

- 1) **Low trust is not necessarily linked, in people's minds, to engagement, nor to particular experiences. Rather, it is an evaluation of the *overall* fairness/effectiveness of the state.**
 - An individual's positive (or negative) interaction with police didn't change their level of trust in police.
 - In both countries, recognition that "the system" works differently for elites vs. non-elites.
 - Non-differentiation amongst institutions: *"the police, the public prosecutor's office, all are a mob of corrupt people."*

Why Do People Turn to Institutions They Detest?

2) As an expressive act of democratic citizenship – rather than a cost/benefit calculation based on expected outcomes

Participants were more, not less, inclined to engage the justice system when facing situations that involve powerful actors, such as the police.

“The law applies to them [the police] too. We need to demand that... to report it. Even if we know it will take them years to get a solution.” [Colombian respondent]

“I think [the report] won’t go anywhere, but I will report as a way to record the evidence, or for my mental health, so I don’t keep feeling like that.” [Colombian respondent]

“Well, we are of the generation that lived under the military government, where they could get away with those things, where having a policeman grab you and beat you was almost part of the procedure... But, note, those were other times. Things changed, because supposedly we returned to democracy.” [Chilean respondent]

Why Do People Turn to Institutions They Detest?

3) People's ability to engage contingent upon knowledge & capacity (i.e. rights consciousness and legal knowledge).

Kruks-Wisner 2018, Rural India: in order to make any claims on the state, “a person must both aspire to make” such claims and have “a set of capabilities” that includes “information about programs and services, as well as procedural knowledge of how to pursue them.”

Colombians: mentioned “right” or “rights” four times more often than their Chileans counterparts (169 mentions vs. 49 mentions), and mentioned the Human Rights Office 52 times: *“I would go to the Human Rights Office immediately because [the police] cannot treat you that way”*

Chileans, especially from low-income groups, reported low levels of knowledge on how to navigate the justice system: “I told my son we should report [police abuse] but I did not know how, I did not know where to go.”

What is known about the influence of contextual factors (on policing; trust – and **system engagement**)?

Colombia: **Rights education and legal literacy campaigns and policies**

Since the ratification of the 1991 Constitution, and as part of the continuing strategy to end the civil conflict and address its consequences, marginalized citizens in Colombia have been exposed to more political interventions aimed at augmenting their competence to exercise their legal agency and engage justice institutions than have their counterparts in Chile.

Chile: None!

Whether people know their rights and understand avenues of redress matter for whether lack of trust translates into exit or engagement

Which police practices seem most promising to build community trust and legitimacy?

- ***Informal networks*** of state allies are crucial in enabling system engagement and better justice outcomes in the most difficult cases
Gallagher (forthcoming) - Mexico, enforced disappearances
- ***Formal spaces*** which explicitly seek to incorporate marginalized/excluded groups – staffed by members of those groups – can have dramatic effects.
Sukhtankar, Kruks-Wisner, Mangla 2021 – India, Gender-Based Violence

Mexico: Participatory Investigations:



A meeting between police, other state officials and victims' collective representatives, Acapulco, Guerrero, December 13, 2016
Source: Comisión de los Derechos Humanos del Estado de Guerrero, in response to information request



DEPENDENCIA	PROCURADURIA GENERAL DE JUSTICIA DEL ESTADO
SECCION	SUBPROCURADURIA DE INVESTIGACIONES ESPECIALES
NUMERO DEL EXPEDIENTE	0299

Header for meeting notes:
Letterhead of the Attorney General's Office of Baja California

Ensenada, B.C. a 3 días de Agosto de 2019
Lic. Mariana Carrillo prop. Alberto
Miguel Ángel Guerrero Castro
Nuc. 0201-2019-02671. Tercera desaparición forzada
1000 Abel Jasso Lucero. Desaparición forzada
1-27-1-2017
Acuerdos Anteriores: 123. Marzo 2019
143 Cumplidos.
En el punto 2 se realizó visitas a Centros de
Rehabilitación en Tijuana sin resultados positivos
Se Lorena Lucero Rivera. Valdría información
que tiene para poder de corroborar pruebas
para que se investigue la presunta desaparición
forzada.
Compromisos:
- Acompañamiento a Jasso para revisar liberos
en coordinación con CEDHBC, con Lorena Lucero
Comisión de Búsqueda de PGJE y Agosto 2019
Agenda Trujillo.
- Acudir de nuevo al Centro de Rehabilitación
Centros en la Ciudad de Tijuana en la Col.
Fco. Villa "El Mesón".
Lorena Lucero Rivera
Adriana Juan Manuel
Juan Manuel León Martínez
Miguel Ángel Guerrero Castro
Jorge A. Martínez Carrillo
Griselda Vizcarra Durán

Location, Date, Time of meeting:

Ensenada, Baja California, August 3, 2019
Working Notes

Disappeared Person / Case Summary

Jesus Abel Jasso Lucero, Enforced Disappearance
Sept 1st, 2017

Previous Agreements: March 23, 2019

1 and 3 were completed:

In point 2, visits were made to rehab centers in Tijuana
without any positive results

Ms. Lorena Lucero Rivera will evaluate information that she
has in order to enter it any prudent information under
consideration so that the presumed enforced disappearance
may be investigated.

Agreements:

- Accompaniment to SEMEFO [Servicio Médico Forense] to
review records in coordination with CEDHBC [Human
Rights Commission of Baja California]; Ms. Lorena Lucero;
and the Search Commission of the PGJE and XXX
Investigator Trujillo

- Again, go to the Rehabilitation Center in the City of
Tijuana, in the neighborhood Francisco Villa, "El Mesón."

Signatures:

Lorena Lucero Rivera [victim's mother]

Adriana Juan Manuel

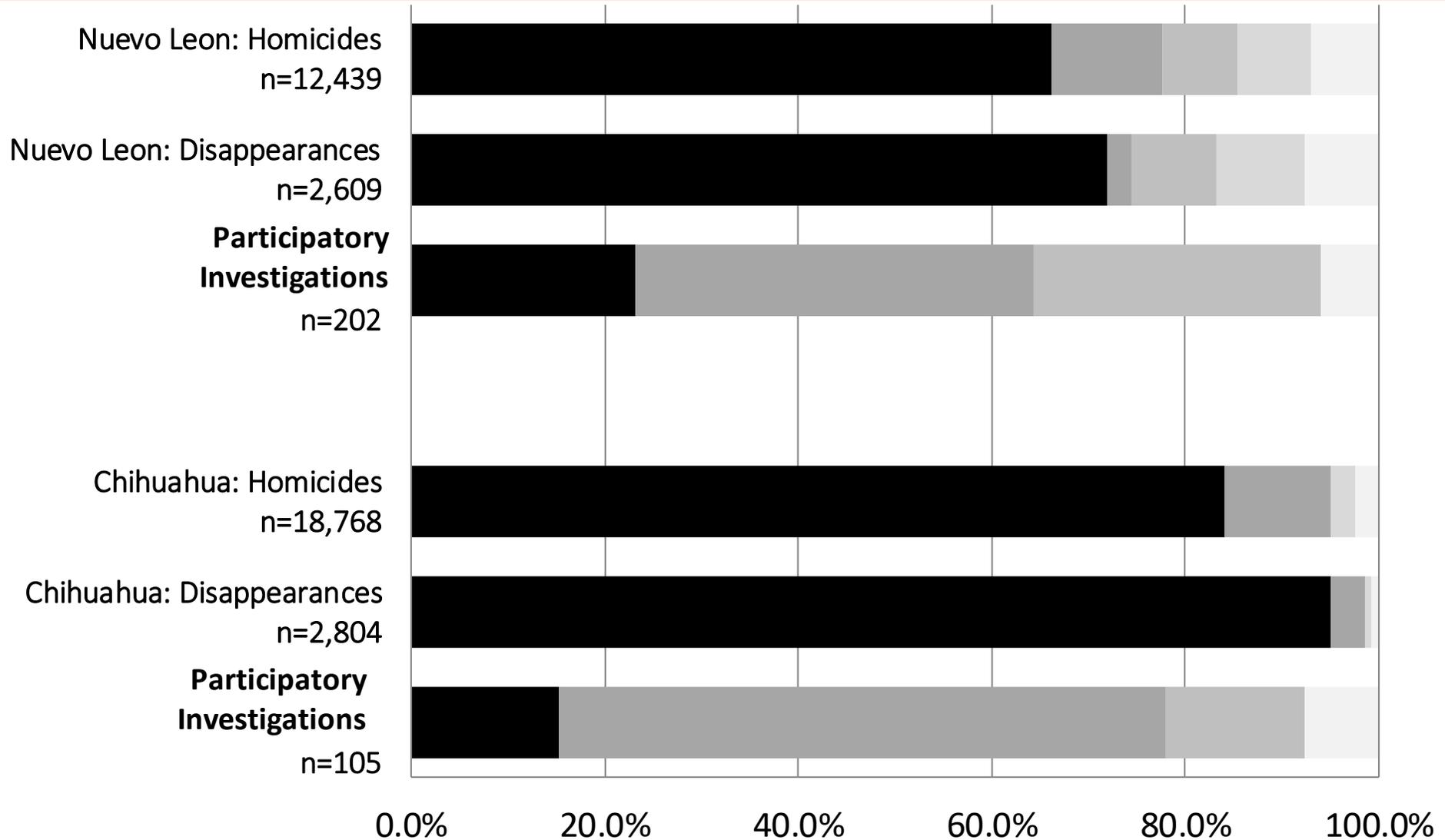
Juan Manuel León Martínez [Head of Comisión Local de
Búsqueda]

Miguel Ángel Guerrero Castro [coordinador de la
Subprocuraduría de Investigaciones Especiales]

Jorge A. Martínez Carrillo

Griselda Vizcarra Durán: CEDH - Ensenada

MEXICO 2006-12: Participatory Investigations Improve Chances of Judicial Success, Gallagher 2017



Reporting of the Crime
 Concrete Judicial Advances
 Indictment
 Trial
 Sentence

In Sum

- Re-orienting question: How do we promote citizen engagement vs. non-optimal exit?
 - Supporting informal and formal relationship building between both individuals and collective citizens with police & judicial institutions
 - Promote Rights Education & Legal Literacy
- “High Quality Research”: Value of Methodological Pluralism
 - RCTs can answer a certain set of questions, but not others! We need to make sure we’re not presuming relationships and dynamics because they aren’t amenable to measurement by a certain methodology.

Thank you!

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Measurable
Outcome/Action

Central
Mechanism



**Erodes
Impunity**



Works Cited

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