

# Race, Bureaucracy, and Symbolic Representation: Interactions between Citizens and Police

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## ABSTRACT

Our understanding of representation by government employees has increased considerably in the past 30 years. Scholars have found that represented groups benefit from representative bureaucracies and conclude that this benefit is a function of active representation. However, due to the aggregate unit of observation used in most of these studies and the outcome measures that are typically used as dependent variables, we argue that there are other forms of representation that can explain these findings. We contribute to the existing research in this area by focusing on symbolic representation and conduct our test using individual-level data from a national police-citizen contact survey. We hypothesize that citizen perceptions of legitimacy regarding police actions are shaped by the interaction of citizen race and officer race. Our results suggest that symbolic representation does occur—blacks are more likely to perceive police actions as being legitimate if there are black officers present. Additionally, whites are more likely to perceive police actions as legitimate if the actions were conducted by white officers.

## INTRODUCTION

How government officials represent is a central concern in any democracy. Voters and voting blocs typically try to ensure the representation of their political preferences through the selection of candidates. Such representation of interests is arguably of special concern to minorities and other traditionally marginalized groups, such as women and the disabled. Typically, these groups have pursued representation through the electoral process—selecting public officials who share group identification (Barrett 1995, 1997; Bratton 2002; Bratton and Haynie 1999; Matland 1993; Mladenka 1989; Thomas 1994). Although shared identification and experience cannot guarantee substantive representation, research suggests that the presence of African-American and Hispanic elected officials increases the

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likelihood that African-American and Hispanic interests are represented in policy processes (Bratton 2002; Bratton and Haynie 1999; Eisinger 1982; Lim 2006; Mladenka 1989; Saltzstein 1989). Furthermore, research on the symbolic or empowering effect of representation suggests that the presence of elected minorities affects the attitudes and actions of both minority and nonminority constituents (Banducci, Donovan, and Karp 2004; Bobo and Gilliam 1990; Gay 2001, 2002; Tate 2003).

The principles of representation have also been applied to nonelected officials. Scholars of the bureaucracy have long argued that nonelected public officials have more in common with the public than do elected officials, which in turn should make them more responsive to the public's needs (Krislov 1974; Kranz 1976; Long 1952; Van Riper 1958). More recent research has sought to link descriptive representation with active representation and has found that policy outcomes for represented groups do improve with representation in public agencies (England, Meier, and Fraga 1988; Hinderer 1993; Hinderer and Young 1998; Lim 2006; Meier and Nicholson-Crotty 2006; Meier and Stewart 1991; Meier, Stewart, and England 1989; Selden 1997; Wilkins and Keiser 2001).

Our research contributes to the growing body of research on bureaucratic representation by expanding the theory to include the concept of symbolic representation. Unlike active representation, where the representative acts on the behalf of represented groups, symbolic representation works cognitively on the audience of those who belong to a group that is to be represented. With symbolic representation, then, attitudes and outcomes can change without any purposeful actions taken by the representatives other than holding a government office or position.

We argue that the methods used by researchers in this area have made it difficult to determine whether findings show evidence of active representation or symbolic representation. Most existing studies use aggregate-level data to assess what is an individual-level theory. Additionally, researchers have focused on policy outcomes instead of street-level policy decisions, which can be influenced by factors other than representatives' decisions. Because of the aggregate nature of the data and the focus on outcomes, it is unclear whether relationships between descriptive representation and policy outcomes are a function of active representation, actions by nonminority bureaucrats, or responses by citizens of represented groups (as in the case of symbolic representation). Proper tests of theories regarding active and symbolic representation require individual-level data on either the actions of representatives or responses by the represented citizen.

Our research expands on existing research by overcoming these research and methodological shortcomings. We explore symbolic representation by developing a set of hypotheses regarding the effect of symbolic representation in the case of unelected officials. We then directly test for the effect of symbolic representation using individual-level data from citizen encounters with police. These data are from a national random sample survey of adults who came in contact with police. To examine the possibility of symbolic representation we assess whether perceptions of legitimacy regarding police actions are influenced by the race of the police officer and the driver in different combinations. In sum, we seek to answer the following questions. First, to what extent does the race of a police officer shape citizen perception of the legitimacy of and responses to police actions? And second, are citizens more likely to believe that a police action, such as a stop or a search, is legitimate if the officer is of the same race as the citizen?

Our results suggest that symbolic representation does in fact occur in the context of citizen encounters with police; blacks are more likely to perceive police actions as being

legitimate if there were black officers present. Additionally, it appears that white drivers are more likely to perceive police actions as being legitimate if there are only white officers present. We discuss the broader implications of our analysis for representation theory as well as students of bureaucracy.

## **THEORETICAL OVERVIEW**

Human perceptions of situations have real importance even when perceptions might be wrong. In a very real sense, an individual's perception is his/her reality. When considering the actions of government agents, perceptions of legitimacy, fairness, and justice in what actions are taken and how they are carried out has important potential implications for government legitimacy, especially in a democracy. If citizens come to believe that actions by government agents are in some way illegitimate, citizens may come to distrust the government. Such citizen distrust may be difficult to change and may lead to a lack of cooperation with authorities or even significant social unrest (Skolnick 1966; Skolnick and Frye 1993).

Research on subgroup population representation within government agencies directly addresses how important citizen perceptions can be. For population subgroups, such as racial and ethnic minorities, real value is placed on having members of the group in elected or nonelected positions in government (Barrett 1995, 1997; Haider-Markel, Joslyn, and Kniss 2000). The basic idea being that having members of the group in government positions (descriptive representation) will help ensure that members of the group will be treated equitably by government actors, referred to as active or substantive representation. In addition, the simple fact of having your group represented in government might make members of racial and ethnic groups perceive that government agents are acting in a legitimate manner. Indeed, Pitkin (1967) argues that descriptive representation of subgroups can lead to symbolic representation. Having members of the subgroup in official positions works "on the minds of those who are to be represented or who are to be the audience accepting the symbolization" (Pitkin 1967, 111).<sup>1</sup> In sum, descriptive representation can be symbolic to population subgroups in the sense that they see people like themselves in authority positions. This process should lead to subgroup perceptions that the actions of these government agents are justified or legitimate.

In her study of the effect of representation by black members of Congress, Gay (2002) posits several explanations why descriptive representation would influence constituent behavior and attitudes; two of which are relevant for our research question. First, constituents see descriptive representation as a signal that representatives share the same values and experiences. This assumption leads to greater trust among represented that representatives will act on those values and experiences. Second, minorities may feel that minority representatives are more attuned to racial prejudice, which in turn influences representatives' actions toward minority groups. These are similar arguments that representative bureaucracy theorists have used to explain why active representation should follow from descriptively represented bureaucracies. However, instead of acting on these

<sup>1</sup> Others have referred to this concept as empowerment (Banducci et al. 2004; Bobo and Gilliam 1990) in that minority constituents are empowered through descriptive representation. However, we prefer Pitkin's definition because it is more general. Symbolic representation not only can lead to empowerment for minorities but also can shape the perceptions and behavior of nonminorities.

values and experiences, the public simply needs to believe that race is an indicator of values or experiences and that these values and experiences influence representatives' actions. This belief, then, should influence the public's evaluation of minority public officials' actions.

This research demonstrates that the concept of representation extends beyond the simple demand response models prevalent in the representation literature. Although the findings of the research in this area are not consistent (see Overby et al. 2005 for a review of the literature), there is certainly evidence to suggest that symbolism of race plays an important role in how the public responds to government (Banducci, Donovan, and Karp 2004; Bobo and Gilliam 1990; Gay 2001, 2002; Gilliam 1996). Additionally, Gay's (2001, 2002) findings suggest that the symbolic effect is limited to minorities. However, it is not clear whether nonminorities respond negatively to minority representation or favorably to nonminority representation.

Other scholars have studied the effect of race and representation by nonelected officials. Indeed, a fair amount of research on public policy consideration and adoption suggests that descriptive representation by minorities or females in public agencies leads to improved outcomes for represented groups (England, Meier, and Fraga 1988; Hinderer 1993; Hinderer and Young 1998; Meier and Stewart 1991; Meier, Stewart, and England 1989; Selden 1997; Wilkins and Keiser 2001). These studies attribute improved outcomes for represented groups to active representation, the equivalent to substantive representation in the electoral representation literature. However, this research has largely been concerned with assessing the linkage between passive and active representation, largely neglecting the possibility for symbolic representation.

Although studies on active representation in public agencies do not directly address the concept of symbolic representation, many of the explanations for their findings suggest that such a phenomenon does occur. For example, Keiser et al. (2002) find that girls' math scores are better in districts with more female math teachers. They conclude that this finding results from active representation. In explaining the improved outcomes for girls, however, they argue that "girls who do not have a female math teacher could still identify with one as a role model; this identification could result in a greater effort to succeed in math classes" (558). This explanation does not address the use of discretion by female math teachers, but instead focuses on a potential response to what female teachers represent for female students.

Meier and Nicholson-Crotty (2006) posit several theories of why female representation increases the number of reported assaults to police, two of which are not through the discretion of female officers. They report that their results could be a function of female officers sensitizing male officers of certain gender issues (in this case rape) or that the female victims feel more comfortable reporting rape to a female officer. Both these explanations are not about the actions of female officers, but instead responses by male officers or by the victim.

Meier, Wrinkle and Polinard (1999) find that increased minority representation not only increases educational performance for minority students but also improves outcomes for nonminority students. Additionally, they find that the positive effect of minority representation is stronger for nonminority students. The study addressed the concern that increasing representation necessarily produces a trade-off, such that increases in representation by one group lead to decreases in substantive representation for another group. However, other consequences of descriptive representation may mitigate or outweigh the

negative consequences of active representation, as suggested by their findings. Although their findings do not preclude active representation, they do suggest there are other effects associated with descriptive representation.

Research on school superintendents suggests that descriptive representation can produce both active and symbolic representation. Scott (1990) finds that black superintendents feel that they “must commit their expertise to the eradication of racism and the rectification of socioeconomic inequities” and should “identify with Black-directed endeavors to resolve the needs of Blacks in a racist society” (168). He also found that black superintendents believe that they are evaluated differently and that black citizens “impose greater demands on Black superintendents than on their white predecessors” (167). In other words, descriptive representation creates higher expectations from represented groups. Mann (1974, 1975) finds that minority superintendents believe they should be more responsive to public demands. Mann argues that this finding is, in part, due to increased demands by minority constituents on minority administrators. Although these studies do not directly test for either active or symbolic representation, they do suggest that both follow from descriptive representation.

The difficulty in assessing whether existing research shows evidence of active representation or symbolic representation stems from the unit of analysis used in most of these studies. With the exception of the studies on superintendents cited above and a handful of other studies (Coleman, Brudney, and Kellough 1998; Sowa and Selden 2003; Theobald 2007), all of this research employs aggregate-level data. Specifically, these studies usually assess the impact of representation in an institution (measured as a percent of minorities or females in an agency) on aggregate outcomes for represented groups (such as percent minorities passing a standardized test). This analysis strategy creates an ecological fallacy problem, since the theory of active representation centers on the actions of individuals. Thus, because of the unit of analysis in these studies is not individuals, it is not clear whether the outcomes are a function of minorities or nonminorities in public agencies.

In addition to the aggregation problem, many of these studies use outcome variables that are dependent on clientele behavior, such as test scores or reporting the incidence of rape. This research strategy was a response to the methodological difficulties associated with directly testing for active representation (see Saltzstein 1979). In order to directly test active representation, studies not only need to use individual-level data but also should directly measure decisions and actions by representatives. Any measure subject to constituent attitudes or behavior, such as educational performance, could be influenced by either active representation or symbolic representation.

The theories pertaining to active or symbolic representation focus on the actions or attitudes of individuals. Direct tests of these theories, then, require individual-level data. In the case of active representation, scholars need to be able to tie policy decisions to individual bureaucrats. Meanwhile, direct tests of symbolic representation require the researcher to be able to tie the attitudes or actions of individual constituents to descriptive representation.

## **THE CASE OF LAW ENFORCEMENT**

In the realm of criminal justice police and police agencies in particular, a growing body of evidence finds that race shapes citizen perceptions of fairness as well as the belief that police actions are legitimate. For example, Sigelman et al. (1997) find that 90% of African-Americans feel that police were unfair to African-Americans, whereas 60% of whites feel

that police were unfair to African-Americans. And 50% of African-Americans feel that police delayed in responding to complaints or requests for help from African-Americans. Hurwitz and Peffley (2005) find that African-Americans are more likely to perceive police actions as being unfair and are much more suspicious of police actions when they involve African-American citizens. They also find that whites with antiblack stereotypes are more likely to side with police when there is a question of discrimination concerning an interaction with police and black citizens.

It has also become clear that many African-Americans believe that law enforcement disproportionately targets them as a group for traffic stops and harassment. Meanwhile, many law enforcement agencies insist that they are not engaged in racial profiling. The debate continues as empirical evidence examining the question has often been inconclusive or lacking in methodological rigor (Haider-Markel, Epp, and Maynard-Moody 2005; Lamberth 2001; Smith 2004; Walker 2001). Nevertheless, the perceptions of African-Americans have real consequences, greatly inhibiting the community's relations with law enforcement (Bell 2002; Jacobs and Potter 1998).

These studies show a clear pattern of how race shapes attitudes about police actions, but there is less known about how the race of the officer, and the interaction between officer race and citizen race, affects attitudes. The Bureau of Justice Statistics (BJS) report from the 1999 Police-Contact Survey did not find that the officer-driver interaction shaped attitudes on whether the driver felt that a traffic stop was legitimate. However, the analysis in the report did not control for other factors that may have affected perceptions of legitimacy (Langan et al. 2001). In addition, the report did not examine outcomes beyond a stop, such as whether a vehicle or personal search was conducted and whether the citizen considered these actions legitimate or appropriate.

Likewise, a recent study by Engel (2005) did not find evidence that the officer-driver race interaction had a significant influence on the citizen perceptions of justice. However, Engle's study focused only on attitudes about stop legitimacy and police behavior and did not examine other, more intrusive, police actions. Meanwhile, a study by Mastroski, Snipes, Supina (1996) found that citizen compliance to police request for compliance is conditional on the race of officer and driver, but theirs was a local study which limited its generalizability. Furthermore, it is not clear whether representation increases or decreases compliance due to how they coded the officer-driver interaction.

The majority of empirical studies on bureaucratic representation look at the impact of representation in education agencies. Examining representative bureaucracy in the context of law enforcement not only provides additional cases to the literature but may also have broader policy and societal implications. In particular, given the historically poor relations and lack of trust between the African-American community, and the criminal justice system in most parts of the country (Hurwitz and Peffley 2005; Tyler 1984, 1990, 2001), if our analysis demonstrates that increased black representation in the bureaucracy influences black attitudes about police actions, this has important implications for policy makers and the community. Put another way, if descriptive representation enhances trust between the represented and the populace, enhanced feelings of inclusion may lead the populace to view the actions of the state and state institutions as more legitimate (Mansbridge 1999). Increased perception of legitimacy can subsequently increase compliance with policy and the actions of state agents (Hibbing and Theiss-Morse 2001; Tyler 1990, 2001). And this dynamic is not a one-time event, the experimental research of Hurwitz and Peffley (2005) suggests that individuals who perceive police as unfair are more skeptical

and punitive toward the police when interpreting police action in an experimental setting than those with less negative views. Thus, one implication of finding symbolic representation is that policy makers should consider more affirmative efforts to hire more minority officers and make all officers aware of the long-term implications of their actions on the job.

In addition, police bureaucracies, along with many others, provide street-level bureaucrats with considerable discretion (Maynard-Moody and Musheno 2003). Police agents interact directly with clients making race, sex, and other characteristics visible to agents as well as clients, providing a scenario where agent behavior and perceptions and client behavior and perceptions can be shaped by the characteristics of the other (Maynard-Moody and Musheno 2003). And even though law enforcement agents represent perhaps the greatest coercive power of the state, it is precisely in the face-to-face interaction between a street-level law enforcement agent and a citizen where we should be most concerned about citizen perceptions of representation and legitimacy. Thus, by examining bureaucratic representation in law enforcement, we gain greater insights into whether bureaucratic representation makes a difference in any context where bureaucratic agents interact directly with the citizen clientele.

In summary, evidence from the bureaucratic representation literature suggests that race of the official may influence the actions and attitudes of represented clientele, but more appropriate data are needed to assess this question. In the context of police agencies, existing theory and research leads us to expect that citizens' assessments of interactions with police officers, such as in the case of traffic stops and searches by police, will be shaped by the race of the officer interacting with the race of the citizen. In particular, we expect that black respondents will view the actions of black officers as more legitimate and the actions of white offices as less legitimate. However, the theory is not one-sided. We also expect that white respondents will view the actions of white officers as more legitimate and the actions of black officers as less legitimate.

## **DATA AND MEASUREMENT**

Because the theory of symbolic representation implies that individual-level data are necessary for empirical tests of the theory, we employ survey data from the National Archive of Criminal Justice Data, *The Police-Public Contact Survey, 1999*, for our analysis (U.S. Department of Justice 1999). The unit of analysis and observation for these data is an individual. This survey was undertaken to learn more about how often and under what circumstances police-public contact becomes problematic. The BJS initiated surveys of the public on their interactions with police in 1996 with the first Police-Public Contact Survey, a pretest among a nationally representative sample of persons aged 12 or older. That initial version of the questionnaire revealed that about 20% of the public had direct, face-to-face contact with a police officer at least once during the year preceding the survey.

The 1999 survey was fielded as a supplement to the National Crime Victimization Survey (ICPSR 6406) during the last 6 months of 1999. The 1999 survey, with a large sample and more questions, permits extensive analysis of demographic differences in police contacts. The detailed set of questions concerned traffic stops by police, which was the most frequent reason given for contact with police. Importantly for our purposes, the survey also asked questions pertaining to respondent race, officer race, and relevant citizen demographic variables. Although the sample universe was all persons aged 12 and

above, we limit our analysis to respondents aged 16 and above to focus on persons who are at least eligible to drive. Our analysis is also limited to those respondents who were stopped by police in the last 12 months, and if the respondent had stopped more than once, we only analyze information relevant to the most recent stop prior to the survey.

### DEPENDENT VARIABLES

Our dependent variables are simply the responses to survey questions asking the respondents to evaluate their *last contact* with police. Specifically, they were asked whether or not a police stop was legitimate, whether or not a police vehicle search was legitimate, whether or not a personal search was legitimate, and on whether or not the police behaved properly during an encounter. The yes or no questions were phrased as follows.

1. Would you say that the police officer had a legitimate reason for stopping you?
2. Do you think the police officer had a legitimate reason to search the vehicle?
3. Do you think that the police officer had a legitimate reason to search you, frisk you, or pat you down?
4. Looking back at (this/the most recent) incident, do you feel the police behaved properly or improperly? (Yes, properly; no, improperly.)

Responses to each question were recoded as dichotomous variables with “don’t know” responses excluded (see Appendix). We estimate the likelihood of a “yes” response for each question using logistic regression.

### INDEPENDENT VARIABLES

Our central focus is on the interaction between officer race and citizen race. As such, we include a variable coded one if the driver was black and zero if the driver was white (question wording and descriptive statistics for all variables are in the Appendix). We also include a variable code one if the majority of the officers present were black and zero if the majority of officers present were white.<sup>2</sup> We create an interaction variable for driver race and officer race by creating a dummy variable that is coded one when both the driver and officer are black and zero otherwise. We hypothesize that black officers will positively affect responses by black drivers, producing a positive coefficient for the officer-driver interaction.

For drivers, a negative outcome for a stop would be receiving a ticket or having police find evidence of a crime in the vehicle or on the driver. Because negative outcomes for the driver might influence the drivers’ beliefs about the legitimacy of police actions, we also include control variables coded one if a ticket was received and zero otherwise for the legitimate stop model and the police behavior model. In the search models we include a variable coded one if evidence was found during a search and zero otherwise. In each of

2 Even though this variable is an aggregation of officers in some cases, it does not create an ecological fallacy problem. The response to representation is still a response of an individual. Symbolic representation can be a response to either an individual representation or the representative composition of an institution.

these cases, receiving a ticket or having evidence uncovered, we expect that respondents will be less likely to suggest that police actions were legitimate or proper (Engel 2005).

Repeated contact with police may also impact perceptions of legitimacy and evaluations of police behavior. This may be especially true of blacks because they tend to feel that they are subject to racial profiling (Engel 2005). To capture this influence, we include a variable for the number of times a respondent cited being stopped by police in the previous 12 months.

We also include control variables for the age and gender of the driver (Engel 2005). Although we expect men will be somewhat less likely to suggest that the actions of police were legitimate (Smith et al. 2004), we include the age variable strictly as a control with no theoretical expectations. We include two variables for the income of the respondent (Engel 2005). The first is coded one if the respondent's income was below \$20,000 and zero otherwise. We expect that respondents in this income category will be less likely to indicate that the actions of police were legitimate (Engel 2005). The second income variable is coded one if the respondent's income was between \$20,000 and \$49,999. We expect that this group of respondents will be somewhat more likely to indicate that the actions of police were legitimate.

In addition we include control variables for the size of the city in which the respondent resides and, for the models of vehicle stops, a count of the number of occupants in the driver's vehicle, including the driver. We expect that respondents from larger cities will be less likely to believe that police actions were legitimate or proper (Haider-Markel, Epp, and Maynard-Moody 2005). Likewise, we expect that during stops where the driver had occupants in the car, drivers will be less likely to believe that police actions were legitimate or proper (Haider-Markel, Epp, and Maynard-Moody 2005). In large part we suspect that a group dynamic between driver and occupants will lean toward viewing police actions as illegitimate simply because occupants are likely to reinforce any negative perception the driver has of the stop—an us-versus-them phenomena.

## RESULTS

The results for our analyses of the four dependent variables are displayed in Table 1. The first column shows the results for the model estimating the likelihood of the respondent indicating that a police stop of a vehicle was legitimate. In this model the findings suggest that several factors influence the likelihood of believing that a police stop was legitimate. Specifically, respondents who were from larger cities, had more occupants in the vehicle, were of lower income, were male, had multiple contacts with law enforcement, and received a ticket were significantly more likely to indicate that the police stop was not legitimate.

African-Americans were considerably more likely to believe that the stop was not legitimate than were whites. Given the low level of trust African-Americans have in government and the police in particular this finding is not surprising (Hurwitz and Peffley 2005). More importantly, when black drivers were confronted with black police officers, they were significantly more likely to indicate that the stop was legitimate. Although there is no evidence that white drivers are affected by the race of the officer, the finding supports our hypothesis that black representation in the bureaucracy produces a symbolic effect.

**Table 1**  
Likelihood That Citizens Believe Police Actions Were Legitimate and Proper

	(1) Legitimate Stop	(2) Legitimate Vehicle Search	(3) Legitimate Personal Search	(4) Police Behavior
Black citizen	-0.675 (0.111)***	-1.358 (0.518)***	-1.077 (0.493)**	-0.671 (0.126)***
Black officer	-0.086 (0.129)	-0.054 (0.419)	-0.848 (0.537)*	-0.261 (0.146)**
Black citizen and officer	0.456 (0.271)**	0.491 (1.031)	2.112 (1.049)**	0.547 (0.302)**
Age	-0.003 (0.002)	0.005 (0.012)	-0.014 (0.014)	0.001 (0.003)
Male	-0.318 (0.072)**	-0.369 (0.333)	0.325 (0.445)	-0.433 (0.087)**
Income \$0–\$20,000	-0.187 (0.086)*	-0.512 (0.334)	-0.861 (0.370)*	-0.181 (0.102)
Income \$20,000–\$50,000	-0.032 (0.082)	-0.031 (0.333)	-0.411 (0.353)	-0.024 (0.098)
Ticket	-0.159 (0.070)*	—	—	-0.362 (0.085)**
Evidence in car	—	0.518 (0.380)	—	—
Evidence on person	—	—	0.017 (0.541)	—
No. of police contacts	-0.136 (0.026)**	-0.143 (0.070)*	-0.236 (0.106)*	-0.140 (0.025)**
Number of occupants	-0.077 (0.039)*	-0.356 (0.173)*	—	-0.131 (0.041)**
Population	-0.167 (0.041)**	-0.209 (0.161)	-0.070 (0.167)	-0.131 (0.048)**
Constant	2.738 (0.159)**	0.987 (0.687)	0.666 (0.700)	3.339 (0.187)**
Log likelihood	-2,790.106	-187.98	-160.911	-2,172.03
Chi-square	105.56**	29.35**	16.07*	115.74**
Pseudo R <sup>2</sup>	.02	.07	.05	.03
Observations	6,539	311	260	6,817

Note: Coefficients are Logit regression coefficients; dash indicates variable omitted. All variables are described in the Appendix. \*Significant at 10%; \*\*significant at 5%; and \*\*\*significant at 1% (one-tailed significance for directional hypotheses).

Table 2 shows the predicted probabilities for the different interactions between the race of the driver and race of the officer. In the first model, when there is a black officer present, the probability that a black driver feels that a stop is legitimate increases from 0.75 to 0.82.

The second column displays the results for the likelihood that a respondent believed that a search of his/her vehicle was legitimate. Because the actual number of respondents who had their vehicles searched was small, the total number of cases for this analysis declines dramatically. Nevertheless, the findings suggest that blacks and those drivers with more occupants in the car or who had multiple contacts with the police were significantly less likely to believe that a vehicle search was legitimate. Indeed, driver race is such

**Table 2**  
Predicted Probabilities: Citizen Belief That Police Actions during Contact Were Legitimate and Proper

	Model 1—Legitimate Stop	Model 3—Legitimate Personal Search	Model 4—Police Behaved Properly
Black officer			
Black driver	0.82	0.42	0.88
White driver		0.20	0.89
White officer			
Black driver	0.75	0.17	0.84
White driver		0.38	0.91

Note: Probabilities were calculated by setting the race of driver and officer to appropriate values, and all other variables to their mean.

a powerful predictor in this model (with a marginal effect twice as high as any other variable) that even having a majority of black police officers present does not influence perceptions of legitimacy. This finding does not allow us to reject our null hypothesis concerning symbolic representation.

The third column displays the results for the likelihood that a respondent believed that a search of his/her person was legitimate. As in the second model, the number of respondents who had their person searched was small. Our findings indicate that those who had more contact with the police, lower income respondents, and blacks were significantly less likely to believe that a search of their person was legitimate. And consistent with the symbolic representation hypothesis, blacks who interacted with black officers were significantly more likely to believe that the search was legitimate. The significant negative coefficient for black officers shows that the effect is similar for white drivers. In fact, when a white officer conducts a search, whites are nearly twice as likely to perceive the search as legitimate (0.38 compared to 0.20). Meanwhile, blacks are more than twice as likely to perceive a personal search as legitimate when conducted by a black officer, 0.42 compared to 0.17.

Finally, in the fourth column we display the results for the likelihood that a respondent believed that police actions during the stop were proper. Here the respondents who were from larger cities, had more contact with the police, had more occupants in the vehicle, were of lower income, were male, and received a ticket were significantly more likely to indicate that the police actions during the stop were not proper. Blacks were also less likely to believe that police acted properly. Most importantly, when black citizens were confronted with black police officers, they were significantly more likely to indicate that police actions in the situation were proper, 0.88 compared to 0.84 when evaluating white officers. Additionally, when white drivers were confronted with white officers, they were significantly more likely to indicate that police actions were proper, 0.91 compared to 0.89 when evaluating black officers. Although the symbolic effect is not as strong for the personal search, only increasing positive responses for police behavior by 3–4%, we still find that the race of the officer affects both white and African-American drivers. This finding supports our hypothesis that minority representation has a symbolic effect on citizens.

## **DISCUSSION AND CONCLUSION**

Many studies have clearly demonstrated that descriptive representation in public agencies leads to improved outcomes for represented groups (England, Meier, and Fraga 1988; Hinderer 1993; Hinderer and Young 1998; Meier and Stewart 1991; Meier, Stewart, and England 1989; Selden 1997; Wilkins and Keiser 2001). Although these findings are likely a function of active representation, it is not clear to what extent other factors are shaping outcomes, including symbolic representation processes. Our research seeks to contribute to the growing research on bureaucratic representation by clarifying and empirically testing the symbolic representation in the context of citizen interactions with police.

Our research also expands on the representation research by overcoming one of its methodological shortcomings. With the exception of a few scholars (Coleman, Brudney, and Kellough 1998; Sowa and Selden 2003; Theobald 2007), most studies have used aggregate-level data to test an individual-level theory. Additionally, researchers have largely focused attention on outcome variables that are potentially influenced by clientele responses to descriptive representation. Although these approaches help to overcome other

difficulties associated with studying active representation (see Saltzstein 1979), they cannot be considered a direct test of active or symbolic representation.<sup>3</sup>

We explore symbolic representation by developing hypotheses regarding the effect of symbolic representation by public agencies. In sum, we seek to answer the following questions. First, to what extent does the race of a police officer shape citizen perception of the legitimacy of and responses to police actions? And second, are citizens more likely to believe that a police action, such as a stop or a search, is legitimate if the officer is of the same race as the citizen? We test for the effect of symbolic representation by analyzing individual-level data from citizen encounters with police. Our analysis of symbolic representation focuses on whether citizen perceptions of legitimacy regarding police actions are influenced by the race of the police officer and the driver in different combinations.

The results of our analysis suggest that bureaucracies can produce symbolic representation for minorities and nonminorities alike. Specifically, we find that citizen evaluation of certain police actions is dependent upon the interaction between citizen race and the race of the officer. Although this effect is not significant across all our dependent variables, the pattern is consistent with expectations derived from our theory. Additionally, our findings suggest that the theory of symbolic representation could be further developed to explain and predict variations in responses to symbolic representation. For instance, we find that in the case of personal searches the effect is quite strong, whereas the effect on evaluation of traffic stops was relatively small. Compared to a traffic stop, or even a vehicle search, personal searches are a much more significant intrusion on personal liberty. And research tends to find that blacks are significantly more likely to face searches when stopped by police, even though searches of blacks are no more likely to uncover unlawful behavior than searches of whites (Totman and Steward 2006). Thus, we might expect the racial context to matter more for citizen perceptions. The nature of contact, then, likely could shape symbolic representation.

Our findings also highlight the importance of testing representation theory at the individual level, as well as focusing on dependent variables that directly measure different responses to descriptive representation, such as decisions by bureaucrats or attitudinal or behavioral responses by citizens. By focusing on the attitudinal response of individual citizens to representation, we are better able to differentiate between variations in responses to descriptive representation.

However, we do concede that that we cannot conclusively rule out the possibility that our results may be a function active representation. This would occur if the officer behavior systematically varied based on the race of the citizen. Variation in citizen response, then, could be a function of the behavior of the officer. Although this is possible, both black and white officers would have to respond in the same manner to the race of the citizen to produce our results. However, evidence suggests that black officers may actually act more harshly toward black suspects (Brown and Frank 2006; Thompson 1976). If this is the case and blacks' perception of legitimacy is a result of differences in behavior by black officers, then black citizen response should be opposite of our findings. Thus, we contend that the more likely explanation for the results is that the attitude of citizens is

3 Meier, Eller, Wrinkle, and Polinard (2001) argue that individual-level analysis would not capture all the possible effects of descriptive representation. Although this true, it also makes it difficult to understand which explanation and to what degree each explanation is producing changes in outcomes.

affected by the *race* of the officer, *not the action* of the officer. However, fully disentangling this issue would likely require using an experimental design. In such a design, the actions of the bureaucrat can be controlled, which is not possible with survey data. With an experimental design, different scenarios can be presented for subjects to assess the interaction of the race of the subject and the racial interaction being viewed. Additionally, such a design could be used to assess the effect of race in evaluating different types of bureaucrats in different situations. But of course experimental designs have their own limitations as well. At minimum, our findings should encourage more nuanced research designs.

Finally, in addition to contributing to the research on bureaucratic representation, the results of our analysis also have important implications for law enforcement officials and policy makers. Our findings indicate that the perceptions of citizens differ depending on the race of the citizen and the race of the officer. This suggests that law enforcement officials and policy makers should be encouraged to find additional ways to diversify the police force if they are concerned with citizen perceptions of police actions. Given the long history of tension between minorities and law enforcement, our findings reinforce the notion that diversifying the police force is one way that law enforcement agencies can improve relations with minority communities.

However, our results also suggest that diversifying the police force with more minorities may have a negative impact on attitudes held by nonminorities, creating a quandary for law enforcement agencies. Whereas minorities' response to officer race may be a function of past discrimination by law enforcement agencies, nonminority response to race might be a function of attitudes toward affirmative action policies (Crank and Langworthy 1992). Addressing this negative reaction would require policy actions that improve procedural justice. Indeed, Marschall and Shah (2007) find that black representation on city councils actually improves perceptions of legitimacy by white constituents toward law enforcement agencies. They attribute this finding to policies passed by councils with black representation; law enforcement agencies in cities with higher black representation on city councils are more likely to have civilian review boards and community policing policies. Marschall and Shah (2007) contend that these substantive policies passed by elected bodies with minority representation are policies valued by both blacks and whites. Thus, implementing policies that promote procedural justice, such as increasing interactions and providing the public information on policing practices (Hinds and Murphy 2007; Reisig, Bratton, and Gertz 2007; Tyler 2004; Tyler and Wakslak 2004), could be used to counter the negative effects of diversifying law enforcement agencies without countering the positive effects of increasing minority representation in law enforcement agencies.

## **APPENDIX: SURVEY QUESTIONS AND DESCRIPTIVE STATISTICS: *THE POLICE-PUBLIC CONTACT SURVEY* (U.S. DEPARTMENT OF JUSTICE 1999)**

### **Dependent Variables**

1) Would you say that the police officer(s) had a legitimate reason for stopping you?

0	No	15.71% (1029)
1	Yes	84.29% (5519)

2) Do you think the police officer(s) had a legitimate reason to search the vehicle?

- 0 No 64.31% (200)
- 1 Yes 35.69% (111)

3) Do you think that the police officer(s) had a legitimate reason to search you, frisk you, or pat you down?

- 0 No 64.62% (168)
- 1 Yes 35.38% (92)

4) Looking back at (this/the most recent) incident, do you feel the police behaved properly or improperly?

- 0 No 10.12% (691)
- 1 Yes 89.88% (6136)

**INDEPENDENT VARIABLES**

Respondent Race

- 0 White (non-Hispanic) 89.14%
- 1 Black 10.86%

Respondent Gender

- 0 Female 52.80%
- 1 Male 47.20%

Interaction: Driver Black, Officer Black

- 0 Driver White, Officer White 97.87% (6833)
- 1 Driver Black, Officer Black 2.13% (149)

Respondent Age

Mean	Minimum	Maximum
44.67	16	90

Occupants in Car: How many people age 16 or over, INCLUDING YOURSELF, were in the vehicle?

occupants	Freq.	Percent
1	5,258	66.46
2	1,882	23.79
3	460	5.81
4	215	2.72
5	57	0.72
6	21	0.27
7 or more	18	0.22

Officer race: Were the police officers White, Black, or some other race?

0	Majority White	90.40%
1	Majority Black	9.60%

Did the police officer(s) find any of the following items in the vehicle? (yes for any of the following: Illegal weapons, Illegal drugs, open containers of alcohol, such as beer or liquor, or other evidence of a crime)

0	No	99.95%
1	Yes	0.05% (43)

Did the police officer(s) find any of the following items on or near you? (yes for any of the following: Illegal weapons, Illegal drugs, open containers of alcohol, such as beer or liquor, or other evidence of a crime)

0	No	99.98%
1	Yes	0.02% (20)

During (this/the most recent) incident were you: given a ticket?

0	No	96.04%
1	Yes	3.96% (3751)

Income 1

0	All others	62.35%
1	Less than \$20,000	37.65%

Income 2

0	All others	68.44%
1	\$20,000–49,999	31.56%

How many different times were you stopped in the past 12 months?

Contact	Freq.	Percent	Cum.
1	6,717	81.76	81.76
2	1,030	12.54	94.29
3	246	2.99	97.29
4	91	1.11	98.39
5	39	0.47	98.87
6	35	0.43	99.29
7 or more	58	0.71	100.00
Total	8,216	100.00	

POPSIZE PLACE SIZE

1	Under 100,000	73.37%
2	100,000–499,999	14.42%
3	500,000–999,999	4.30%
4	1 million or more	7.91%

## REFERENCES

- Banducci, Susan A., Todd Donovan, and Jeffrey A. Karp. 2004. Minority representation, empowerment, and participation. *Journal of Politics* 66:534–56.
- Barrett, Edith J. 1995. The policy priorities of African American women in state legislatures. *Legislative Studies Quarterly* 20:223–47.
- . 1997. Gender and race in the state house: The legislative experience. *Social Science Journal* 34:131–44.
- Bell, Jeanie. 2002. *Policing hatred: Law enforcement, civil rights, and hate crime*. New York: New York Univ. Press.
- Bobo, Lawrence, and Franklin D. Gilliam Jr. 1990. Race, sociopolitical participation, and black empowerment. *American Political Science Review* 84:377–93.
- Bratton, K. A. 2002. The effect of legislative diversity on agenda setting—Evidence from six state legislatures. *American Politics Research* 30:115–42.
- Bratton, K. A., and K. L. Haynie. 1999. Agenda setting and legislative success in state legislatures: The effects of gender and race. *Journal of Politics* 61:658–79.
- Brown, Robert A., and James Frank. 2006. Race and officer decision making: Examining differences in arrest outcomes between black and white officers. *Justice Quarterly* 23:96–126.
- Coleman, Sally, Jeffrey L. Brudney, and J. Edward Kellough. 1998. Bureaucracy as a representative institution: Toward a reconciliation of bureaucratic government and democratic theory. *American Journal of Political Science* 42:717–44.
- Crank, John P., and Robert Langworthy. 1992. An institutional perspective of policing. *Journal of Criminal Law and Criminology* 83:338–63.
- Eisinger, Peter K. 1982. Black employment in municipal jobs: The impact of black political power. *American Political Science Review* 76:380–92.
- Engel, Robin Shepard. 2005. Citizens' perceptions of distributive and procedural injustice during traffic stops with police. *Journal of Research in Crime and Delinquency* 42:445–81.
- England, R. E., Kenneth J. Meier, and L. R. Fraga. 1988. Barriers to equal opportunity—Educational practices and minority students. *Urban Affairs Review* 23:635–46.
- Gay, Claudine. 2001. The effect of black congressional representation on political participation. *American Political Science Review* 95:589–602.
- . 2002. Spirals of trust? The effect of descriptive representation on the relationship between citizens and their government. *American Journal of Political Science* 46:717–32.
- Gilliam, Frank D., Jr. 1996. Exploring minority empowerment: Symbolic politics, governing coalitions and traces of political style in Los Angeles. *American Journal of Political Science* 40:56–81.
- Haider-Markel, Donald P., Charles Epp, and Steven Maynard-Moody. 2005. A dilemma for law enforcement? Assessing racial profiling from the perspective of citizens. *Presented at the Annual meeting of the Midwest Political Science Association, Chicago*.
- Haider-Markel, Donald P., Mark R. Joslyn, and Chad J. Kniss. 2000. Minority group interests and political representation: Gay elected officials in the policy process. *Journal of Politics* 62: 568–77.
- Hibbing, John R., and Elizabeth Theiss-Morse. 2001. The meaning is the end. In *What is it about government that Americans dislike?* ed. John R. Hibbing and Elizabeth Theiss-Morse, 243–250. Cambridge: Cambridge Univ. Press.
- Hindera, John J. 1993. Representative bureaucracy—Imprimis evidence of active representation in the EEOC district offices. *Social Science Quarterly* 74:95–108.
- Hindera, John J., and Cheryl D. Young. 1998. Representative bureaucracy: The theoretical implications of statistical interaction. *Political Research Quarterly* 51:655–71.
- Hinds, Lyn, and Kristina Murphy. 2007. Public satisfaction with police: Using procedural justice to improve police legitimacy. *Australian and New Zealand Journal of Criminology* 40:27–42.
- Hurwitz, Jon, and Mark Peffley. 2005. Explaining the great racial divide: Perceptions of fairness in the US criminal justice system. *Journal of Politics* 67:762–83.

- Jacobs, James B., and Kimberly Potter. 1998. *Hate crimes: Criminal & identity politics*. New York: Oxford Univ. Press.
- Keiser, Leal R., Vicki M. Wilkins, Kenneth J. Meier, and Catherine A. Holland. 2002. Lipstick and logarithms: Gender, institutional context, and representative bureaucracy. *American Political Science Review* 96:553–64.
- Kranz, Harry. 1976. *The participatory bureaucracy: Women and minorities in a more representative public service*. Lexington, MA: Lexington Books.
- Krislov, Samuel. 1974. *Representative bureaucracy*. Englewood Cliffs, NJ: Prentice-Hall.
- Lamberth, John. 2001. *Report of John Lamberth, Ph.D.* <http://www.aclu.org/court/Lamberth.html> (accessed December 11, 2001).
- Langan, Patrick A., Lawrence A. Greenfeld, Steven K. Smith, Matthew R. Durose, and David J. Levin. 2001. *Contacts between police and the public: Findings from the 1999 National Survey*, ed. U.S. Department of Justice, Bureau of Justice Statistics. Washington, DC: U.S. Department of Justice.
- Lim, Hong-Hai. 2006. Representative bureaucracy: Rethinking substantive effects and active representation. *Public Administration Review* 66:193–204.
- Long, Norton E. 1952. Bureaucracy and constitutionalism. *American Political Science Review* 46:808–18.
- Mann, Dale. 1974. Politics of representation in educational administration. *Education and Urban Society* 6:297–317.
- . 1975. *The politics of administrative representation: School administrators and local democracy*. Lexington, MA: Lexington Books.
- Mansbridge, Jane. 1999. Should blacks represent blacks and women represent women? A contingent “yes”. *Journal of Politics* 61:628–57.
- Marschall, Melissa, and Paru R. Shah. 2007. The attitudinal effects of minority incorporation: Examining the racial dimensions of trust in urban America. *Urban Affairs Review* 42:629–58.
- Mastrofski, Stephen D., Jeffery B. Snipes, and Anne E. Supina. 1996. Compliance on demand: The public’s response to specific police requests. *Journal of Research in Crime and Delinquency* 33:269–305.
- Matland, Richard E. 1993. Institutional variables affecting female representation in national legislatures: The case of Norway. *Journal of Politics* 55:737–55.
- Maynard-Moody, Steven, and Michael C. Musheno. 2003. *Cops, teachers, counselors: Stories from the front lines of public service*. Ann Arbor: Univ. of Michigan Press.
- Meier, Kenneth J., and Jill Nicholson-Crotty. 2006. Gender, representative bureaucracy, and law enforcement: The case of sexual assault. *Public Administration Review* 66:850–60.
- Meier, Kenneth J., and Joseph Stewart. 1991. *The politics of hispanic education: un paso pa'lante y dos pa'tras*. SUNY series, United States hispanic studies. Albany, NY: State Univ. of New York Press.
- Meier, Kenneth J., Joseph Stewart, and Robert E. England. 1989. *Race, class, and education: The politics of second-generation discrimination*. La Follette public policy series. Madison, WI: Univ. of Wisconsin Press.
- Meier, Kenneth J., R. D. Wrinkle, and J. L. Polinard. 1999. Representative bureaucracy and distributional equity: Addressing the hard question. *Journal of Politics* 61:1025–39.
- Meier, Kenneth J., Warren Eller, Robert D. Wrinkle, and J.L. Polinard. 2001. Zen and the Art of Policy Analysis: A Reply to Nielsen and Wolf. *Journal of Politics* 63:616–629.
- Mladenka, Kenneth R. 1989. Blacks and hispanics in urban politics. *American Political Science Review* 83:165–91.
- Overby, L. Marvin, Robert D. Brown, John M. Bruce, Charles E. Smith, and John W. Winkle. 2005. Race, political empowerment, and minority perceptions of judicial fairness. *Social Science Quarterly* 86:444–62.
- Pitkin, Hanna Fenichel. 1967. *The concept of representation*. Berkeley, CA: Univ. of California Press.
- Reisig, Michael D., Jason Bratton, and Marc G. Gertz. 2007. The construct validity and refinement of process-based policing measures. *Criminal Justice and Behavior* 34:1005–28.
- Saltzstein, Grace Hall. 1979. Representative bureaucracy and bureaucratic responsibility—Problems and prospects. *Administration & Society* 10:465–75.
- Saltzstein, Grace Hall. 1989. Black mayors and police policies. *Journal of Politics* 51:525–44.

- Scott, Hugh J. 1990. Views of black school superintendents on black consciousness and professionalism. *Journal of Negro Education* 59:165–72.
- Selden, Sally Coleman. 1997. *The promise of representative bureaucracy: Diversity and responsiveness in a government agency, bureaucracies, public administration, and public policy*. Armonk, NY: M.E. Sharpe.
- Sigelman, Lee, Susan Welch, Timothy Bledsoe, and Michael Combs. 1997. Police brutality and public perceptions of racial discrimination: A tale of two beatings. *Political Research Quarterly* 50:777–91.
- Skolnick, Jerome H. 1966. *Justice without trial: Law enforcement in democratic society*. New York: Wiley.
- Skolnick, Jerome H., and James J. Fyfe. 1993. *Above the law: Police and the excessive use of force*. New York: Maxwell Macmillan International.
- Smith, William R., Donald Tomaskovic-Devey, Matthew T. Zingraff, H. Marcinda Mason, Patricia Y. Warren, Cynthia Pfaff Wright. 2004. *The North Carolina highway traffic study: Final report to the National Institute of Justice*, ed. U.S. Department of Justice. Raleigh, NC: North Carolina State University.
- Sowa, Jessica E., and Sally Coleman Selden. 2003. Administrative discretion and active representation: An expansion of the theory of representative bureaucracy. *Public Administration Review* 63: 700–10.
- Tate, Katherine. 2003. *Black faces in the mirror: African Americans and their representatives in the U.S. Congress*. Princeton: Princeton Univ. Press.
- Theobald, Nick A. 2007. ¡Muéstreme el Dinero!: Assessing the linkage between hispanic school superintendents and bilingual program resources. In *Latino politics: Identity, mobilization, and representation*, 247–259. Charlottesville, VA: Univ. of Virginia Press.
- Thomas, Sue. 1994. *How women legislate*. New York: Oxford Univ. Press.
- Thompson, F. J. 1976. Minority groups in public bureaucracies—Are passive and active representation linked. *Administration & Society* 8:201–26.
- Totman, Molly, and D. Steward. 2006. *Searching for consent: An analysis of racial profiling data in Texas*. Austin, TX: Texas Criminal Justice Coalition.
- Tyler, Tom R. 1984. The role of perceived injustice in defendants' evaluations of their courtroom experience. *Law and Society Review* 18:51–74.
- . 1990. *Why people obey the law*. New Haven: Yale Univ. Press.
- . 2001. Public trust and confidence in legal authorities: What do majority and minority group members want from the law and legal institutions? *Behavioral Science and the Law* 19:215–35.
- . 2004. Enhancing police legitimacy. *Annals of the American Academy of Political and Social Science* 593:84–99.
- Tyler, Tom R., and Cheryl J. Wakslak. 2004. Profiling and police legitimacy: Procedural justice, attributions of motive, and acceptance of police authority. *Criminology* 42:253–81.
- U.S. Department of Justice, Bureau of Justice Statistics. 1999. *Police-public contact survey, 1999 [United States]* [Computer File]: U.S. Department of Justice, Bureau of Justice Statistics [producer], 1999. Ann Arbor, MI: Inter-University Consortium for Political and Social Research [distributor], 2001.
- Van Riper, Paul P. 1958. *History of the United States civil service*. Evanston, IL: Row Peterson.
- Walker, Samuel. 2001. Searching for the denominator: Problems with police traffic stop data and early warning system solution. *Justice Research and Policy* 3:63–95.
- Wilkins, Vicky M., and Leal R. Keiser. 2001. Linking passive and active representation by gender: The case of child support agencies. *Paper read at Sixth National Public Management Research Conference*.