

Legal Cynicism among Civically-Engaged Youth

Rachel Swaner, Avi Brisman

Purpose:

This article examines young people's attitudes towards and interactions with the police, as well as the court system and law, more generally – particularly those living in socially and economically disadvantaged communities where cynicism and scepticism about the efficacy and fairness of law enforcement officers tend to run high.

Design/Methods/Approach:

Using survey data from 133 teenagers voluntarily participating in programs at a courthouse in Brooklyn, NY (USA), this study seeks to better understand non-delinquent youths' feelings of fairness of the law, confidence in the court system, and attitudes towards the police.

Findings:

T-tests and multiple regression analyses reveal that legal cynicism among these youth is high, stemming from feelings of discrimination and inequitable enforcement. Having had a recent negative interaction with a police officer is a significant predictor of having more negative attitudes toward the police, though having had a positive interaction was not a statistically significant predictor of more positive attitudes.

Research Limitations/Implications:

This study looks only at a physically disconnected urban area in the United States where crime is high, and the population is predominantly Black and Hispanic. In addition, a more qualitative narrative might help reveal the reasons why young people, especially those in poor, high-crime areas who are affected by saturated policing and those who have negative attitudes towards them, are still interested in working with formal mechanisms of social control.

Practical Implications:

The survey's focus on process and fairness implies that what may be most important in improving public trust and confidence in the system is treating all who come through it with respect. Though negatively disposed towards criminal justice agencies, young people do not exist in a state of normlessness. Much potential exists to meaningfully partner with them for the purpose of achieving greater fairness criminal justice processes. Public policy would benefit by actively involving young people in community-based youth crime-reduction programs.

Originality/Value:

Ours is the first study to look exclusively at nondelinquent youth who have come voluntarily to an institution of formal social control – a court.

UDC: 343(73)

Keywords: attitudes/dispositions toward police, civic engagement, legal cynicism, youth

Pravni cinizem med družbeno-aktivno mladino

Namen prispevka:

Članek preučuje odnos mladih do policije in interakcije z njo ter odnos do sodnega sistema in prava na splošno. Preučuje predvsem tiste mlade, ki živijo v socialno in ekonomsko prikrajšanih skupnostih, kjer cinizem in skepticizem o učinkovitosti in pravičnosti policistov običajno dosejata visoko raven.

Metode:

Z uporabo podatkov iz raziskave, kjer je sodelovalo 133 najstnikov, ki prostovoljno sodelujejo pri programih sodišča v Brooklynu (NY, ZDA), poskuša študija bolje razumeti čustva nedelinkventnih mladostnikov o pravičnosti zakona, zaupanju v sodni sistem in odnosu do policije.

Ugotovitve:

T-testi in multiple regresijske analize kažejo, da je pravni cinizem med anketiranimi mladimi visok in izhaja iz občutkov diskriminacije in neenakega izvrševanja pooblastil. Nedavna negativna izkušnja s policistom je pomemben napovednik za bolj negativen odnos do policije, čeprav pa pozitivna izkušnja ne predstavlja statistično pomembnega napovednika za bolj pozitiven odnos.

Omejitve/uporabnost raziskave:

Študija je bila opravljena zgolj v fizično izločenem urbanem območju v Združenih državah Amerike, kjer je stopnja kriminalitete visoka in kjer pretežno prebivajo Afro- in Latinoameričani. Poleg tega bi lahko bolj kvalitativno naravnana pripoved pomagala razkriti razloge, zakaj so mladi, zlasti tisti iz revnih območij z veliko kriminalitete, zasičenih s policijsko dejavnostjo, ter tisti, ki imajo negativen odnos do policije, še vedno zainteresirani za delo s formalnimi mehanizmi družbenega nadzorstva.

Praktična uporabnost:

Osredotočenost raziskave na proces in pravičnosti pomeni, da je prav spoštljiva obravnava vseh, ki se znajdejo v sistemu, najbolj pomemben dejavnik izboljšanja zaupanja javnosti v sistem. Čeprav so negativno razpoloženi do organov kazenskega pravosodja, mladi ne morejo obstati v stanju brez norm in pravil. Velik potencial predstavlja smiselno partnerstvo z njimi z namenom doseganja večje pravičnosti v postopkih kazenskega pravosodja. Javna politika bi imela koristi z aktivnim vključevanjem mladih v v-skupnost-usmerjene programe za zmanjševanje kriminalitete mladih.

Izvirnost/pomembnost prispevka:

Naša študija je prva, ki se je usmerila izključno na neprestopniške mlade, ki so prostovoljno prišli do institucije formalnega družbenega nadzorstva – sodišča.

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Ključne besede: odnos do policije, družbeno udejstvovanje, pravni cinizem, mladi

1 INTRODUCTION

“The police will pull you over for your pants hanging down,” says Daquan, who subsequently grabs his pants and yanks them down a bit for effect.¹

“They could be walkin’ up on you asking you questions for no reason,” O’karo states.

“Some are jerks,” Wilfredo announces.

“They racist,” Anquette opines.

“Sometimes [the police] arrest you for no apparent reason,” Natasha laments.

The scene is a mock courtroom at the Red Hook Community Justice Center (RHCJC) – a multi-jurisdictional problem-solving court located in the heart of Red Hook neighborhood in Brooklyn, NY (USA). A group of African-American and Latino/Hispanic teenagers, fourteen-to-eighteen years of age (although most are fifteen or sixteen), have gathered in the courtroom for a group interview. Each is hoping to earn a place in a ten-week long unpaid training program for the Red Hook Youth Court (RHYC) – a juvenile diversion program designed to prevent the formal processing of juvenile offenders (usually first-time offenders) within the juvenile justice system (see Brisman, 2010/2011). The teenagers who are selected from the pool of applicants must complete the training program and pass a “bar exam” in order to serve as RHYC members, where they will help resolve actual cases involving their peers (e.g., assault, fare evasion, truancy, vandalism).

All of the teenagers who have come for the group interview have done so *voluntarily*. In other words, while some of the teenagers may have been encouraged to apply to the training program by a family member, none of the teenagers in the group interview is there as a result of a court order or pursuant to a threat of punishment from within the criminal justice system. Yet, as the above-quoted statements suggest, many of the teenagers possess less-than-positive views of law enforcement. While a few teenagers express the belief that the police “protect the community” or “solve crimes” and while others offer more qualified or nuanced statements, such as, “the police do help out, but they do bad stuff” and “they protect and enforce the law, but some of them abuse their power”, the majority of responses reflect a dislike – and sometimes a strong dislike – for law enforcement.

Research across the social sciences indicates a lack of confidence in the fairness or effectiveness of the judiciary in the United States, and in the criminal justice system and criminal law, more specifically (see, e.g., Fagan, 2008; Tyler, 2004; see also Alexander, 2013; Brisman, 2010/2011; Editorial, 2009, 2011, 2012; cf. Huebner,

¹ “Daquan” is a pseudonym, as are all of the names used to identify youth in this article.

Schafer, & Bynum, 2004).² While this crisis of confidence crosses racial categories and spans the socioeconomic spectrum, a widespread distrust and a lack of faith in the courts and the criminal justice system are particularly pronounced in minority communities (Rottman & Hansen, 2001; see also DeKeseredy, 2011; Editorial, 2007; Hurdle, 2007; Kirk & Matsuda, 2011; Perry, 2009; Tyler & Huo, 2002; Tyler & Waksladk, 2004; cf. Carlson, 2012).³ Indeed, a high level of dissatisfaction with police is common among residents of poor, crime-ridden neighborhoods (Anderson, 1999; Chriss, 2007; Huang & Vaughn, 1996; MacDonald & Stokes, 2006; Sampson & Bartush, 1998; Smith, Graham, & Adams, 1991), and African-Americans and the poor, in particular, are considerably more likely to perceive the criminal system as unjust (Fagan, 2008; Hagan & Shedd, 2005; Nielsen, 2000; Rottman & Hansen, 2001; Scott, 2002; Sherman, 1993; Van Craen, 2013; see also Ewick & Silbey, 1998). For example, Hagan and Albonetti (1982) examined perceptions of “criminal injustice” and found that African Americans and members of the lowest social class were more likely to perceive criminal injustice than Caucasians and members of the upper class, respectively. While this was true for many of the legal system players, such as the court and judges, the relationship between race and perceptions of injustice was particularly strong for items involving the police, substantiating the findings of other studies (e.g., Block, 1971; Hahn, 1971; Smith & Hawkins, 1973) and subsequently confirmed by Huang and Vaughn (1996) and Smith et al. (1991).

While Tyler and Fagan (2008) have found that African-Americans may have even higher levels of distrust of the courts and the criminal justice system than of the police, research has also demonstrated that: (1) contact with the police and satisfaction with the interaction help shape attitudes and dispositions (see, e.g., Bradford et al., 2014; Huang & Vaughn, 1996; Schuck & Martin, 2013; Worrall, 1999); (2) African Americans have much less favorable attitudes toward the police

2 This is not to suggest that trust in government or a lack of confidence in the fairness or effectiveness of justice systems are problems peculiar to the contemporary United States. For international examples, see, e.g., Fahim (2009); Malkin (2011); Slackman (2009); see generally Associated Press (2012). For studies conducted outside the United States on peoples’ perceptions of the legitimacy of legal authorities and citizens’ trust in the police, see, e.g., Bradford, Murphy, and Jackson (2014); Jonathan-Zamir and Weisburd (2013); Kochel, Parks, and Mastrofski (2013); Murphy and Barkworth (2014); Semukhina (2014); Sprott and Doob (2014); Tankebe (2009); Van Craen (2013). For a discussion of concern over the erosion of U.S. citizens’ faith in law and the legal system in the early 1900s, see Pound in Ewick and Silbey (1998: 238).

3 It bears mention that Sprott and Doob (2014) criticize the Canadian research exploring the differences in levels of confidence that various racial or cultural groups have in the police. According to Sprott and Doob (2014: 368 (citations omitted)), such research “tends to explore differences in views through the lens of visible minorities as a group, compared to non-visible minorities”, but that “visible minorities in Canada are not a homogenous group on almost any dimension, including economic well-being and incarceration”. Sprott and Doob (2014: 369, 372) stress “the importance of exploring views across various racial/cultural groups more carefully” and assert: “it cannot be said that visible minorities simply do not think as highly of the police as do others. They do not rate the police as highly on some dimensions, but do on others.” Their own study finds that “there are clearly important differences across racial groups in their views of various aspects of the police” (e.g., blacks in Quebec and Ontario rate interpersonal interactions with the police more negatively than whites, but are not more negative when rating more technical aspects of policing) and that “there are... important differences across provinces. References to visible minorities end up referring to quite different mixes of racial/cultural groups in different parts of urban Canada, and the manner in which these groups view the police differs somewhat as a function of location” (Sprott & Doob, 2014: 375).

than any other group (Hagan & Shedd, 2005: 283–284; Huebner et al., 2004: 124, 125; Walker, Spohn, & DeLone, 2000: 90–91; but see Schuck & Martin, 2013); and (3) “African-Americans’ perceptions of ‘unfair, unjust or otherwise unequal treatment from the police’ have serious consequences for police/community relations” (Brunson & Miller, 2006: 614; Brandl, Strohshine, & Frank, 2001: 524). In fact, because “[p]ublic cooperation with police and willing compliance with the law are essential for democratic governance” (Kochel et al., 2013: 896) and because law enforcement relies on the voluntary compliance of the citizenry in the performance of its duties and depends on citizens to report crime and criminals and to serve as jurors and witnesses for the courts, citizens’ lack of trust in the police can frustrate crime control efforts (Brunson & Miller, 2006: 636–637; Fagan, 2008: 126; Jonathan-Zamir & Weisburd, 2013: 4; Jonathan-Zamir, Mastrofski, & Moyal, in press: 3; Kochel et al., 2013: 896, 901; Murphy & Barkworth, 2014: 179; Tyler, 2003: 284, 290; see generally Scott, 2002: 861; Van Craen, 2013: 1046–1047). For example, aggressive policing practices (such as the search for drugs) that disproportionately target African American residents of a community (Brunson & Miller, 2006: 616; Scott, 2002: 866, 868) can spur citizens to “withdraw from engagement with the legal system in the co-production of justice and security” (Fagan, 2008: 125) and can, over time, lead to opposition and defiance of legal and social norms (Fagan, 2008: 139; see also Bradford et al., 2014: 528, 530, 532, 544; Murphy & Barkworth, 2014: 181). Thus, because attitudes towards and perceptions of the law, in general, criminal law and the criminal justice system, more specifically, and the police, even more particularly, are linked to cooperation with legal authorities and compliance with the law (Tyler, 2004; Piquero, Fagan, Mulvey, Steinberg, & Odgers, 2005: 267; see also Bradford et al., 2014: 528, 530, 532, 544; Sprott & Doob, 2014: 368; cf. Tankebe, 2009) – and because some identify a causal (or at least correlative) relationship between perceived injustice and criminal behaviour (see, e.g., Bernard, 1990; Hagan & Shedd, 2005; LaFree, 1998; Mann, 1993; Russell-Brown, 1998; Tyler, 1990) – it is important to continue to study such attitudes and perceptions.

Perceptions of the law, legal authorities, and legal institutions begin in childhood (Piquero et al., 2005; see also Tyler, 2004). Although attitudes towards and perceptions of the law, legal authorities, and legal institutions can grow, develop, and vacillate over time, adolescence is a crucial formative period for the development of political and social beliefs (Flanagan & Sherrod, 1998; Hagan & Shedd, 2005: 267; Niemi & Hepburn, 1995). Indeed, perceptions of justice that form in adolescence often persist through adulthood (Carr, Napolitano, & Keating, 2007; Hagan & Shedd, 2005; Hagan, Shedd, & Payne, 2005) and early-to-middle adolescence is the period when minority youth are likely to first encounter the police on a regular basis (Hagan & Shedd, 2005; Taylor, Turner, Esbensen, & Winfree, 2001) – so much so that one commentator recently referred to getting stopped and frisked as a “rite of passage” for African-American and Latino youth in New York City. As such, it becomes especially vital to examine *young people’s* attitudes towards and interactions with the police, as well as the court system and law, more generally – particularly those living in socially and economically disadvantaged communities where cynicism and scepticism about the efficacy and fairness of law enforcement officers tends to run high (Nielsen, 2000).

In order to more fully understand young people's attitudes towards and interactions with law, court systems, and law enforcement, as well as the types of experiences that create positive, negative, and mixed dispositions towards law enforcement and the courts, we administered a survey to teenagers entering one of three programs at the RHCJC: the RHYC, noted above, Youth Expanding Community Horizons by Organizing (Youth ECHO), and the Police-Teen Theater Project (PTTP). This article reports on those findings.

We proceed by first describing the relevant terminology and briefly reviewing the overlapping literatures of legal consciousness, legal cynicism, legal socialization, and procedural justice. Next, we turn to a description of the Red Hook neighbourhoods and the programs studied at the RHCJC. From here, we discuss our methods and results. We conclude by situating our findings in the literature on legal cynicism and outlining the implications of our work for future research.

2 TERMINOLOGY AND LITERATURE REVIEW

Legal consciousness refers to the ways in which people understand, imagine, and use the law, as well as their attitudes towards and feelings about the law, and the nature and extent of their "legal literacy" (Brisman, 2010/2011). As a related and overlapping concept, *legal socialization* is "the process through which individuals acquire attitudes and beliefs about the law, legal authorities, and legal institutions. This occurs through individuals' interactions, both personal and vicarious, with police, courts, and other legal actors" (Piquero et al., 2005: 267; see also Fagan & Tyler, 2005). While some define legal socialization more narrowly than legal consciousness – as "the process that leads people to embrace the authority of law and their obligation to obey the law" (Buss, 2011: 329) – even the more capacious formulation of legal socialization, as offered by Piquero et al. (2005) and Fagan and Tyler (2005), seems less expansive than legal consciousness, which considers how individuals imagine the law, as well as how they perceive it and what they know about it. In addition to being a more inclusive concept than legal socialization, legal consciousness is the more common and more widely employed concept and term; there also seems to be a bit of a disciplinary divide: legal consciousness appears to be the preferred concept or term in anthropology (specifically legal anthropology or the anthropology of law) and socio-legal studies (see, e.g., Cowan, 2004; Engel, 1984; Ewick & Silbey, 1991/1992; Fleury-Steiner, 2003, 2004; Greenhouse, 1986; Greenhouse, Yngvesson, & Engel, 1994; Hirsch, 2002; Hoffman, 2003; Levine & Mellema, 2001; Marshall, 2005; Merry, 1990; Morrill, Hagan, Harcourt, & Meares, 2005; Mraz, 1997; Nielsen, 2000; Sarat, 1990; Trubek, 1984; White, 1990), whereas legal socialization appears more frequently in criminology and sociology (see, e.g., Fagan & Tyler, 2005; Piquero et al., 2005).

Legal cynicism has been understood as "'anomie' about law (Sampson & Bartusch, 1998: 778) or "the extent to which individuals feel disengaged from legal norms, perceive that others are so disengaged that legal norms have no validity, or perceive legal norms as useless in guiding behaviour in the marketplace" (Karstedt & Farrall, 2006: 1018). Similarly, for Soller, Jackson, and Browing (2014: 568), "[I]

egal cynicism refers to the cultural view that the legal system is illegitimate, inadequately protects against victimization and fails to properly handle (criminal) offenses". The concept and term have had little currency in anthropology, but has attracted the attention of researchers in criminology, sociology, and socio-legal studies, who consider it a "dimension" of legal socialization (see Piquero et al., 2005: 270).

Theorists of the social construction of "legal cynicism" generally fall into two different camps. Those such as Cohen (1955) and Anderson (1999) emphasize "oppositional values". Deriving from Matza (1964), this is a subcultural argument, in which negative dispositions towards the legal system and the police are validated and the "code of the street" is normative and legitimized. Scholars such as Tyler (1988, 1990, 1998, 2002), Tyler and Huo (2002), Sunshine and Tyler (2003), Warner (2003), and Soller et al. (2014), on the other hand, contend that the normative value system is not wholly oppositional, but attenuated, based on experiences of police illegitimacy and procedural injustices.

Cumulatively, research findings seem to be favouring the second camp. Sampson and Bartush (1998) have argued that legal cynicism, or "anomie" about law, is distinct from subcultural tolerance of deviance, and instead an important source of it is the social-ecological structure of neighbourhoods. Inner-city contexts of racial segregation and concentrated disadvantage breed cynicism and perceptions of legal injustice. Moreover, as they and Shoemaker and Williams (1987) and Ellison (1991) found, just because crime may be concentrated in some of these neighbourhoods, there is not consistent evidence that implies that those people inhabiting them are tolerant of that crime. Therefore, one's personal views that crime/delinquency is wrong does not necessarily translate into support for the mechanisms used to enforce such conduct (i.e., laws, courts, and police).

More recently, Carr et al. (2007) examined the origins of legal cynicism among youth from high-crime urban neighbourhoods, finding that most youth in these areas are negatively disposed toward police and that this is grounded in their lived experience of negative encounters with law enforcement. They also found that these attitudes were not about young people rejecting the rule of law outright, as Anderson (1999) put forth, but rather about cultural attenuation (Warner, 2003), where youth can be cynical of police but still believe that police should have a role in crime control as long as they are procedurally just.

Finally, *procedural justice* – "people's subjective judgments about the fairness of the procedures through which the police and courts exercise their authority" (Tyler, 2003: 284) or "the fairness of the processes by which the police exercise their authority: the way that police treat citizens and how they decide what to do" (Jonathan-Zamir et al., in press: 2) – is the most prevalent of the terms and one that is encountered frequently in the law and legal scholarship. With procedural justice – the process-based criteria that individuals draw upon to evaluate whether they have been treated fairly (Brunson & Miller, 2006: 618, 636) – the "perceptions of the fairness of the process used during the police-citizen encounter and the appropriateness of the officer's behavior" (Schuck & Martin, 2013: 220) – the focus is less on the outcome of a legal process (e.g., a proper verdict, a fair sentence) than on a subjective evaluation of the process itself: do those engaged in or subject to

a legal process, including an encounter with a police officer, feel that they were treated fairly and that the process or interaction was fair, impartial and legitimate (Barrett, 2013: 156–157)? To some extent, the concept of procedural justice overlaps with legal cynicism: feelings that one has been dealt with unfairly by the police or that a court's processes were not equitable, impartial, or just might contribute to an individual's legal cynicism. But procedural justice is more of an *event-based concept*, rather than a *normative sentiment*, and its calculus often occurs *ex post* – after an encounter with the police, the courts, or some other arm of the criminal justice system (see generally Murphy & Barkworth, 2014; Paternoster, Brame, Bachman, & Sherman, 1997). Thus, it is possible to feel that procedural justice occurred in a specific situation, but to possess cynicism about the law and legal players, more generally. Conversely, it is possible to feel that procedural justice did not occur in a specific instance – that the police did not act fairly during the course of an investigation or arrest or that the court did not employ equitable, impartial, or just procedures or rulings in a case – but to still feel an overall, day-to-day confidence and faith in the legal system.

As alluded to above, research has endeavoured to assess the meaning of procedural justice for those who come in contact with the criminal justice system. For example, as Wissler (1995), Lind and Tyler (1988), Paternoster et al. (1997) and Tyler (2004) have demonstrated, people are willing to accept decisions when they think criminal justice officials or legal institutes are acting fairly. Similarly, Tyler (1990) has argued that citizens generally hold favourable views towards institutions that are perceived as unbiased, while holding negative views of those that are believed to be partisan or discriminatory. Elsewhere, Tyler (2001) has suggested that public trust and confidence in police and courts is not related to performance or outcomes, but on how fair people feel they were treated, and Tyler and Huo (2002) have proffered that when citizens perceive justice system agencies to be fair, they are more likely to comply with the law, legal authorities, and court mandates, increasing institutional confidence.

This article reports on our efforts to measure the *legal cynicism* of youth involved in voluntary after-school programs at the RHCJC. Accordingly, while this article speaks to issues and questions in the literatures of legal consciousness, legal socialization, and procedural justice, we situate our study and findings in the legal cynicism literature.

3 LIMITATIONS OF PAST RESEARCH

Our work seeks to remedy several limitations in previous research. First, and as noted at the outset, research has shown the importance of contact with the police and satisfaction with the interaction help form attitudes and dispositions (Huang & Vaughn, 1996; Worrall, 1999). There is growing concern that perceived injustice itself causes or at least contributes to criminal behaviour (see, e.g., Bernard, 1990; Hagan & Shedd, 2005; LaFree, 1998; Mann, 1993; Russell-Brown, 1998; Tyler, 1990), and that racial discrimination is a powerful predictor of delinquency (DeKeseredy, 2011: 27). This potential link between attitudes and behaviour adds urgency to developing a better understanding of perceptions of criminal injustice

among *youth*, as most of the studies have been about the adult population (cf. Brunson & Miller, 2006; Carr et al., 2007; Hurst, Frank, & Browning, 2000). This study fills a gap in the literature by examining these issues with teenagers in southwest Brooklyn.

Second, most of the literature reporting on what people think about formal social control has examined attitudes towards police (see, e.g., Apple & O'Brien, 1983; Huang & Vaughn, 1996; Huebner et al., 2004). Little research has examined attitudes towards the police, *as well as* law, courts, and the criminal justice system, which are all contemplated in our current study.

Finally, some studies have explored attitudes of delinquent youth and others, such as Carr et al. (2007), have considered attitudes of both delinquent and nondelinquent youth. Still others have examined whether neighbourhood legal cynicism attenuates the positive association between youth violence and parental assessment of the extent to which youths possess aggressive or impulsive temperaments (Soller et al., 2014). Ours, however, is the first study to look *exclusively* at nondelinquent youth who have come voluntarily to an institution of formal social control – a court.

4 THE STUDY

4.1 The Red Hook Neighborhood and Youth Programs at the Red Hook Community Justice Center

Red Hook is a geographically isolated neighbourhood in southwest Brooklyn, NY. Seventy percent of its residents live in the large public housing project there, the Red Hook Houses (Brisman, 2009). The Red Hook Houses, the largest public housing development in Brooklyn, New York, are comprised of approximately 60 percent African-Americans and 40 percent Latinos. In 1999, 28 percent of the work force was unemployed and the median household income was \$10,372 in the Red Hook Houses. There is some evidence to suggest that many of Red Hook's predominantly low-income and minority youth hold ambivalent or negative attitudes towards police officers. These young people often react negatively when in the presence of law enforcement personnel, and many police officers, in turn, regard the neighbourhood's young residents with suspicion. An article by Lee (2007) in *The New York Times* highlighted the tension between officers and youth in Red Hook: "The Red Hook projects have a large black population, a history of crime problems and, at least in a few young men, a wariness of the police." One local resident interviewed in Lee's (2007) article said that he "blames police practices like the stop-and-frisks for tension between the community and the police... [M]any officers might want to stop crime in the community, but many cannot discern between common criminals and the common people who live among them." Another resident stated in the article that police frequently stop him as he leaves or comes home, and he has to always carry his work identification badge home to prove to the police that he is employed and is not selling drugs. Pointing to a section of the Red Hook projects, "This is the war zone. If they

catch you in here alone they're going to stop you. And they'll play mind games with you. Ten minutes after searching you, they'll come back by, just staring" (Lee, 2007). Distrust and antagonism between police officers and youth make the officers' jobs harder and can easily escalate into situations in which young people get into unnecessary trouble with the law, leaving them with criminal records and putting a black mark on their futures.

As an initial response to tensions between NYPD officers and Red Hook youth, the RHCJC began offering workshops called "What to do When Stopped by the Police" to local teenagers. At these workshops, local officers convened to speak with teenagers about the nature of police-work, used role-playing to encourage teenagers to understand officers' perspectives, and taught teenagers how to keep themselves safe in interactions with police officers. The workshops were well received both by local officers and teens, but while they may have been very useful in helping teenagers understand how to keep themselves out of trouble when they are stopped by the police, the RHCJC soon realized that the workshops did not tackle the core issue of mutual distrust between law enforcement officers and teenagers in Red Hook. Through conversations with teenagers and officers, the RHCJC found that both sides needed an opportunity to interact in a non-adversarial context and to get to know one another as individuals in order to break down negative stereotypes. To that end, the organization developed and enhanced some of its youth programming to try to address this relationship, both directly and indirectly, as well as encourage a positive relationship between the youth and the local court system. One program was created specifically to develop local teenagers' skills as organizers for positive community change related to crime and delinquency, while a second was established for teenagers and police to come together and learn improvisational acting. The "What to do When Stopped by the Police" workshop was included in the training for these youth programs, as well as in the preexisting RHYC, in which Red Hook youth adjudicate low-level crimes involving their peers. Mentor-mentee relationships were also encouraged between the court officers in the RHCJC building and youth program participants.

4.1.1 Youth ECHO

Youth ECHO (Expanding Community Horizons by Organizing) is a Red Hook Community Justice Center after-school program designed to address the positive perceptions of youth crime thought to be held by many young people residing in the Red Hook Houses. The program tries to increase pro-social behaviours and change attitudes about crime among Red Hook youth and employs a marketing campaign to achieve this goal. The young people meet twice a week for two hours a day and get paid a bi-weekly stipend for their participation. The curriculum focuses on developing research, organizing, and marketing skills to help young people engage their peers on issues facing young people in Red Hook, such as drug dealing and dropping out of school.

4.1.2 Police Teen Theater Program

The Police Teen Theater Program engages young people and police officers from southwest Brooklyn, meeting once a week over the course of 10-weeks to participate in an improvisational acting class taught by a local artist. The program is free for all participants, and teenagers who attend all sessions receive a stipend. The curriculum focuses on building acting skills, as well as providing the group with an opportunity to discuss important community issues, such as gangs, peer pressure, violence and stereotypes. These issues often appear in the original content that the group creates in class, both in written journal entries and improvised scenes. The goals of the program include increasing trust and respect between local police and teens, and debunking the negative stereotypes of these groups in the community. The program culminates in a final performance, *Riot Act*, which is open to the public.

4.1.3 Red Hook Youth Court

As noted at the outset, the RHYC trains local teenagers to serve as jurors, judges, and attorneys, handling real-life cases involving their peers in southwest Brooklyn. The goal of this court is to use positive peer pressure to ensure that young people committing low-level crimes pay back the community and receive the help they need to avoid further involvement in the justice system. The RHYC handles approximately 150 cases per year, involving young people aged 10–18 who have been cited for low-level offences, such as vandalism, fare evasion, assault, and truancy. These are cases that typically receive “YD cards”, a police notation that results in neither sanctions nor links to social services. Thanks to a partnership with the New York Police Department, officers in the 72nd, 76th, and 78th precincts in Brooklyn refer juveniles who have admitted their involvement in such an incident to the RHYC, where they appear before a jury of their peers. If found guilty, sanctions for respondents include community service, letters of apology, essays or skills-building workshops on topics like conflict resolution and goal setting.

To ensure that respondents are judged by a true cross section of their peers, RHYC members – ranging from 14 to 18 years old – are widely recruited from the community for this one-year program. There is no minimum grade-point average for participation, nor is there any previous experience required, although RHYC staff require that members maintain good academic standing in order to continue in the program and are frequently available for tutoring for those students in need of extra help. Taking inspiration from Braithwaite’s (1989, 2002; see also Braithwaite & Mugford, 1994) ideas about shaming and reintegration, young people who have previously had a case with the RHYC or in the traditional court are strongly encouraged to apply. Participants receive 30 hours of pre-service training on critical thinking, precision questioning, active listening, and youth court protocols. In addition, they participate in on-going, intensive youth development and team-building activities to help cultivate their leadership skills, and receive a bi-weekly stipend.

4.2 Methods

Over an eighteen-month period, we administered a survey to teenagers entering one of three programs at the RHCJC: RHYC, Youth ECHO, or the Police Teen Theater Program. (We obtained informed assent and consent from the juveniles and their parents/guardians respectively prior to administering the survey.) The youth survey instrument was intended to measure young people's attitudes towards and interactions with the police, the court system, and laws.

4.2.1 Participant Characteristics

A total of 133 teenagers participated in this study. Table 1 presents demographic information for the survey respondents. Fifty-nine percent were female, 41 percent male, 50 percent lived in public housing, and 99 percent were in school. Participants were split evenly between Black Non-Hispanic (49 percent) and Hispanic (49 percent). The majority (80 percent) were involved with the Youth Court program.

Female	59.4%	Table 1: Participant demographics
Race/Ethnicity		
Black Non-Hispanic	49.2%	
Hispanic	48.5%	
Other Non-Hispanic	2.3%	
Living in Public Housing	49.6%	
Currently in School	98.5%	
8 th grade	22.0%	
9 th grade	40.9%	
10 th grade	19.7%	
11 th grade	10.2%	
12 th grade	5.5%	
GED program	1.6%	
Program		
Youth Court	79.7%	
Youth ECHO	11.3%	
Police Teen Theater Program	9.0%	

Note: $n = 133$ but can be as low as 128 for some data elements due to missing data.

To gauge legal cynicism, we created three primary scales. The first section of the survey instrument asks 26 Likert-based questions about respondents' attitudes towards criminal justice agencies and the legal system. Exploratory factor analysis revealed an eleven-item *negative attitudes towards police scale* that included the following questions: "I trust the police", "The police do a good job", "The police are there to protect people like me", "The police harass teenagers more than they harass older people" (reverse coded), "The police harass people who are not white more than other people" (reverse coded), "The police pick on me"

(reverse coded), "I am annoyed by the way the police behave" (reverse coded), "I believe the police in my neighbourhood use racial profiling" (reverse coding), "Police officers have a difficult job", "Police officers generally want to work with teenagers rather than against them", and "I feel safer when there is a police officer around". Responses were on a 6-point Likert scale with "Strongly agree", coded as 1, "Agree" as 2, "Somewhat agree" as 3, "Somewhat disagree" as 4, "Disagree" as 5, and "Strongly disagree" as 6. The coding for five of these questions was reverse-coded so that "Strongly agree" was coded as 6 and "Strongly disagree" as 1. The mean of these eleven items was then calculated to create the scale; a higher mean represents more negative attitudes towards the police. A reliability analysis produced a Cronbach's alpha of 0.826.

Next a *lack of confidence in the court scale* (alpha = 0.740) was created from the mean of three items designed to measure how fair respondents felt the court system is. Using the same Likert scale, the coding for one question was again reverse-coded. Questions in this scale included "The court system is fair", "The court system is racist" (reverse coded), and "The court system cares about people like me". The mean of these three items was then calculated, with a higher mean indicating less confidence in and more negative attitudes towards the court system.

A third scale, *feelings of lack of fairness of laws*, was created using the mean of three items: "Laws protect only white people", "Laws protect only rich people", and "Laws protect only adults". Responses were on a 6-point Likert scale ranging from "Strongly agree" to "Strongly disagree." These three questions were reverse coded so that "Strongly agree" was coded as 6 and "Strongly disagree" as 1. The mean of the scale was calculated, with a higher mean on this scale representing the feeling that laws protect some groups of people more than others. A reliability analysis produced a Cronbach's alpha of 0.860.

These three scales were created to capture distinct aspects of legal cynicism, as the legal system is comprised of distinct players (e.g., the court, the police). Other variables related to laws, police, and the court system included whether they had "been stopped by the police within the last 12 months", whether they had "had a positive or negative experience with a police officer in the last six months", whether they had "been to court for something that [they] had done or [were] told [they] had done wrong in the last six months", and whether or not they agreed with the statement, "Laws are enforced more when some people break them than when others do".

Finally, participants were asked if they were regularly involved in activities at various institutions (e.g., school, church), such as a sports team, choir, an academic club, or a part-time job. Responses were coded 0 for no and 1 for yes. A continuous variable, *community involvement*, was created by summing the responses to these six questions so that it reflected the number of programs and institutions of which each respondent was an active member. This variable ranged from 0 to 6.

4.2.2 OLS Regression Models

Independent samples *t*-tests (95% confidence interval) were performed to determine whether there were differences in the legal cynicism scales by respondents in

various demographic groups, as well as by those who had experienced recent interactions with criminal justice institutions compared to those who had not. A Pearson’s correlation was used to reveal correlations between the three scales. To investigate the relationship between interactions with criminal justice agents and attitudes toward the police, two multiple regression models were employed with the dependent variable being the mean of the *negative attitudes towards the police scale*, two with the dependent variable being the mean of the *lack of confidence in the court scale*, and two with the dependent variable being the mean of *feelings of lack of fairness of laws’ scale*.

4.3 Results

A summary of the scale means and other descriptive statistics for the variables is presented in Table 2.

Mean Negative Attitudes Towards Police Scale	3.39	Table 2: Measures of legal cynicism and interactions with criminal justice institutions
Mean Lack of Confidence in the Court Scale	2.72	
Mean Feelings of Lack of Fairness of Laws Scale	2.24	
Agreed with the statement “Laws are enforced more when some people break them than when others do.”	79.7%	
I have been stopped by the police within the last 12 months.	40.9%	
I have had a positive experience with a police officer in the last 6 months.	45.8%	
I have had a negative experience with a police officer in the last 6 months.	35.1%	
In the last six months, I have been to a court for something I did wrong or for something that I was told I did wrong.	12.1%	

Note: n = 133 but can be as low as 128 for some data elements due to missing data.

4.3.1 Bivariate Relationships

Next we looked at whether the legal cynicism scales varied by demographic characteristics or by interactions with criminal justice agencies. Table 3 shows these results. Asterisks indicate significant differences between the number starred and the number directly below it.

	Negative Attitudes Towards Police Scale	Lack of Confidence in the Court Scale	Lack of Fairness of Laws Scale	Table 3: Mean differences on legal cynicism scales by demographics and interactions with criminal justice agencies
Male	3.38	2.65	2.03	
Female	3.37	2.73	2.33	
Black Non-Hispanic	3.28	2.72	2.15	
Hispanic	3.48	2.69	2.24	
Live in public housing	3.54*	2.80	2.22	
Live in private housing	3.21	2.61	2.19	
Stopped by the police in last year	3.63**	2.93*	2.38	

Table 3:
continuation

	Negative Attitudes Towards Police Scale	Lack of Confidence in the Court Scale	Lack of Fairness of Laws Scale
Not stopped by the police the last year	3.21	2.55	2.10
Had a positive experience with a police officer in last 6 months	3.15**	2.45**	1.99*
Did not have a positive experience with a police officer in last 6 months	3.56	2.91	2.39
Had a negative experience with a police officer in last 6 months	3.80***	2.93*	2.28
Did not have a negative experience with a police officer in last 6 months	3.14	2.58	2.17
Been to court in last 6 months	3.47	2.79	1.91
Had not been to court in last 6 months	3.36	2.68	2.25

* $p < .05$, ** $p < .01$, *** $p < .001$

There were no significant differences in the legal cynicism scales by gender, Hispanic vs. Black non-Hispanic, or by whether or not the respondent had been to court in the last 6 months. Those who lived in public housing had significantly more negative attitudes towards the police than those who did not (3.54 vs. 3.21, $p < 0.05$). Respondents who had been stopped by the police in the last year had more negative attitudes towards the police ($p < 0.01$) and less confidence in the court system ($p < 0.05$) than those who had not been stopped in the last year. Those who had a positive experience with a police officer in the last six months had significantly lower means on all three legal cynicism scales than those who had not, indicating more confidence in the police, courts, and laws. Similarly, those who had a negative experience with a police officer in the last year had significantly higher means on the negative attitudes towards police and lack of confidence in the court system scales, indicating greater cynicism towards criminal justice institutions than those who had not had a negative experience with a police officer in the previous six months. Finally, all three scales were significantly correlated with each other ($p < 0.001$), as shown in Table 4.

Table 4:
Legal cynicism scales correlations

	(1)	(2)	(3)
Negative attitudes towards police scale	1.00		
Lack of confidence in the court scale	.486***	1.00	.
Feelings of Lack of fairness of laws scale	.445***	.411***	1.00

*** $p < .001$; $n = 133$ but can be as low as 129 due to missing data.

4.3.2 Multivariate Relationships

Table 5 shows the results of six ordinary least squares regression models: Models 1 and 2 predict negative attitudes towards the police; Models 3 and 4 predict lack of confidence in the court; and Models 5 and 6 predict feelings of lack of fairness of laws.

**Table 5:
Ordinary least
squares
regression
predicting three
aspects of legal
cynicism**

	Table 5: Ordinary Least Squares Regression Predicting Three Aspects of Legal Cynicism					
	<i>Unstandardized Regression Coefficients (Betas in parentheses)</i>		Lack of Confidence in the Court		Feelings of Lack of Fairness of Laws	
	Negative Attitudes Towards the Police					
Was stopped by the police within the last 12 months.	Model 1 .294* (.182)	Model 2 .147 (.092)	Model 3 .301 (.164)	Model 4 .128 (.070)	Model 5 .359 (.160)	Model 6 .096 (.043)
Had a positive experience with a police officer in the last 6 months.	-.234* (-.147)	-.094 (-.059)	-.329* (-.180)	-.185 (-.101)	-.309 (-.140)	-.077 (-.035)
Had a negative experience with a police officer in the last 6 months.	.530*** (.321)	.475*** (.287)	.225 (.119)	.018 (.010)	.023 (.010)	-.343 (-.150)
Had been to court for something they did or were told they did wrong in the last 6 months	-.153 (-.061)	-.071 (-.028)	.023 (.008)	.134 (.046)	-.353 (-.101)	-.254 (-.071)
Female	.038 (.024)	-.065 (-.040)	.122 (.066)	.045 (.024)	.370* (.154)	.292 (.130)
Hispanic	.161 (.102)	.188* (.119)	-.113 (-.063)	-.183 (-.101)	.028 (.013)	-.036 (-.017)
New York City public housing resident	.272 (.171)	.211* (.132)	.208 (.115)	.101 (.056)	.020 (.009)	-.175 (-.079)
Number of church and community institutions active in	-.060 (-.097)	-.023 (-.037)	-.083 (-.117)	-.043 (-.061)	-.093 (-.107)	-.032 (-.037)
Lack of Confidence in the Court Scale		.231*** (.263)				.275* (.226)
Feelings of Lack of Fairness of Laws Scale		.216*** (.299)				.180* (.219)
Negative Attitudes Towards the Police Scale						.387*** (.340)
Constant	3.066	1.982	2.671	1.093	2.160	-.257
Adjusted R ²	.235	.424	.075	.256	.028	.231

+ $p < .10$ * $p < .05$ ** $p < .01$ *** $p < .001$

In Model 1, being female, being Hispanic, and having more connections to a church or other community institution did not have a significant effect on negative attitudes towards the police. New York City public housing residents had, on average, statistically more negative attitudes towards the police than those not in public housing ($p < 0.05$). Those who had been stopped by the police in the last 12 months had significantly more negative attitudes towards the police than those who had not ($p < 0.05$). Having had a negative interaction with the police in the last six months was also a strongly significant predictor ($p < 0.001$) of negative attitudes towards the police. Similarly, the effect of having had a positive interaction with the police in the last six months approached significance ($p < 0.10$), indicating that such an interaction, on average, translated into a modest decrease in negative attitudes towards the police scale. The adjusted R^2 was 0.235, meaning that this model explained almost 24 percent of the variation of the negative attitudes towards the police.

Model 2 added two additional independent variables: lack of confidence in the court scale and feelings of lack of fairness of laws scale. When the two new variables are added, having been stopped by the police in the last 12 months and having had a positive experience with a police officer in the last six months no longer are significant predictors of negative attitudes towards the police. The three most significant ($p < 0.001$) predictors are having had a negative interaction with the police in the last six months, lack of confidence in the court, and feelings of lack of fairness of laws. The effects of being a public housing resident and being Hispanic approached significance ($p < 0.10$), indicating that living in NYCHA (New York City Housing Authority) housing or being Hispanic, on average, may translate into an increase in negative attitudes towards police. The predictive power of this model is high. The adjusted R^2 is 0.424, meaning that the independent variables in the model explain 42 percent of the variation in negative attitudes towards the police.

In the remaining models, the only significant predictors of a lack of confidence in the court and lack of fairness aspects of legal cynicism are the two other legal cynicism scales: feelings of lack of fairness of laws ($p < 0.05$) and negative attitudes towards the police ($p < 0.01$) in Models 3 and 4, and lack of confidence in the court ($p < 0.05$) and more negative attitudes towards the police ($p < 0.001$) in Models 5 and 6. The lack of significance of these models may be due in part to the lack of variability in the dependent variables: whereas the negative attitudes towards the police scale was comprised of 11 items, the lack of confidence in the court and the feelings of lack of fairness of laws scales were only comprised of three items each. Given the small sample size, had these two scales included more items, there may have been more significant findings.

5 DISCUSSION

This study set out to answer three questions: (1) How do youth perceive law, court systems, and law enforcement?; (2) How does previous exposure to the police affect attitudes towards the police and other criminal justice agencies?; and (3) What is the relationship between legal cynicism, procedural fairness,

and institutional connections in the community? The results of this study are consistent with Sampson and Bartush's (1998) theory that legal cynicism is distinct from subcultural tolerance of deviance. The young people in our sample had all voluntarily chosen to come to a local courthouse to participate in an after-school program that addressed the relationship between teens and formal criminal justice mechanisms of social control. Yet, they possessed fairly negative attitudes towards the police. While their confidence in the court system and attitudes towards whom laws protect were more positive than their attitudes towards police – perhaps, in part, due to their having had less interaction with the court system than with law enforcement – eighty percent of our sample still believed that laws are enforced unfairly. Their very participation in Youth ECHO, the Police Teen Theater Program, or RHYC, however, may speak to a desire to change – or at least to *engage* – these systems, rather than approval of deviant behaviours that challenge them.

RHYC participants, in particular, sentence their peers who run afoul of the law to sanctions such as community service and skills-building workshops, which may demonstrate that their negative attitudes towards criminal justice agencies do not translate into negative attitudes towards criminal justice, more generally, or tolerance of criminal behaviour. This supports Shoemaker and Williams' (1987) and Ellison's (1991) findings that an individual's views that crime/delinquency is wrong does not entail support for the mechanisms used to enforce such conduct (e.g., laws, courts, police).

The survey's focus on process and fairness implies an understanding that in administering criminal justice differently, what may be most important is improving public trust and confidence in the system by treating those coming through it fairly (Tyler, 2001). Indeed, the Youth Court members' focus on creating fair trials for their peers who had gotten in trouble translated into an extremely high compliance rate. For example, in 2009, of the 160 cases that were heard, 91% complied with the sanctions the members ordered (Center for Court Innovation, 2009), lending support to Tyler's (2003; see also Tyler, 2004; Tyler & Huo, 2002) thesis that when people perceive the court to be fair and when they are afforded an opportunity to participate in the process by explaining their situation and communicating their views, they are more likely to comply with their mandates.

Those in public housing had more negative attitudes towards the police than those who did not. In Brooklyn, police tend to patrol the pedestrian walkways in NYCHA housing, as well as its surrounding areas. As Lee (2007) indicated, residents of the Red Hook projects are accustomed to being stopped near their homes for no apparent reason. Those in our sample who had been stopped by the police in the last year had more negative attitudes towards the police than those who had not, potentially indicating that something about the experience of being stopped – whether justified or not – results in more negative attitudes. Recent positive or negative interactions with the police are correlated with more positive or negative attitudes towards them respectively. Though the youth clearly distinguish between the different legal players (e.g., police, court personnel, judges), their attitudes towards them were all significantly and positively correlated, potentially indicating that attitudes towards one of the players may have an impact on their attitudes towards the others. Indeed, this is what Models 2, 4, and 6 found.

The results of the regression models confirm Carr et al.'s (2007) theory about the origins of legal cynicism among youth from high-crime urban neighbourhoods. Just as they found that negative dispositions toward police were grounded in lived experience of negative encounters with law enforcement, this study found that having had a negative interaction with a police officer in the last six months was the greatest significant predictor of having more negative attitudes toward the police. In addition, having more confidence in the court or more of a feeling that laws protect people equally results in more positive attitudes towards the police. These three legal cynicism relationships were reciprocal: they were all significant and positive predictors of each other.

In general, adolescents often possess negative attitudes towards authority (Agnew, 1984, 1995, 1997, 2001; Akers, 1998; Matsueda & Heimer, 1987; Warr & Stafford, 1991). Adolescents coming from socially and economically disadvantaged, high-crime neighbourhoods commonly hold relatively negative views of the legal system, as a whole, and the criminal justice system, in particular (Anderson, 1999; Bobo & Johnson, 2004; Brunson, 2007; Carr et al., 2007; Hannerz, 1969; Huang & Vaughn, 1996; Reisig & Parks, 2000; Sampson & Bartush, 1998; Scaglione & Condon, 1980; Smith et al., 1991). Adolescents in southwest Brooklyn frequently have extremely negative attitudes towards police officers, and less negative (though still negative) attitudes towards the court system and law. Though they distinguish between the police, the court system, and law, young people's attitudes towards all three are fairly consistent. With respect to police, in particular, recent negative interactions with law enforcement officers shapes youth attitudes. Interestingly, having had a positive interaction was not a statistically significant predictor of more positive attitudes, nor was being more linked to community institutions. There was no significant relationship between having more connections or involvement with institutions (e.g., church) and measures of legal cynicism among the youth in this sample.

6 CONCLUSION AND IMPLICATIONS FOR FURTHER RESEARCH

What are the implications for policy and practice of a more accurate understanding of teenagers' legal cynicism? It is important to note that though youth in Red Hook are highly cynical of the police, laws, and the court system, they do not actively condone resistance to them, nor do they reject rule of law outright. Their attitudes are not part of a subcultural system of deviance. Rather, they seem to envision a place for themselves in working with institutions and agents of formal social control – as suggested by their voluntary participation in courthouse-based youth programs that seek to encourage conformity to the law and break down the stereotypes that police and teens have about each other. Therefore, youth civic engagement programs may wish to involve young people more in the criminal justice processes, especially as they relate to other young people. Moreover, with an understanding that legal cynicism comes from feelings of bias, discrimination, racism, and inequitable enforcement, criminal justice institutions, particularly those in the juvenile court system and the police as enforcers of the law, might seek to require their employees, including judges, to be trained in and required

to adhere to principles of procedural fairness. The greater the procedural fairness, the more confidence young people will have in criminal justice agencies, the more they will view them as legitimate, and will comply or defer to their decisions.

While the findings of this study are important, there remain unanswered questions that demand further research. First, this study looks only at a physically disconnected urban area in the United States where crime is high and the population predominantly Black and Hispanic. Would the findings be replicated in urban areas (in the United States or in other countries) with a large White youth population, or with any population in suburban areas? Second, a more qualitative narrative is necessary to understand the reasons that young people, especially those in poor, high-crime areas who are so affected by saturated policing and those who have negative attitudes towards them, are still interested in working with these formal mechanisms of social control. Is it because they believe these institutions can be effective in controlling crime? Is it because they possess some sort of “attachment to their community” (Huebner et al. 2004: 125), albeit a different one from their adult counterparts, whose stake or investment in their neighbourhoods is often linked to marital status and home ownership?

Young people growing up in poor, urban neighbourhoods like Red Hook do not seem to want to be alienated from the police and the legal system. Though negatively disposed towards criminal justice agencies, young people do not exist in a state of normlessness (Merton, 1938). Much potential exists to meaningfully partner with them for the purpose of achieving greater fairness in criminal justice processes (see generally Evenepoel & Christiaens, 2013: 425–436; Olsson, 2012: 416). In sum, given that “criminal justice agents [and agencies] encourage – or inhibit – particular identities” (Bradford et al., 2014: 532), public policy would benefit by actively involving young people in community-based youth crime-reduction programs.

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About the Authors:

Rachel Swaner, Ph.D., is Associate Director for Research at the Center for Court Innovation in New York, NY (USA).

Avi Brisman, Ph.D., is an Assistant Professor in the School of Justice Studies at Eastern Kentucky University in Richmond, KY (USA).

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