The Effect of a Complainant's Race and Ethnicity on Dispositional Outcome in Police Misconduct Cases in Chicago

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Abstract

This study examines whether the race and ethnicity of the individual filing a police misconduct allegation in Chicago predicts whether the allegation was (1) sustained, (2) not sustained, (3) determined to be unfounded (not factual), or (4) whether the accused police officer was exonerated of any wrongdoing. Multinomial logistic regression results show that Black and Hispanic complainants are much less likely to have their allegations of police misconduct sustained. When compared to a sustained outcome, Black complainants are 4.7 times more likely to receive a not sustained outcome, 3.6 times more apt to receive an unfounded outcome, and 4.2 times more likely that their misconduct allegation will culminate in the exoneration of the police officer. Results also show that a Hispanic complainant is 1.6 times less apt to achieve a favorable outcome in his or her case alleging misconduct by a police officer. These findings suggest that more work still needs to be done to reduce racial disparity in the resolution of allegations of police misconduct in Chicago.

Keywords

police misconduct, Chicago police department, race, Hispanic, multinomial logistic regression

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Police Misconduct

Police misconduct commonly refers to a police officer's violation of internal and/or external rules of conduct and can include the breaking of police department procedures as well as the violation of a citizen's civil rights. It typically occurs when police officers operate outside the legal and ethical boundaries of their official police duties and encompasses a variety of abusive, discriminatory, dishonest, fraudulent, and/or coercive behaviors. Police misconduct is problematic for the society because it inhibits the development of an effective police force, and it presents a major roadblock for fostering positive police—community relations.

The challenges confronted in trying to study police misconduct are numerous and include difficulties in conceptualizing police misconduct (Frank, 2009), problems related to measuring police misconduct (Lersch, 1999), and the lack of a national database that accurately captures all forms of police misconduct (Dunn & Caceres, 2010). Although some scholars utilize citizen perceptions (Dowler & Zawilski, 2007; Seron, Pereira, & Kovath, 2004; Weitzer, 1999; Weitzer & Tuch, 2004), perceptions of police officers (Long, Cross, Shelley, & Ivkovic, 2013; Wolfe & Piquero, 2011), published media reports (Eitle, D'Alessio, & Stolzenberg, 2014; Weitzer, 2002), court cases (Gottschalk, 2011), or officer separations from the police department (Kane, 2002) to quantify police misconduct, the vast majority of studies conducted to date use citizen complaint data to capture instances of police misconduct (Cao, 2002; Cao, Deng, & Barton, 2000; Chappell & Piquero, 2004; Harris, 2012; Hassell & Archbold, 2010; Lawton, Hickman, Piquero, & Greene, 2001; Lersch, 1998a, 1998b, 2002; Lersch & Mieczkowski, 2000; Pate & Fridell, 1993; Smith & Holmes, 2003; Terrill & McCluskey, 2002; Walker, 1997). Citizen complaint type accountability systems are frequently studied because police departments commonly gather this information. These types of systems are democratic in composition because citizens can voice their grievances in hopes of redress and because police officers can be held responsible for their inappropriate behaviors (Walker, 2005). Such systems have the potential to yield meaningful reform, despite being ex post facto in the manner that they operate (Dunn, 2010).

Race, Ethnicity, and Misconduct Complaints Filed Against the Police

Despite their high level of dissatisfaction and skepticism of the compliant process (Dunn, 2010), Black citizens file complaints and voice their displeasure with police conduct much more often than do their White counterparts (Lersch, 1998a, 1998b; Liederbach, Boyd, Taylor, & Kawucha, 2007; Pate & Fridell, 1993; Seron et al., 2004; Smith & Holmes, 2014; Terrill & Ingram, 2016). While this situation can be partially explained by the fact that Black citizens have a greater chance of negative interactions with police because they are disproportionately stopped, searched, and arrested by police (Dunn, 2010; Lersch, 1998b; Petrocelli, Piquero, & Smith, 2003), several studies have endeavored to ascertain whether other causal factors might play a salient role in explaining the observed Black—White citizen gap in the reporting of complaints

against the police. Some of these studies buttress the minority threat thesis by showing that the level of legal control exerted against non-Whites is intensified in areas where the percentage of the non-White population is higher (Smith & Holmes, 2014) or where Black-on-White crime is greater (Eitle, D'Alessio, & Stolzenberg, 2002). Others suggest that the lack of Black police officers breeds feelings of distrust and dissatisfaction with police officers' actions regardless of the actual actions taken or services provided by police. Studies find that minority citizens are much more likely to feel positive about the police and express a greater willingness to cooperate with police when the police force has adequate minority representation (Meier & Nicholson-Crotty, 2006; Riccucci, Van Ryzin, & Lavena, 2014; Theobald & Haider-Markel, 2009).

Although research focusing specifically on Hispanics is much less pervasive, findings show that Hispanics are less apt than both Blacks and Whites to file a formal complaint even when they are displeased with police services (Dunn, 2010; Dunn & Caceres, 2010; Schaible, De Angelis, Wolf, & Rosenthal, 2013; Terrill & Ingram, 2016). Hispanics also tend to fall between Blacks and Whites in regard to their general level of satisfaction with the police (Schaible et al., 2013; Walker, 1997; Weitzer, 2002). In regard to understanding the low rate of complaints filed by Hispanics, despite their potential dissatisfaction with police, studies find that Hispanics are not well informed about the complaint process, typically fear police retaliation, or have immigration concerns (Walker, 1997). Skogan (2009) also found in Chicago that the police encountered difficulties when engaging with the Latino community because large portions of this community struggled with immigration problems and the fear of deportation.

Although several empirical studies attempt to determine the underlying reasons for the observed race/ethnic differences in citizen complaints against the police, hardly any research examines the effect of a complainant's race/ethnicity on the dispositional outcome in police misconduct cases. The dearth of research studies on this topic is surprising because instances of unfair recompenses, whether perceived or real, are likely to tarnish the public's perception of police legitimacy and worsen police—community relations (Terrill & Paoline, 2015). The findings generated in the few studies conducted on this topic are also disparate. For example, while Lersch (1998b) initially evinced evidence of a substantive bivariate relationship between a citizen's race/ethnicity and dispositional outcome, this effect became statistically insignificant in a multivariate equation. Because minorities were more apt to allege serious misconduct and to file complaints against tenured officers than were Whites, Lersch argued that racial/ethnic differences in the specific type of police misconduct allegation filed probably accounted for the null findings generated in her multivariate analysis.

In another study, Kerstetter, Rasinki, and Heiert (1996) examined the influence of a complainant's race on excessive use of force complaint outcomes in Chicago. Their analysis showed that only in certain outcomes (e.g., unfounded or not sustained) did race matter, albeit marginally. There was also some evidence that the investigator's race conditioned the relationship between complainant's race and dispositional outcome. When the investigator and complainant were of different races (e.g., White investigator and Black complainant or vice versa), a police misconduct allegation was

less likely to be sustained. However, when taken in their totality, the results of Kerstetter and his associates failed to show that a complainant's race played a strong and consistent role in influencing dispositional outcome in police misconduct cases.

On the other hand, a couple of studies find some evidence of a noteworthy relationship between a complainant's race/ethnicity and dispositional outcome in police misconduct cases. Pate and Fridell (1993) found that despite the large number of complaints filed by minorities against police officers, minority complainants were much less apt than White complainants to have their allegations of police wrongdoing sustained. Similarly, Terrill and Ingram (2016) report a weak but statistically significant effect of a complainant's race on whether an improper use of force or discourtesy compliant was sustained. Black citizens were less apt than White citizens to receive a sustained complaint.

In sum, then, previous research investigating the effect of a complainant's race and ethnicity on dispositional outcome in police misconduct cases allows few definitive conclusions. Some studies report that a complainant's race/ethnicity plays a salient role in determining dispositional outcome, whereas others evince evidence of only a weak association. Based on these inconsistent findings, the current study attempts to shed additional light on this issue by examining the effect of a complainant's race, ethnicity, and other potentially salient factors on dispositional outcome in police misconduct cases in Chicago. The following section describes the data analyzed in this study.

Data

We obtained the data used in this study from the Chicago Police Department's (CPD) Citizens' Police Data Project (CPDP) for the period from March 13, 2011, to December 30, 2014. These data were released to the public in response to civil litigation and Freedom of Information Act requests and are accompanied by a disclaimer that not all the information contained in the database may be completely accurate because many of the police misconduct investigations are still ongoing. A citizen or police department personnel can initiate a police misconduct complaint, but citizens file most complaints against the police (Lersch & Mieckzowski, 2000). Complaints are initially received and investigated by the Independent Police Review Authority (IPRA), the independent agency created in 2007 by the Chicago City Council that is staffed with civilian investigators. The IPRA replaced the Office of Professional Standards because it was not meeting the expectations set as it pertains to the investigation of police misconduct claims. Police misconduct allegations handled by the IPRA include serious offenses such as the excessive use of force, domestic violence, violent coercion, discharge of an officer's firearm, bias-based verbal abuse, and death or injury of a person while in police custody or in the police lockup. Any police misconduct allegations not dealt with by the IPRA are referred to the Chicago's Police Department's Bureau of Internal Affairs for resolution.¹

As one might expect, police officers face far more allegations of misconduct than do other public officials because police work is often confrontational in nature. It is also important to recognize that the official number of police misconduct allegations is

most likely an underestimate because a high percentage of citizens who feel mistreated by the police during their police—citizen encounter fail to file a formal complaint (Grace & Bucke, 2009). Some of the reasons for a citizen's hesitancy in filing a formal complaint include the view that not much good will result from the complaint and the complainant's belief that he or she may experience negative repercussions for accusing a police officer of misconduct (Brunson, 2007; Lersch, 2002; Phillips & Smith, 2000; Smith & Holmes, 2014).

A police misconduct allegation has four possible dispositional outcomes in Chicago: (1) The allegation was sustained, (2) the allegation was not sustained, (3) the allegation was determined to be unfounded, or (4) the police officer was exonerated of any wrongdoing related to the allegation. A sustained allegation means that there was sufficient evidence to discipline the officer for misconduct in the case. A not sustained allegation arises when there was insufficient evidence to establish a police officer's culpability. An unfounded allegation is false or not factual in circumstance. A police officer is exonerated when his or her behavior was deemed legally justified, given the situation described in the allegation. Of the police misconduct allegations reaching a final disposition (3,535) during the study period, only 590 (16.9%) were sustained. The remaining 83.1% of the cases were not sustained (46.9%), determined to be unfounded (25.8%) or resulted in the exoneration of the police officer (10.4%).²

While the number of sustained misconduct allegations in Chicago appears to be low, it is rather common. Although surveys show that most citizens who file a complaint against a police officer sincerely believe that their complaint was warranted (Schaible et al., 2013), allegations of misconduct typically have a low probability of being sustained (Lersch, 1998a; Liederbach et al., 2007). This situation is most likely the result of the lack of witnesses or other evidence needed to support the validity of the accusation (Griswold, 1994; Kerstetter, Rasinki, & Heiert, 1996).

We constructed a figure showing the percent of allegations sustained, not sustained, unfounded, and exonerated by the race and ethnicity of the individual filing the compliant. Figure 1 readily shows a visually striking difference in regard to the effect that a complainant's race and ethnicity have on each of the dispositional outcomes. Sustained misconduct allegations are much higher for White complainants, while not sustained, unfounded, and police exonerated allegations are greater for Black and Hispanic complainants. Approximately 30.8% of the misconduct allegations filed by Whites were sustained, when compared to only 6.7% of the allegations lodged by Blacks and 19.5% of the allegations made by Hispanics. Not sustained allegations were also higher for Black complainants (53.7% vs. 37.4% for White and 47.4% for Hispanic complainants). The percentage of police misconduct allegations determined to be unfounded or where the police officer's behavior was determined to be legally justified was also higher for Black complainants. Approximately 27.6% of the misconduct cases filed by Black complainants were determined to be unfounded, when compared to the cases brought by White complainants (23.6%) and Hispanic complainants (24.6%). In 12% of the Black complainant cases, when compared to 8.2% of the White complainant cases and 8.5% of the Hispanic complainant cases, the police

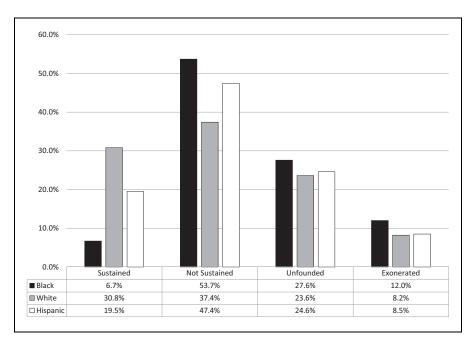


Figure 1. Percentage of disposed police misconduct allegations by complainant's race and ethnicity in Chicago (N = 3,533).

officer was exonerated of any wrongdoing stemming from the allegation. In sum, then, the data displayed in Figure 1 indicate that Black complainants are much less apt than are White and Hispanic complainants to receive a favorable outcome when they allege police misconduct. Although allegations lodged by Hispanic complainants are much less persuasive than those made by White complainants, they are still substantially more influential than allegations made by Black complainants.

While the data displayed in Figure 1 are compelling, they do not tell us anything about whether other factors related to the police misconduct allegation might be causing Black and Hispanic complainants to receive less favorable outcomes. To investigate this issue further, we undertook a multivariate analysis that enables us to account for a variety of factors in addition to a complainant's race and ethnicity that might also be influencing dispositional outcome in police misconduct cases.

Multinomial Logistic Regression Analysis

We used the multinomial logistic regression procedure in SPSS (2016) to assess the effect of a complainant's race and ethnicity on the probability that an allegation of police misconduct was (1) not sustained, (2) determined to be unfounded, or (3) whether the allegation ended in the exoneration of the police officer. A sustained misconduct allegation is the comparison outcome category. Multinomial logistic

regression is an appropriate statistical procedure for analyzing a nominal-dependent variable with more than two categories, and it allows for the utilization of both categorical and continuous independent variables. The regression coefficients from this type of an analysis can be transformed into easily interpretable odds indicating the change in the likelihood of each outcome, given a unit shift in an independent variable, holding other variables constant. The .01 level of significance is the criterion employed to identify a salient relationship between an independent variable and each dispositional outcome because of the large number of statistical tests conducted. Additionally, when evaluating a variable's influence on dispositional outcome, emphasis should be placed on the direction, magnitude, and consistency of the variable's impact across the different equations.

The variables of theoretical interest are the race and ethnicity of the individual filing the police misconduct complaint. The complainant Black variable is coded 1 if the complainant is Black and zero if non-Black. We could not limit race to White–Black only because Hispanic only is a separate category. Limiting the race of the complainant to White–Black only is problematic because it would result in the exclusion of Hispanic complainants who identified themselves as Hispanic only. The Hispanic complainant variable is coded 1 if the complainant is Hispanic and zero if non-Hispanic. The expectation is that if allegations of misconduct filed by minority citizens are receiving less favorable outcomes, the coefficients for the dummy-coded complainant's race and ethnicity variables should be positive and statistically significant in each of the multivariate logistic equations estimated.

Although we are primarily interested in the effect of a complainant's race and ethnicity, several control variables are also included in the analysis that could potentially influence how a police misconduct case is resolved. Any observed relationships between a complainant's race and ethnicity and dispositional outcome may be spurious if these additional variables are not considered. One group of control variables relate to the demographic characteristics of the complainant. These demographic variables include the sex and age of the complainant. A second group of control variables pertain to the characteristics of the police officer accused of misconduct. These police officer variables encompass race, ethnicity, sex, year born, years on the force, rank, number of misconduct allegations made against the officer, and the number of disciplinary actions taken against the officer. We also added several dummy-coded variables to the analysis to account for the type of misconduct complaint filed. The four most frequently occurring types of misconduct complaints brought against police officers in Chicago relate to inappropriate arrest/lockup procedures, conduct unbecoming (off duty), first amendment and illegal arrest, and operation/personnel violations. The "all other misconduct allegations" category for these four dummy-coded variables includes all remaining types of complaints lodged against police officers. Finally, we included three dummy-coded variables in the analysis to represent the police districts with the largest number of misconduct allegations made against police officers (police districts 4, 17, and 19). The "all other police districts" category for these three dummy-coded variables includes all the remaining police districts. Table 1 shows the means, standard deviations, and definitions for all the variables included in the analysis.

Table 1. Description of Variables Included in the Study.

Variable	Proportion (Mean/SD)	Definition		
Misconduct allegation outcome	1 = .17, 2 = .47 3 = .26, 4 = .10	Misconduct allegation made against officer is $I = sustained, 2 = not sustained, 3 = unfounded,$ or $4 = exonerated$		
Complainant Black	.61	Complainant is $I = Black$ and $0 = non-Black$ (include White 35%, Hispanic only 3%, and Asian/Native American 1%)		
Complainant Hispanic	.13	Complainant is $I = Hispanic$ and $O = non-Hispanic$		
Complainant male	.57	Complainant is $I = male$ and $0 = female$		
Complainant age	(44.51/11.61)	Complainant age in years		
Complainant age indicator	.07	Complainant age is $I = missing$ and $0 = not$ missing		
Officer White	.48	Officer is $I = White$ and $0 = non-White$ (includes Black 29%, Hispanic only 20%, and Asian 3%)		
Officer Hispanic	.20	Officer is $I = Hispanic$ and $0 = non-Hispanic$		
Officer male	.83	Officer is $I = male$ and $0 = female$		
Officer year born	(1,969.97/8.70)	Year officer was born		
Officer year born indicator	.16	Officer year born is $I = missing$ and $0 = not missing$		
Years on force	(13.21/7.07)	Number of years officer employed at CPD at time of allegation		
Police officer rank	.81	Officer's rank is I = police officer and 0 = all other higher ranks including sergeant, detective, lieutenant, field training officer, among others		
Officer allegations	(7.88/8.82)	Number of misconduct allegations made against officer		
Officer disciplinary actions	(.34/.80)	Number of disciplinary actions against officer		
Arrest/lockup	.36	Misconduct allegation involved I = arrest/lockup		
procedures		procedures and $0 = all$ other misconduct allegations		
Conduct unbecoming (off-duty)	.06	Misconduct allegation involved $I = conduct$ unbecoming (off-duty) and $0 = all$ other misconduct allegations		
First Amendment and illegal arrest	.13	Misconduct allegation involved $I = first$ amendment and illegal arrest and $0 = all$ other misconduct		
Operation/ personnel	.30	allegations Misconduct allegation involved $I = operation/personnel violation and 0 = all other misconduct$		
violation		allegations		
Police district 4	.18	Misconduct allegation occurred in $I = police\ district\ 4$ and $0 = all\ other\ police\ districts$		
Police district 17	.54	Misconduct allegation occurred in $I = police$ district 17 and $0 = all$ other police districts		
Police district 19	.16	Misconduct allegation occurred in $I = police$ district 19 and $0 = all$ other police districts		

Note. N = 3,487. Data were provided by the Chicago Police Department (CPD).

Table 2. Multinomial Logistic Regression Analysis Predicting Misconduct Allegation Outcome (N = 3,487).

Model I	Not Sustained	Unfounded	Exonerated
Complainant Black	1.543 (.147)**	1.283 (.154)**	1.426 (.196)**
Complainant Hispanic	.454 (.185)*	.153 (.198)	.183 (.260)
Complainant male	137 (.132)	47I (.I36)**	596 (.165)**
Complainant age	030 (.006)***	025 (.006)**	−.029 (.008)***
Officer White	.430 (.142)*	.468 (.148)*	.662 (.185)**
Officer Hispanic	.190 (.174)	.298 (.182)	.593 (.223)*
Officer male	168 (.155 <u>)</u>	226 (.162)	294 (.199)
Officer year born	007 (.00 9)	.005 (.010)	.002 (.012)
Officer year born indicator	−.472 (.186)*	400 (.193)	581 (.2 44)
Years on force	.002 (.012)	.015 (.013)	.012 (.016)
Police officer rank	306 (.1 <i>7</i> 7)	577 (.181)**	313 (.22 4)
Officer allegations	.117 (.012)**	.099 (.013)**	.096 (.015)**
Officer disciplinary actions	−1.336 (.100)**	-1.155 (.104)**	−1.691 (.173)**
Arrest/lockup procedures	.997 (.203)**	1.578 (.219)**	.994 (.286)**
Conduct unbecoming (off duty)	−. 430 (.243)	.325 (.252)	602 (.49I)
First amendment and illegal arrest	2.578 (.605)**	2.981 (.614)**	4.038 (.634)**
Operation/personnel violation	.017 (.168)	.345 (.188)	.957 (.254)**
Police district 4	−1.026 (.195)**	946 (.201)**	−1.150 (.277)**
Police district 17	.488 (.187)*	.087 (.195)	.333 (.245)
Police district 19	.372 (.233)	.057 (.242)	.032 (.298)
Intercept	14.496	-9.534	-4.148
Nagelkerke R ²	.385		
Model 2 with race interactions			
Complainant Black × officer White	252 (.352)	.149 (.364)	.406 (.421)
Complainant Black × officer Black	.118 (.383)	.383 (.404)	29I (.459)
Complainant White × officer Black	.027 (.327)	.036 (.353)	683 (.476)
Nagelkerke R ²	.387		
Model 3 with Hispanic interactions			
Complainant Hispanic × officer White	I24 (.476)	676 (.499)	636 (.607)
Complainant Hispanic × officer Black	-1.269 (.560)	-1.268 (.591)	-1.036 (.782)
Complainant Black × officer Hispanic	1.118 (.665)	.926 (.687)	1.804 (1.192)
Complainant White × officer Hispanic	1.187 (.599)	1.104 (.616)	2.258 (I.I34)
Nagelkerke R ²	.389	` '	, ,
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Note. ***p < .001, *p < .01 (two-tailed test). The reference category is sustained allegation. The complainant age indicator was excluded from the model because it is not significant (p > .01). The reference category for the race interactions is complainant White \times officer White. The reference category for the Hispanic interactions is complainant Hispanic \times officer Hispanic.

Table 2 displays the results for the multinomial logistic regression analysis. The findings reported in this table show a consistent and statistically noteworthy relationship between the race of the complainant and the type of dispositional outcome in police misconduct cases. Our findings show that the odds of an allegation not being sustained,

when compared to an allegation being sustained, is 4.7 times higher for Black complainants controlling for a variety of different factors. Black complainants also have a 3.6 times higher likelihood that their police misconduct allegation will result in an unfounded rather than a sustained verdict. A police officer also has a 4.2 times higher probability of being cleared of any wrongdoing, as opposed to being cited for wrongdoing, in misconduct cases with a Black complainant. Taken in their totality, these findings reinforce the data initially presented in Figure 1 that a complainant's race is an important factor in determining the merit of a police misconduct complaint filed in Chicago.

While the effect of a complainant's race is substantive in each of the estimated equations, several other complainant variables also have a discernible effect on dispositional outcome. When compared to the misconduct allegation being sustained, Hispanic complainants have a 1.6 times higher probability that their allegation will not be sustained. However, the complainant's ethnicity does not play a noteworthy role in whether a compliant is determined to be unfounded or whether the police officer is exonerated. Results also show that younger complainants are more apt to have their misconduct allegations result in a not sustained, unfounded, or exoneration verdict.³ Misconduct cases involving a male complainant are less inclined to result in an unfounded or an exoneration outcome.

Several police officer variables are also consistently salient in the analysis. These variables include the officer's race, ethnicity, rank, number of allegations made against the officer, and number of disciplinary actions taken against the officer. When compared to a misconduct case being sustained, White police officers are 1.5 times more likely to have their cases not sustained, 1.2 times more likely to have their cases determined to be unfounded, and 1.9 times more likely to be exonerated of any wrongdoing. Hispanic officers are 1.8 times more likely to have their cases exonerated. Higher ranked police officers are also more likely to receive an unfounded decision. As the number of misconduct allegations against the police officer grows, there is an increase in the probability that the allegation will not be sustained, that the allegation will be unfounded, or that the allegation will result in the exoneration of the police officer. There is also a consistent negative relationship between the number of disciplinary actions against the officer and dispositional outcome. Police officers with a greater number of disciplinary actions are more apt to have their misconduct allegation sustained, as compared to the other three outcomes.

Results further show that two of the four misconduct allegation types have a consistent and noteworthy effect across all the different dispositional outcomes. Misconduct allegations based on faulty arrest/lockup procedures and first amendment/illegal arrest violations are more apt to result in a not sustained, unfounded, or exonerated judgment. Misconduct allegations involving operation/personnel violations are more likely to result in the officer being exonerated. Results also show that misconduct allegations against police officers in Police District 4 are consistently more likely to be sustained, as compared to Police District 17, an area where misconduct allegations made by complainants are more likely to be not sustained.

Finally, while the results reported in Table 2 show that the race of the complainant has a strong and consistent influence on dispositional outcome, a secondary issue of

salience is whether the race or ethnicity of the police officer conditions this relationship. Are misconduct complaints filed by Black or Hispanic citizens against White police officers less apt to be sustained? To determine whether the police officer's race or ethnicity has a moderating effect, we added a series of product terms to the analysis. Our results show no evidence of any conditioning effects because the coefficients for each of the product terms fail to reach statistical significance in any of the equations estimated (see Models 2 and 3).⁴

Discussion

Police—community relations remain a topic of interest as both traditional and social media outlets continue to focus public attention on unwarranted police use of force incidents, especially fatal shootings by police. Police—community relations are not only being damaged by instances of police misconduct but also by the lack of an effective accountability system to hold police officers responsible for their wrongdoings. Our results show that a complainant's race, controlling for other relevant factors, is a strong predictor of dispositional outcome in police misconduct cases. A complaint's ethnicity is also salient but to a lesser degree. These findings add empirical support to the anecdotal claims frequently made by residents that the police compliant process in Chicago is racially discriminatory.

In addition to demonstrating a strong effect of a complainant's race on dispositional outcome, our results lend credence to the importance of a police officer's race in determining how police misconduct cases are resolved. Previous research has been inconclusive on this issue. Some studies find that a police officer's race matters in determining dispositional outcome in misconduct cases (Kane & White, 2009; Terrill & Ingram, 2016), whereas others report null findings (Rojek & Decker, 2009). What is interesting about our findings is that while police misconduct allegations filed by Blacks are less likely to be sustained, misconduct complaints initiated against Black police officers are more apt to be sustained. This twofold race effect has also been documented by other researchers (Cao et al., 2000; Terrill & Ingram, 2016). Our finding of a police officer race effect also adds support to the discontentment expressed by many minority officers who often lament about the disparate treatment they receive within the police department and during internal disciplinary proceedings (Bolton, 2003; Bolton & Feagin, 2004; Dulaney, 1996; Rojek & Decker, 2009; Slonaker, Wendt, & Kemper, 2001; Smith, Johnson, & Roberts, 2015).

Although this study provides empirical evidence to buttress the claim that racial disparities exist in the determination of dispositional outcome in police misconduct cases, certain caveats must be considered. First, we lack information on potentially salient control variables that might influence dispositional outcome in police misconduct cases. To illustrate, the dataset we analyze does not contain information on whether the complainant suffered any physical injury during his or her encounter with the police. This variable is commonly missing in data sets like the one maintained in Chicago. Thus, our model might be misspecified to some degree. Second, because most allegations of police misconduct in Chicago never reach the final dispositional

stage of the adjudication process, police misconduct cases dropped early in the adjudication process may be systematically different from the misconduct cases analyzed here (Berk, 1983). Although we find no compelling reason to speculate that the police misconduct cases analyzed here are a nonrandom subsample of misconduct cases overall, future studies should attempt to capture the entire complaint process to help determine whether selection bias played any role in influencing our findings. Third, our findings need to be replicated with other data sets before they can be accepted without question. Because this study focused on Chicago, which has a unique history of racial tension, it is somewhat difficult to draw inferences about the generalizability of our findings. Consequently, future investigators might wish to consider replicating this analysis in other jurisdictions. The more frequently such research is conducted, the greater confidence can be placed in the generalizability of our findings.

The question that still must be answered is why Black and to a lesser extent Hispanic complainants are much less likely than White complainants to have their allegations of police misconduct sustained? We offer a few conjectures that warrant some discussion. One plausible explanation relates to the issues of implicit racial biases (Smith, Rojek, Petrocelli, & Winthrow, 2017). It is often argued that implicit biases pervade the criminal justice system, particularly in regard to policing and the prosecution of criminal cases (Eberhardt, Davies, Purdue-Vaughs, & Johnson, 2006; Jost et al., 2009). Implicit biases are shaped through a variety of means, including personal experiences and media depictions. Minorities are frequently depicted and stereotyped as being aggressive and criminal, which has direct implications for criminal justice processing outcomes (Spencer, Charbonneau, & Glaser, 2016). These types of negative stereotypes are salient because they can impact perceptions of truth and believability in regard to complaint merit and legitimacy.

Another possibility pertains to the issue of benign neglect. The term benign neglect was first coined by Daniel Moynihan in a memorandum written in 1970 to President Nixon, where he claimed that the country needed to take a break from discussing divisive racial issues to facilitate racial progression (Moynihan, 1970). Benign neglect has since been interpreted to mean the dismissal of certain issues or the lack of attention, time, and/or resources devoted to something. Often this neglect translates into ignoring the problems of minorities because minority citizens typically lack social and political clout (Myer & Chamlin, 2011). This absence of power in turn impedes the efforts of minorities to legitimize their allegations of police wrongdoing.

For example, take the issue of equitable policing. Despite conventional wisdom, Black citizens are underpoliced rather than overpoliced at least for violent offenses. Research shows that the likelihood of being arrested is much greater for White offenders than Black offenders for crimes such as robbery, aggravated assault, and simple assault (D'Alessio & Stolzenberg, 2003). It is in these types of crimes that the victim is confronted by the criminal offender and is thus able to get some indication of the offender's race and other demographic characteristics. Thus, relative to violation frequency as reported by crime victims, the likelihood of arrest for Black offenders is actually lower than for White offenders. When one considers that most crime is intraracial, a strong argument can be proffered that Black citizens are not being

afforded the same level of police protection typically afforded White citizens. Thus, if the police are less apt to respond effectively to the crime control concerns of Black citizens, it is not difficult to surmise that there is probably a similar neglect occurring when these same citizens voice their concerns about police misconduct.

It is also possible that Black and Hispanic complainants are much less apt than White complainants to have their allegations of police misconduct sustained because of a desensitization effect. Over time decision makers may become numb to allegations of police misconduct adduced by Black complainants because Black citizens typically allege more instances of police misconduct than do Whites. Essentially, a form of habituation manifests itself in the investigative process whereby a large number of past misconduct allegations reported by Black complainants act to prevent future misconduct allegations from being taken seriously by authorities.

Notwithstanding the exact reasons for why Black complainants are consistently less likely than White complainants to have their allegations of police misconduct sustained, our findings have implications. It is possible that racial disparity in the handling of police misconduct allegations can indirectly escalate crime. Because physical evidence is rare at most crime scenes and because the police typically arrive too late to see the criminal offense being committed, the police usually rely on the testimony of the victim and/or witnesses to gather the necessary evidence to effectuate an arrest. However, despite the police needing citizen assistance, people are much less apt to cooperate with the police when they believe that the criminal justice system is biased against them (Peffley & Hurwitz, 2010). The perception that the criminal justice system is racially biased may also make it more likely that disillusioned citizens will become defiant and belligerent in their interactions with the police (Sherman, 1993), thereby leading to an increase in the number of use of force incidents and killings of both citizens and police officers.

Conclusion

There have been several highly publicized incidents of police misconduct in Chicago (Ackerman, 2015; Police Accountability Task Force, 2016; Schaper, 2015). From 2009 to 2015, over 2,100 lawsuits were filed against the CPD for police misconduct, which resulted in an estimated \$642 million dollars being expended on damages, fees, and legal defense (Schroedter, 2014, 2016). The U.S. Department of Justice (2015) also recently opened an investigation to determine whether police officers in Chicago are systematically violating federal law in the performance of their law enforcement duties.

Sensitive to the problem, the CPD has instituted several reform measures in a sincere attempt to attenuate police officer misconduct (Schroedter, 2015). However, it seems unlikely that any of these reform measures will have a noteworthy effect on decreasing police officer misconduct because police officers in Chicago are less likely to be disciplined for their alleged inappropriate behavior than are police officers in other large cities (Schroedter, 2014). Not only are police officers in Chicago rarely disciplined for their alleged wrongdoing, but it also appears from this study that the

complainant's race and, to a lesser degree, the complainant's ethnicity are influencing the dispositional outcome in police misconduct cases. These findings have political ramifications since they bear directly on recent calls to replace the IPRA with a "new and fully transparent accountable Civilian Police Investigative Agency" (Police Accountability Task Force, 2016, p. 19). Although the central intent of having a self-governing IPRA operating autonomously from both the City and the Chicago Police Department was to ensure that the concerns of citizens would be addressed while maintaining impartiality and ensuring justice, the empirical evidence presented here suggests that much more work still needs to be done to make the investigation of allegations of police misconduct in Chicago color blind.

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Notes

- The Bureau of Internal Affairs (BIA) can also transfer any of their misconduct allegation cases, depending on the type of allegation, to the district level for investigation and resolution. The BIA typically handles corruption and operational complaints of a grievous nature, while the accused police officer's district usually oversees more routine operational and administrative complaints (Safer, Hardin, Khemani, & O'Keefe, 2014).
- We only analyze misconduct allegations with a single complaint because multiple complainant allegations can include both Black and White complainants. About 3% of the cases had multiple complainants.
- 3. Our sample size decreased from 3,535 to 3,487 cases because of missing data. Mean substitution was used to replace missing values for the interval variables, officer's year born, and complainant's age. Indicator dummy-coded variables were also used to control for the missing values on these variables. Because the coefficient for complainant's age indicator variable was not statistically significant, this variable was dropped from the model.
- 4. We calculated variance inflation factors (VIF) for all variables included in the analysis. Serious collinearity problems do not occur when VIFs are less than 10 (Gujarati, 1995). Because all the VIFs were below three, excessive multicollinearity does not appear to be affecting our results adversely.

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