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“They Can’t Search Her”: How Gender Imbalances in the Police Force Contribute to Perceptions of Procedural Unfairness

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Abstract

Research suggests that gender imbalances in police forces can significantly affect individuals’ experiences when interacting with police. Of importance, yet rarely examined, is the extent to which predominantly male police forces, in conjunction with adherence to gendered departmental policies, can simultaneously send signals of procedural justice and procedural injustice. Drawing on data from 253 in-depth interviews of San Francisco–based male and female drug-dealing gang members, we investigated how interactions with a male-dominated police force, who were required to search only suspects of the same gender, affected perceptions of fair policing. Our findings revealed that the study participants raised concerns that the police unfairly enforced the law to the detriment of the men in the study. The gang members were aware that male officers could only search same-sex suspects, and this exacerbated the gendered experiences of the gang members. Specifically, it contributed to the perception that male officers targeted male gang members to the omission of women and, if women were stopped, they were frequently released. These findings suggest that the gender composition of the police force is important in shaping attitudes toward equitable enforcement of the law and procedural fairness. Of theoretical importance, these findings highlight a contradiction that compliance with rules can contribute, counter intuitively, to perceptions of procedural injustice. Procedurally unfair police behavior may be a systemic problem where the gender composition of the police force itself creates an inherently unfair system.

Keywords

policing; gender and policing; female police; procedural justice; gang members

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Introduction

Research suggests that gender imbalances in police forces can significantly affect individuals' experiences when interacting with police (Novich, 2015; Novich & Hunt, 2017; Brunson & Miller, 2006; Fratello, Rengifo, & Trone, 2013; Gabbidon, Higgins, & Potter, 2011; Visser, 1983). Of importance, yet rarely examined, is the extent to which predominantly male police forces can simultaneously send signals of procedural justice and procedural injustice (Tyler, 2006). Specifically, many departments have male-dominated forces where male officers significantly outnumber female officers (Reaves, 2015). Many departments also have gendered policies, such as requirements that suspects be searched by officers of the same gender. Thus, departmental rules may require different treatment of male and female suspects. This can lead to perceptions of procedural unfairness during involuntary face-to-face contact with police. The institutionalization of these practices may indicate that perceptions of unfairness may stem from officers adhering to formal policies, yet this has not been fully examined empirically.

These gendered policing practices may be particularly harmful to groups that are often the focus of policing efforts, such as ethnic minority gang members. Indeed, policing gangs has been on the rise since the 1970s with evidence suggesting that officers target these individuals based on age, race, gender, and neighborhood context (Durán, 2008; Katz & Webb, 2006). Furthermore, during these points of contact, gang members may be likely to report disrespectful police behavior, including excessive use of force and inappropriate language (Novich & Hunt, 2017; Durán, 2008). Given that this subpopulation comes into relatively frequent contact with law enforcement and has a high likelihood of experiencing procedurally unjust behavior, gang members are an excellent sample in which to investigate how unfair behavior is perceived. This includes the extent to which the gender imbalance in police forces and officer adherence to gendered policies may contribute to these negative experiences.

Previous literature identifies that officer bias, given limited oversight and discretion, often dictates face-to-face encounters (Katz & Webb, 2006). This generally results in male and female suspects having vastly different experiences when interacting with police officers (Brunson & Miller, 2006; Durán, 2008; Gabbidon et al., 2011). Notwithstanding elements of discretion, officers are also guided by departmental policies and restrictions. However, there is limited research that explores the extent to which departmental policies may themselves contribute to the differential experiences of male and female suspects.

To examine these issues, we used narrative data collected between 2007 and 2009 from 253 in-depth interviews with San Francisco-based male ($N = 119$) and female ($N = 134$) drug-dealing gang members. Nearly all participants were young individuals of color with an average age of 22 years. San Francisco was an important location for this investigation because police officers have an institutionalized policy: "Policies and Procedures for Juveniles Detention, Arrest, and Custody" (General Order 7.01), stating that juveniles must be searched by someone of the same gender as the juvenile suspect. Only in a life-threatening situation may a juvenile be searched by an individual of the opposite gender. Thus, this sample was uniquely qualified for use in this investigation. Using the procedural

justice model (Tyler, 2006) as a guide for the analysis, we examined how the young men and women described unfair police behavior during points of contact. The investigation paid close attention to how these experiences were affected by the gender composition of the force and institutional practices that reportedly dictated officer behavior.

Policing Gangs and Gang Members

Policing gangs has been on the rise since the 1970s in response to an increase in gang-related crime and violence (Katz & Webb, 2006; Klein, 1995). Following a series of important legislative changes (Klein, 1995; Klein & Maxson, 2006; see also Maxson, Hennigan, & Sloane, 2005), police precincts nationwide formed or expanded gang task units focused on suppression (Katz & Webb, 2006; Klein, 1995). Their primary responsibilities included directed patrols to focus on stopping known gang members, investigating gang crimes, and gathering intelligence on known or suspected gang members (Katz & Webb, 2006; Klein, 1995). These officers generally operated with limited formal oversight and with the understanding that the officers were “generally free to perform only the gang control activities that interested them” (Katz & Webb, 2006, p. 200).

Officer suppression efforts typically focused on young, ethnic minority males wearing urban attire and located in economically disenfranchised communities (Durán, 2008; Katz & Webb, 2006; Klein, 1995; Miller, 1995). Of note, research suggests that gang taskforce officers have disproportionate contact with ethnic minority groups when carrying out gang suppression initiatives (Katz & Webb, 2006). Officers may unconsciously (Tomaskovic-Devey, Mason, & Zingraff, 2004) or consciously (Katz & Webb, 2006) use stereotyping mechanisms to simplify their decision-making processes. As such, they may be influenced by personal characteristics such as race and gender (Novich & Hunt, 2018; Brunson & Miller, 2006; Katz & Webb, 2006).

Indeed, this is reflected in official statistics whereby law enforcement agencies have reported that gangs are 47% Hispanic and 31% African American (Egley, 2002). These reports conflict with self-reported data where Whites identify as gang members more frequently than is recorded by law enforcement (Esbensen & Carson, 2012; Esbensen & Osgood, 1997; Esbensen & Winfree, 1998). Moreover, officers commonly focused on men to the omission of women (Novich & Hunt, 2017; Durán, 2008). For example, Durán’s (2008) study revealed that Mexican male gang members were more likely to come in contact with police despite being in the presence of female members. Furthermore, Novich & Hunt (2017) found that male gang members were stopped twice as often as their female counterparts. This is also evident in official statistics, where gang members are reportedly 94% male and only 6% female (Egley, 2002). These numbers contradicted contemporary research that demonstrates that women make up anywhere from 20% to 46% of all gang members (Bjerregaard & Smith, 1993; Esbensen & Carson, 2012; Esbensen & Osgood, 1997; Esbensen & Winfree, 1998; Miller, 2001). This discrepancy is also acknowledged by the Department of Justice (see Moore & Hagedorn, 2001).

Focusing on gender, differential treatment of female suspects by the criminal justice system is well documented. Women are processed by the criminal justice system at substantially

lower rates than men, and although women make up approximately half of the population of the United States, they make up only 23% of arrestees and account for only 7% of incarcerated inmates (Bureau of Justice Statistics (BOJ), 2015). Furthermore, evidence has shown that police are more lenient with female offenders (Gabbidon et al., 2011; Steffensmeier & Allan, 1988; Stolzenberg & Alessio, 2004; Visher, 1983). For example, research has demonstrated that police give fewer citations (Blalock, DeVaro, Leventhal, & Simon, 2007; Engel, Calnon, Liu & Johnson, 2004; Farrell, McDevitt, Bailey, Andresen, & Pierce, 2004) and search and arrest women less frequently (Engel et al., 2004, 2008; Farrell et al., 2004; Novich & Hunt, 2017; Smith, Makarios, & Alpert, 2006).

There are several reasons that may explain why law enforcement officers treat female gang members differently than the men. First, gang taskforce officers may focus efforts on men because men may be more likely than women to be involved in serious delinquent behavior—including gun-related violence such as homicide and drive-by shootings (Deschenes & Esbensen, 1999; Miller & Decker, 2001; Moore & Hagedorn, 2001). Men may also be involved in gang activity for longer periods of time, giving them more opportunities to come in contact with police (Moore & Hagedorn, 2001). Women, on the contrary, may limit gang involvement at an earlier age, often because of pregnancy and motherhood (Fleisher & Krienert, 2004; Hunt, Joe-Laidler, & MacKenzie, 2005; Moloney, Hunt, Joe-Laidler, & MacKenzie, 2011).

In addition, paternalism may contribute to the gender differences in experiences. Based on the internalization that women are helpless or passive, officers may be more lenient on women in an attempt to protect them (Crew, 1991) or because officers perceive women as less threatening (Chilton & Datesman, 1987). As such, this framework may shape how officers interact with male and female suspects. For instance, police may act on the assumption that urban minority males are more likely than their female counterparts to be criminally involved and approach them accordingly (Brunson & Miller, 2006; Durán, 2008). For example, Brunson and Miller (2006) found that the young men in their study described the police as “prejudicial” and felt routinely labeled as suspects regardless of criminal involvement (Brunson & Miller, 2006, p. 541). On the contrary, young women reported being stopped for less serious infractions such as curfew violations and did not describe feeling criminalized like the men in their social networks.

Differential treatment of male and female suspects may also stem from structural issues. Specifically, institutional policies that dictate officer conduct when interacting with suspects of the opposite gender. As noted above, the San Francisco Police Department, for example, has a policy that prohibits officers from searching young suspects of the opposite gender. If a suspect is stopped, an officer of the same gender is required to conduct the bodily search. If he or she is not present onsite, the initiating officer must call a male or female to the scene. Many police departments nationwide have similar search policies, although there are some variations by city and state. For instance, in Minneapolis, officers are required to conduct same gender searches but make exceptions for practicality, waiving the requirement when an officer of the same gender is unavailable. Other departments waive the requirement when officers perceive a threat or danger involving a weapon (e.g., Worcester, MA). Some departments have no formal requirement restricting opposite gender searches, but generally

recommend that female officers search female suspects when possible (e.g., Sacramento, CA). Still other departments recommend female officers search female suspects. If a female officer is not present, male officers are allowed to search; however, they must do so in the presence of a second officer, who acts as a witness to the search (e.g., Boise, ID).

Although statistics show that police departments remain male-dominated, there is limited scholarship that considers how gendered policies, such as the suspect search restrictions, may contribute to men being stopped and/or arrested more frequently than women. Because officers are often constrained by department rules, managerial preferences, or institutionalized practices (Engel, Calnon, & Bernard, 2002), researchers should acknowledge and account for institutional structures that dictate officers' decision-making processes. As noted by Farrell (2015), "Police agencies attempt to constrain officer discretion through a myriad of policies and procedures that guide officer decisions and delineate supervisory authority to review their actions" (p. 514). In turn, these restrictions may lead to male suspects receiving comparatively more police scrutiny and harsher treatment than female suspects. These experiences may then be further exacerbated by the limited number of women relative to men on the force. However, there is limited scholarship that explores this in depth.

Gender and Policing

Statistics demonstrate that approximately 12% of all sworn officers in the United States are women (Reaves, 2015). Although variation exists between departments, with larger urban departments employing higher percentages of women (Reaves & Hickman, 2002), women remain the minority in most agencies (Reaves, 2015). Despite female representation in the profession increasing between 1990 and 2002, the proportion of women in policing plateaued and has remained stable for the past 15 years (National Center for Women in Policing, 1999; Reaves, 2015). Of importance, the limited number of women in the profession has contributed to several challenges faced by female police officers.

Policing has been described as a hyper-masculine occupation that emphasizes the importance of aggressive behavior and physicality (Crank, 1998; Garcia, 2003; Schuck, 2014). Women working in the profession experience sexual harassment, social ostracism, and a lack of status (Hunt, 1990; Lonsway, Paynich, & Hall, 2013; Metcalfe & Dick, 2002). These experiences reflect accepted beliefs that women are incapable of working as officers given their perceived limited physical strength (Garcia, 2003; Prokos & Padavic, 2002). This results in reduced and restricted opportunities for career growth. In general, few women are promoted through the ranks as training, assignment, and evaluation disproportionately benefit men (Corsianos, 2009; Herbert, 2001; Martin & Jurik, 1996, 2006).

The issue of assignment is particularly important at an operational level. Many women are effectively excluded from specialized assignments, including masculine enforcement efforts such as SWAT and gang units. Instead, female officers are often relegated to women's work such as community policing or positions related to comforting and helping citizens (Rabe-Hemp, 2008). Although departments express an interest in gender diversification, gendered policies can affect the hiring process. For example, although some women express an

interest in policing, they may choose to not enter the career as a result of department policies that regulate appearance (Kringen & Novich, 2017). Although these gendered policies affect officer behavior, there is a limited understanding about the impact they have on citizens' experiences with police. This may be especially salient with regard to procedural justice, specifically procedural fairness, as unfair police behavior can contribute to negative attitudes toward law enforcement and raise concerns about officer legitimacy (Tyler, 2006).

Procedural Fairness and Legitimacy

Procedural justice is the foundational component of effective policing, cooperation, and establishing legitimacy of legal authorities (Tyler, 2006). Officers rely on voluntary compliance and assistance from the public to reduce crime, enhance public safety, and mitigate fear of crime (Taylor, 2006). Yet, citizens' willingness or unwillingness to assist officers is often influenced by favorable or unfavorable perceptions of police behavior (Taylor, 2006; Tyler, 2006). These positive or negative attitudes can affect legitimacy of the officers, which is "a property of an authority that leads people to feel that the authority or institution is entitled to be deferred to and obeyed" (Sunshine & Tyler, 2003, p. 514).

Procedural justice research suggests that police can establish a mutually beneficial relationship between individuals and law enforcement when officers exhibit neutral decision-making in conjunction with unbiased and respectful interpersonal treatment (Tyler, 2006; Tyler & Huo, 2002). The theoretical framework proposes four main process-based criteria as the basis of establishing legitimacy: (a) participation—where citizens have the opportunity to partake in their encounter, (b) respect—where citizens assess the degree of politeness afforded during their interaction, (c) trust—where citizens judge legal authorities based on the trustworthiness or honesty of their motivations for interacting with them, and (d) fairness—where citizens expect to be treated equally regardless of race, class, sexual orientation, or gender.

Research suggests that perceptions of procedural justice and attitudes toward the police are shaped during both direct and vicarious experiences with law enforcement (Murphy, 2009). A majority of this research has focused on direct, involuntary face-to-face interactions between police and citizens (Hinds & Murphy, 2007; Mazerolle, Antrobus, Bennett, & Tyler, 2013; Paternoster, Brame, & Bachman, 1997; Sunshine & Tyler, 2003; Tyler, 2006). Processes, especially regarding how people are engaged with by legal authorities (i.e., stops), are critical and can influence attitudes about the police more so than other factors including race and income (Braga, Winship, Tyler, Fagan, & Meares, 2014). Evidence also shows that attitudes toward law enforcement are formed through vicarious experiences from family, friends, and community members (Brunson, 2007; Hurst, Frank, & Browning, 2000; Papachristos, Meares, & Fagan, 2012; Weitzer, 2000; Wu, 2014). This may be especially true for gang members, as friends and family are often intertwined and/or the group may act as a pseudo family for its members (Klein & Maxson, 2006). For instance, Papachristos et al.'s (2012) study found that gang members, particularly those with an abundance of criminal associates, were more likely than those with fewer criminal connections to view law enforcement as illegitimate.

Overall, research has demonstrated a direct link between procedural justice and perceived legitimacy across an array of settings and populations, including law-abiding citizens (Hinds & Murphy, 2007; Mazerolle, Bennett, Davis, Sargeant, & Manning, 2013; Murphy, 2009; Paternoster, Brame, Bachman, & Sherman, 1997; Reisig & Lloyd, 2009; Tyler, 2006; Tyler & Fagan, 2008; Sunshine & Tyler, 2003; Tyler & Wakslak, 2004), victims (Elliott, Thomas, & Ogloff, 2012) and criminals (Novich & Hunt, 2017; Papachristos et al., 2012). The link even extends to groups who may hold comparatively more negative opinions of police. For example, minorities, especially young men who live in communities with ineffective or absent police practices, tend to have comparatively more negative opinions of officers than their White counterparts (Brown & Benedict, 2002; Cheurprakobkit, 2000; Kirk & Papachristos, 2011; Lasley, 1994; Murphy & Cherney, 2011; Reisig & Parks, 2000). This is largely because of minorities' increased likelihood of experiencing harmful police behavior such as disrespect, misconduct, abuse (Mastrofski, Reisig, & McCluskey, 2002; Weitzer & Tuch, 2004), or neglect (Kirk & Papachristos, 2011).

Women, when compared with men, may hold more favorable opinions about police because they may have fewer negative face-to-face encounters with law enforcement (Brick, Taylor, & Esbensen, 2009; Hurst et al., 2005). Juveniles, on the other hand, may hold comparatively more unfavorable attitudes because their friends have shared negative stories about their experiences (Brick et al., 2009; Papachristos et al., 2012). Law-breakers, including drug-dealing gang members, hold negative opinions about law enforcement (Novich, 2015; Durán, 2008; Lee, Steinberg, & Piquero, 2010; Papachristos et al., 2012; Rios, 2011). Although expectations of procedural justice and legitimacy may vary among populations (Murphy & Cherney, 2011) in different nations (see Bottoms & Tankebe, 2012; Tankebe, 2009), among Western countries, it is generally viewed as crucial to effective policing (Tyler, 2006).

Although the four components of Tyler's (2006) model are commonly examined together, there are benefits to examining each of the theoretical components more in depth. The present study focuses on procedural fairness. Fairness can be instrumental in determining how individuals relate to one another and to authority institutions and organizations (Lind, 2001). Indeed, an individuals' unfair behavior enacted upon another can send signals of untrustworthiness more generally (Lind, 2001). Conversely, fair procedures have been found to increase an individuals' willingness to cooperate for the public good by contributing resources and energy (De Cremer, Tyler, & Den Ouden, 2005; De Cremer & Van Vugt, 2002).

Specifically with regard to the criminal justice system, police behavior is the most significant determinate of perceived procedural fairness (Casper, Tyler, & Fisher, 1988; Paternoster, Brame, Bachman, & Sherman, 1997). Of importance, procedural fairness has been associated with general acceptance and satisfaction with authority decision-making. This is the case even when such decisions go against one's self interest (Paternoster et al., 1997; Tyler, 2006). Casper et al. (1988), for instance, found that among 411 criminally involved individuals, among which half of them were sentenced to incarceration, procedural fairness was directly related to the level of satisfaction with case outcomes. Furthermore, experiences of perceived procedural fairness have been found to mitigate future criminal

behavior and increase one's likelihood of conforming to social norms (Paternoster et al., 1997).

The available literature has also shown that perceptions of procedural fairness are uniquely tied to legitimacy. The greater the degree of procedural fairness individuals experience, the more likely they are to exhibit legitimacy and cooperation with authorities (De Cremer & Tyler, 2007; Jackson, Bradford, Hough, Myhill, Quinton, & Taylor, 2012; Tyler & Huo, 2002; Tyler & Wakslak, 2004; Van Dijke, De Cremer, & Mayer, 2010). Indeed, Jackson et al. (2012) measured the intersection of perceived procedural fairness, moral alignment, and compliance with law enforcement. The authors found that "trust in police procedural fairness is a strong predictor of moral alignment with the police" and "when people feel obligated to obey the police and morally aligned with officers, they are more likely to comply with the law" (p. 1062). This is especially important among minority populations whereby perceptions of procedural fairness are critical to positive or negative opinions of police, the degree of support awarded to officers, and officer legitimacy (Sunshine & Tyler, 2003; Tyler, 2003; Tyler & Wakslak, 2004).

The review of this literature demonstrates that perceptions of procedural fairness are an important component of police–citizen interactions. It helps establish trust and legal legitimacy—especially among minority populations. However, there is limited scholarship that investigates how a male-dominated police force may affect perceptions of procedural fairness. This may be especially salient when accounting for policies such as SFPD General Order 7.01 that requires officers to treat young men and women in different ways.

The present study has several objectives that render this examination an important area of inquiry. First, the investigation will explore how a gender imbalanced police force, operating with gendered policies, affects perceptions of procedural fairness. Although literature identifies that men and women have different encounters with police, many of the discrepancies can be attributed to officer bias, behavior, and assumptions (Katz & Webb, 2006). To date, there is limited scholarship that focuses on how institutionalized gendered policies may also influence officer behavior. These policies, in conjunction with a male-dominated police force, may also contribute to these diverging experiences. By exploring this area of research, the study will potentially refine our understanding of what dictates police behavior. Thus, this scholarship hopes to contribute to a more holistic knowledge-base of how officers operate and the more nuanced ways in which male-dominated police forces may treat citizens in systemically unfair ways.

Next, this investigation seeks to expand the scholarly understanding of procedural justice theory. Officers who abide by policies, including gender search restrictions, are displaying trustworthy behavior because they are acting in accordance with departmental rules. However, it is in the enactment of such policies that they may be perceived as displaying unfair or biased police behavior. This suggests that in these cases, acting in a procedurally trustworthy way may contribute to perceptions of procedurally unfair behavior. There are limited studies that examine this theoretical contradiction. Yet, in doing so, scholars can tease out the nuances of the procedural justice theory. This study hopes to contribute to that body of literature by examining this contradiction in more depth.

Finally, this examination focuses on young drug-dealing gang members of color. Although the study population may hold comparatively more negative attitudes toward law enforcement, they are an excellent population for this investigation. Delinquent groups come into frequent contact with law enforcement (Slocum, Rengifo, & Carbone-Lopez, 2012), and gang taskforce and narcotics officers are overwhelmingly male (Katz & Webb, 2006). As such, the impact of the gendered experience on perceptions of procedural fairness among a heavily policed, minority population can be brought into sharp relief. Furthermore, there is limited knowledge concerning how young, drug and gang-involved individuals experience and articulate notions of procedural justice and legitimacy. Gang members are likely to experience racialized and biased police behavior (Durán, 2008; Rios, 2011), which contradict mechanisms of procedural fairness. As such, understanding their experiences with police, through a procedural justice lens, can enhance the scholarly understanding of what gang members experience during face-to-face interactions with police.

Study Setting

The data were collected in the San Francisco Bay Area, an excellent place to draw data from because the Bay Area had an active gang presence and aggressive anti-gang and drug policing strategies. According to CalGang, California's official gang-member database, the areas included in the study had approximately 465 gang members in its system (Latino = 145, African American = 274, White = 21, Asian = 6, Pacific Islander = 5, Unknown = 14) and there were approximately 80 gangs operating in the Bay Area (Bureau of Investigation and Intelligence (BII), 2010). Given problems with reporting, however, it is likely these numbers underestimated the actual number of gangs and gang members active in the area. Furthermore, the San Francisco Police Department had Policies and Procedures for Juveniles Detention, Arrest, and Custody (General Order 7.01) in effect at the time the data were collected.

Data Collection

This investigation uses secondary data, originally collected between 2007 and 2009, from a federally funded research project on gender and drug sales. The dataset included young men and women, who self-identified as gang members and reported selling drugs. The principal investigators defined gangs according to Klein's (1971) classification: which is any group of youths who "a) are generally perceived as a distinct aggregation by others in their neighborhood, b) recognize themselves as a denotable group, [and] c) have been involved in a sufficient number of [illegal] incidents to call forth a consistent negative response from neighborhood residents and/or enforcement agencies" (Klein, 1971, p. 13). To interview gang members, the research team partnered with community-based organizations (CBOs). Several of the CBOs were located in districts with gang activity and personnel employed by the CBOs connected with and invited gang-involved youth to participate. Additional data were collected through chain-referral sampling (Biernacki & Waldorf, 1981; Browne, 2005).

The interviewers conducted in-depth, one-on-one interviews using pre-coded quantitative and open-ended qualitative questions. The lines of inquiry included socio-demographics and background data as well as information regarding the individuals' specific history including

gang involvement, arrests, detention history, and drug sale experiences. The interviews, held in various public spaces and private locations, were approximately 2 to 3 hr long. All interviews were conducted in English. The interviewees were given a US\$75 honorarium for their participation and an additional US\$25 if they successfully recruited up to two additional participants.¹ The interviews were digitally recorded and transcribed verbatim by a project staff member.² To ensure anonymity, all respondents were assigned a pseudonym by the principal investigators.

Description of the Sample

As shown on Table 1, the data included men ($N = 112$) and women ($N = 134$). The largest ethnic group in the sample was African American (54%, $N = 137$) followed by Latino/as (primarily Chicano/Mexicano, but also including Central American; 27%, $N = 68$). The study also included Asian American or Pacific Islanders (API; 10%, $N = 25$) and 17 individuals who identified as multiracial, four Whites, and two that identified as Other. The respondents' ages ranged from 14 to 39 years. However, the majority of our participants were young. The average age of the male participants was 22.1 years and the average age of the female participants was 21.2 years. The men and women's reported experiences with police differed. Approximately, 88% ($N = 105$) of the men reported at least one involuntary face-to-face encounter with police, with many describing it as a routine occurrence. About a quarter of the men in the sample described being stopped 20, 30, or even upward of 50 to 100 times³ with the average number of involuntary face-to-face encounters per male being 9.6⁴ times. On the other hand, approximately 75% ($N = 100$) of the women described experiencing at least one involuntary face-to-face contact with police. The majority described being stopped one, two, or three times, with a smaller number ($N = 16$) reportedly stopped 10 times or more. The most number of encounters reported by one female was 30 stops, although the average number of involuntary encounters was 4.5 times per female.

Data Analysis

We evaluated the data through a data-driven inductive strategy (Charmaz, 2005). We focused on coding for personal and vicarious experiences with police and incarceration. We also coded for any reported gang or group experiences with law enforcement. We used narrative

¹In general, most research projects in the San Francisco Bay Area have maintained a long time practice of paying respondents for interviews. We realize that some researchers do not believe that respondents should be paid as they are concerned that payment is liable to induce the subject to lie or to feel exploited or coerced into participation (Macklin, 1981). However, some recent studies have found that although incentives/payment increase response/participation rates, this does not appear to be coercive and that incentives, even relatively high payments, do not have a statistically significant relationship with willingness to participate in studies with higher risks (Singer & Bossarte, 2006; Singer & Couper, 2008; Wertheimer & Miller, 2008). Although we realize that some researchers do not believe that respondents should be paid, we, nor our IRB, hold that opinion. Most sociologists and anthropologists take the position that because respondents are giving the research project information and time, they in turn should be paid an honorarium for their participation.

²It should be noted there were some redaction challenges with several of the transcriptions. There were two transcribers on the project and one in particular redacted their transcripts extensively. This rendered some portion of the data unreadable and unusable as details, specifics, or context of the interviews could not be established. This was not common and only affected a small fraction of the entire dataset.

³One male respondent described being arrested 302 times of which 300 were for public intoxication. He described wanting to be arrested for public intoxication so that he could have somewhere, like jail, to sleep for the night.

⁴The male respondent who was arrested 302 times was omitted from the averages, given that he was an outlier. Including him, the average was 12.5 arrests per male respondent.

analysis on all lengthy stories of police–gang member interactions to refine the investigation (Presser & Sandberg, 2015). Once coding was completed, the data were arranged into matrices based on the emergent and iterated themes. This ensured patterns, comparisons, trends, and deviant cases could easily be identified (Maxwell, 2005). We then created quasi-statistical tables to generate numeric results based on the data (Maxwell, 2005). These analysis procedures ensured that the findings were consistent and all deviations could be identified, examined, and compared with the other data findings and used to further refine the analysis. All cases were included to be consistent with comprehensive data treatment (Silverman, 2006).

Of import, there were certain limitations to acknowledge. The trends in the data are not necessarily representative of study participants' encounters with police given the nature of the data collection and the challenges with using secondary data (Smith, 2008). Although the data were deemed of sufficient quality for this examination, the interviewers did not routinely ask questions core to this examination. This included questions concerning procedural justice, perceptions of police policies, and the gender composition of the police force. The interviewers also did not routinely ask salient follow-up questions. This may have contributed to error patterns, bias in the data, and underdeveloped data on relevant topics to this study. Despite these challenges, there were several questions that asked about perceived gender differences with regard to police attention and police encounters. These responses resulted in rich data. Examples of these questions include the following:

How are the chances of getting caught different for different sellers?

Is a female seller more or less likely to get caught?

Is she more or less likely to be charged and convicted?

What are the differences in risks to males versus risks to females?

In what types of situations would someone most likely get caught selling?

Often responses to these questions highlighted perceptions of fairness as they related to gender imbalances in the police force. Given the fact that many study participants were young, many also discussed General Order 7.01 and how it affected their experiences during points of contact with police. Furthermore, relevant procedural fairness theoretical concepts emerged with clarity, suggesting they were important aspects of the gang members' interactions with law enforcement.

Findings

According to Tyler (2006), individuals place great value on procedural fairness and expect to be treated equally by law enforcement regardless of race, class, sexual orientation, or gender. Procedural unfairness, when exhibited, can contribute to feelings of distrust (Lind, 2001) and an unwillingness to cooperate (De Cremer et al., 2005). It can also contribute to lowered acceptance and satisfaction with legal actors (Paternoster et al., 1997; Tyler, 2006) and a questioning of their legitimacy more generally, especially among minority populations (Tyler & Wakslak, 2004).

Male Suspects Targeted, Searched, and Arrested More Often Than Women

In this study, the interviewers explicitly asked the men and women to compare how law enforcement treated male and female drug dealers differently. As shown on Table 2, 83 men (70%) and 117 women (87%) discussed how the law was fairly or unfairly enforced. Concepts of fairness were most commonly raised among African American ($N = 42$, 71%) and Latino ($N = 28$, 67%) men, followed by multiracial ($N = 7$ of 7), Asian ($N = 5$ of 11), and White ($N = 1$ of 1) men. In terms of women, African American ($N = 67$, 85%) and Latina ($N = 24$, 92%) women discussed whether the police acted fairly or unfairly most frequently, followed by Asian ($N = 13$ of 14), multiracial ($N = 11$ of 11), and White ($N = 2$ of 3) women. There were no significant racial differences among the study participants in their discussions of this topic, although it was discussed more among the women than the men.

As per the questions in the guide, concerns about fairness most often referred to whom—men compared with women—the police approached, stopped, and/or detained while patrolling, usually for drug- or gang-related offenses. Although a small number of men felt women were detained equally to ($N = 10$, 12%)⁵ or more often than men ($N = 2$, 2%), the majority ($N = 75$, 90%) believed that female drug-dealing gang members were approached, stopped, and arrested less often than their male counterparts. Women, likewise, overwhelmingly agreed ($N = 97$, 83%) with the men and perceived the police as behaving dramatically differently and significantly more unfairly toward men.⁶ A small number of women believed that men and women were caught at the same rate ($N = 20$, 17%) or more often than men ($N = 3$, 3%).

Although study participants acknowledged that men were more likely to be engaged in high-profile crimes; were on the streets selling more often than women; and female dealers were less common, most of the gang members attributed their perceptions of unfair police behavior to two primary reasons.⁷ The first, and most discussed by the participants, was that officers stereotyped suspects primarily based on gender and ethnicity.⁸ The majority of men ($N = 71$) and women ($N = 56$) in the sample suggested that men of color were most likely to be targeted by police. This finding is consistent with contemporary research (Brunson & Miller, 2006; Durán, 2008; Katz & Webb, 2006). Chanelle, a 23-year-old African American female, for example, explained how race in tandem with gender contributed to perceptions of unequal enforcement of the law: “Men are more racially profiled and just more profiled than girls. Like a girl could be selling big dope and be rolling and making transport drops and all that and will never get jacked⁹ by the police ... guys they’re easily targeted.” Mae, an 18-year-old Asian gang member, also commented how the officers focused on the men. This gave her and other women the ability to avoid being stopped, searched, and arrested: “It’s different for girls because ... most of the police, they automatically go to the guys.

⁵Three men had conflicting opinions saying that women were less likely than men to be detained but also equally likely to be detained. One man was not sure whether women were more or less likely to be detained by police.

⁶Three women had conflicting answers stating they believed women were both less likely to be stopped by police and more likely.

⁷Not all study participants gave a rationale for their response. Some simply stated “less fair” without providing further clarifying details regarding their opinion.

⁸A small number of participants, in addition to gender and ethnicity, suggested that clothing and neighborhood context also contributed to police focusing on men more so than women.

⁹“Jacked” is a slang term commonly used to describe being stopped, busted, and/or arrested by police.

They don't really go to the girls so ... it gives the girls more opportunity ... to just walk away." Lisa, a 39-year-old African American woman recalled how she routinely sold drugs despite the presence of narcotics officers, "While I was out selling drugs, police never questioned me, never ... messed with me, never even looked at me twice. I mean, you know, they just never paid attention to me. And I was selling my ass off."

Indeed, several male participants recalled specific experiences in which they were stopped based on what they believed was racial and gender profiling. This contributed to feelings of anger and frustration toward the officers. Spencer, a 22-year-old African American male, for instance, lamented about officers targeting men of color, "Police don't be on [women] like that ... It's all about the nigger ... It's all on the guy." Brian, a 19-year-old African American male, similarly believed he was approached because the police stereotyped him as a criminal given his demographic. This was despite perceiving himself as not engaged in illicit behavior at the time of the encounter. He was arrested for drug possession:

[The police] actually just grabbed me ... just being African American ... Outta nowhere this guy just walk[ed] up and like, "So where you from?" ... I see a silver little thing and I see that it's his badge ... I just had [drugs] on me, I wasn't doing nothing suspicious or nothing ... [The police] were just like, "Black dude, crack."

Although the above are only a few examples, many of the study participants commented that race, in tandem with gender, seemingly resulted in biased police behavior. However, an additional issue, and the focus of this investigation, seemingly intensified the gendered experiences. Specifically, the study participants called attention to the gender composition of the police force and the restrictive search policy General Order 7.01 as a contributing factor to perceived procedural unfairness.

Gender Composition of the Police Force and the Restrictive Search Policy Intensified the Gendered Experience

As eluded above, organizational facets of the police force seemingly exacerbated the unfair experiences that stemmed from gender and racial biases. Most notably, a number of gang members pointed out that the San Francisco Police Department was predominantly male and were required to follow a departmental policy that restricted male officers from searching opposite gender suspects (Gender Order 7.01). This contributed to gang members' perceptions of procedural unfairness in two gendered ways: (a) women did not experience the same invasive searches as their male counterparts and (b) the limited ability to search female suspects meant they could "get away with" criminal behavior more frequently than men. Overall, this was raised by approximately a quarter of the respondents ($N=45$, 26%) who discussed perceiving unfair police behavior. This included male ($N=32$, 27%) and female ($N=13$, 10%) study participants. These concerns were raised primarily among African American men ($N=18$, 31%) and women ($N=7$, 9%) followed by Latino men ($N=7$, 17%) and women ($N=2$, 8%) and multiracial men ($N=4$ of 7) and women ($N=1$ of 11), Asian men ($N=2$ of 11) and women ($N=2$ of 14), and White men ($N=1$ of 1) and women ($N=1$ of 3).

Women Not Searched as Often

Indeed, several study participants raised concerns about unfair and gendered police behavior as a result of a predominantly male police force. As Diego, a 25-year-old Latino male, pointed out, “There ain’t too many female cops out there.” This resulted in the perception that women were not under the same intense police scrutiny and were less likely to be searched than men. Chastity, a 19-year-old African American female, noted how that was the case: “It’s a lotta male cops. So shit, [the men] could get searched more easily than the females can. ‘Cause most of the time it’s male cops.” Henry, a 21-year-old Asian male, agreed, believing that women were not searched or were searched less thoroughly than the men, “[The police] really don’t search the females ... if a female’s in the car, they ain’ gon’ search her. They ain’ gon’ search her all the way.”

Camille, a 26-year-old African American female, recounted a first-hand gendered experience when she was selling drugs with a male counterpart. She recalled how she and her male partner were stopped but she was not searched even though the male partner was: “I’ve actually stood with a male. I’ve held his drugs for him while the police checked him and just left me alone standing there.” Steven, an 18-year-old biracial male, likewise noted that if a female was stopped, it was unlikely she would be searched: “[There] are girls [selling] and they could get jacked but they can’t be touched [by the male officers].” Izaiah, a 20-year-old African American male, also described how the majority of the officers in his neighborhood were men and because of this women were less likely to be searched: “In my neighborhood it’s mostly ... male cops that patrol. So male cops can search the males, but they can’t search females.” These narratives, which echoed throughout many of the stories, highlighted the perception that women were not searched as often. Thus, the men were described as being subjected to comparatively more and harsher treatment by police, whereas the women were rarely stopped and patted down for drugs.

Women Not Arrested as Often

Given that the women were reportedly less likely to be searched and found with drugs on their person, several gang members explained that women were therefore less likely to be arrested. The men, on the other hand, were described as being comparatively more likely to be arrested, even if stopped in the presence of women. Although the disproportional focus on and arrest of men may have been because of officers racially and gender stereotyping, several gang members specifically suggested that the restrictive search policy and the lack of female officers patrolling contributed to this imbalance. Classique, a 17-year-old African American female, articulated this general sentiment, “Guys get caught more than girls [because] they can’t really search a girl how they search boys.” Michelle, an 18-year-old Latina, agreed, witnessing first-hand how men were arrested while she was not, “I’ve seen boys get caught. They’re more likely to get caught than me cuz I’m a girl.” When there “ain’t too many female cops out” patrolling, there was an increased likelihood for the study participants to perceive unfair police behavior that disproportionality harmed the men.

Instead, the females were described as being more likely to get away with drug and gang involvement. This was the case even if the officers suspected the women of criminal involvement. Doug, a 25-year-old African American male, commented on this,

The risk [for women getting caught] is a little bit lower, 'cause the cops ... even if they do suspect them of doing it ... the guy will be the first one to get searched and stuff before even they think about stopping a female.

In the rare cases that women were described as being caught, it was because a female officer was present and able to conduct the physical search of the female suspect. For example, Stacy, an 18-year-old African American woman, noted that female drug dealers were only in jeopardy of getting caught if stopped by a female officer, "[If a female is approached by] a male officer, maybe [not caught] ... by a female officer she might be, probably may be at risk [for getting caught]." Charles, a 19-year-old African American male, supported this perspective, pointing out the limitations faced by male officers, "If [a female drug dealer is] caught, it gotta be a female cop that search[ed] that girl ... If it's a male cop [that stopped her], they can't do nothing."

This, however, was seemingly rare. Instead, many of the study participants described women as being able to escape detection and avoid arrest. Assenio, 21-year-old Latino, noted women "don't get caught ... because they're female" and Adonis, a 21-year-old African American male, recalled "I ain't never witnessed ... a girl getting caught." The study participants suggested that the combination of a male-dominated police force and a restrictive search policy seemingly made it easier for women to escape detection more often than their male counterparts. Illiana, a 19-year-old Latina, for instance, confirmed that she usually avoided arrest because it was mostly male officers stopping drug dealers: "Usually only male cops [are] working and they have no authority to touch a girl. So we'll get away with it." Austin, a 20-year-old bi-racial male, likewise pointed out that women had a strategic advantage on the street:

Nine times outta 10, [women are] gon' get away with [drug-dealing] ... Bad enough [the police] can't search a female without another female officer, so automatically it's a wrap ... I think females got it better than the males on that.

Izaiah concurred that women do not get caught as often, "If it's a female selling weed, it's gon' be hard for the [the male cops] to find the weed ... because they can't search her." Dominic, a 22-year-old African American, too believed that women were not arrested as frequently because the police could not search them, "It's easier for [the women to sell] cuz the cops ain' gon' jack 'em. Cuz ... you gotta be a female cop to pat 'em down, and it's mainly male ... undercover cops, so ... they can't really touch 'em." Curtis, an 18-year-old African American male, commented on this as well but suggested that women had power to control their experience and scare male officers from searching them: "Male police can't search females ... All [the women] gotta do is yell sexual harassment."

Because the male officers were seemingly unable to search females thoroughly, the women often used their biological differences (i.e., breasts, vagina) to their benefit. Several of the study participants described how female dealers often placed drugs in their private areas—including in and around their bra or panties or "stuffed" in their female cavity—to avoid being caught with drugs and therefore arrested. As Nia, a 20-year-old mixed female, explained, "A female can get away with [drug dealing] more than a man because she can hide her drugs...She can stuff them [in her vagina]." Suzy, an 18-year-old bi-racial woman,

agreed and also suggested that women get away with selling because of being able to avoid detection—not as a result of officer leniency: “I’d always see [women] get let off ... Like not like leniency, just they got more places to put [the drugs].” Pushe, an 18-year-old male, explained his perspective on this strategy and the seeming benefit that women dealers had when selling and hiding drugs:

Girls have that pocket [vagina] and they take advantage of it ... And they got a bra, they just throw it in a bra. So they got another extra pocket. They got two extra pockets. ‘Cause I mean you can’t be like a police officer all in a female’s breast.

Drew, a 29-year-old White male, also illustrated the dilemma: “Usually the narcs are men, so they can’t just go and touch a girl’s tittie or pull her pants down ... they can’t do that. Therefore women can get away with a lot more, you know?” Mala, a 20-year-old White female, confirmed that hiding drugs near her vagina was one of her strategies. She explained that she put drugs in her panties because she knew male officers could not check there: “Like they can’t search me ... I put [the drugs] in my underwear because they can’t touch you.” Nenah, an 18-year-old African American female, believed that women were “slicker” at selling because “girls stash their stuff up, they stuff sometimes.” Although she was not among the women who used this strategy, she recognized how it could be useful in avoiding arrest.

The limited number of female officers seemingly exacerbated the gendered experiences. The study participants elucidated that there were too few female officers to provide equitable enforcement of the law. Indeed, a small number of male and female gang members discussed three specific ways in which the lack of female officers contributed to perceptions of unfair police behavior.¹⁰ First, if a male officer stopped a female suspect, they were reportedly required to call a female officer to assist in a stop and search. As Steven explained, if a female suspect is stopped by “male cops, they got to wait for a female cop to come.” Stanely, a 19-year-old bi-racial male, described the male officers’ limitations when stopping a female. He noted there are “not very many women police officers. It’s way more dude police officers ... All they can really do is stop [women] and ask [women] what you doing ... [because] they can’t touch those females.” As a result, unlike the men, the women did not have an immediate stop and search experience. Instead, they often waited for a period of time before the female officer arrived on the scene. Khia, a 22-year-old African American female, described this. She noted how the lack of female officers contributed to a comparatively harsher experience for the men. This was because women had the benefit of a delay between the time of being stopped and actually searched: “It seem like police be beating [male sellers’] ass downtown, like [the police] be instantly on their line ... Females, it’s not many female officers, so they have to wait for a female officer to search them.” As Khia pointed out, there was a waiting period for the female officer to arrive and the time granted could be beneficial to the female suspect. This aspect was illustrated in Nia’s

¹⁰It is important to note that these rationales were not discussed regularly in the data. This could be because of challenges regarding the use of secondary data. Although the issue was raised often, the interviewers did not ask the gang members how the limited number of females specifically affected their experiences on the streets. As such, it is likely that these opinions were not fully explored and were under-reported. In addition, alternative perspectives were not included in the data.

experience. She described how the waiting period afforded her the opportunity to hide her drugs and escape detection and arrest:

They have male police officers that have to call backup for a female officer and sometimes that gives us enough time to put our [drugs] where it needs to be [i.e. the vagina]. With a male [suspect], you can't do that.

Second, issues related to unfairness surfaced because there were not enough female officers to respond to male officers' request for assistance. According to one gang member, the female officers would simply not arrive despite being paged. Because the male police could not search the women, this contributed to the perception that women were let go more often than men. Joshua, a 24-year-old Latino, described how this happened:

There's been times that girls had drugs, and there was no female officer, and you don't get searched ... She gotta get let go. I remember a couple times they tried to call the female officer, and they were busy doing something else. [The male officers to the female suspects were] just like, "Man, just get outta here."

Finally, Trey, a 19-year-old African American male, suggested that female officers were not interested in stopping drug-dealing suspects. Male officers, on the other hand, were aggressive and eager to. This, in his opinion, resulted in women being stopped, searched, and arrested less frequently, whereas the men were disproportionately targeted. This behavior also seemingly contributed to Trey's negative attitudes toward the male police. As Trey described,

Only girl cops can touch [female dealers], and it ain't too many girl cops that's just gon' come around and stop you. Like girl cops really don't do that, it be the dudes that be the jackasses that wanna search you. And they can't search no girl ... so they good.

Raynisha, a 19-year-old African American female, agreed with Trey. She suggested that although some female officers may be looking for drug dealers, they were more likely focused on what she described as serious criminal behavior,

I mean female cops ... be on [catching drug-dealers] but really ... I know they looking for killers and stuff like that ... But men ... it's very common for them to get caught by the police ... get checked or stuff like that.

Thus, these narratives echoed a common theme—the gender imbalance and restrictive search policy General Order 7.01 exacerbated the study participants' gendered experiences with police treatment.

Of import, the review of these accounts illuminated a theoretical complexity with regard to procedural justice. The male officers outnumbering female officers contributed to the perception that the law was unfairly enforced. Notably, men were targeted and searched far more often than women. However, this opinion was produced because the men and women in the study trusted the officers to adhere to the departmental policy that restricted opposite gender searches. Their faith in the officer's willingness to follow the rule was suggestive that the men and women interpreted officers as acting in a trustworthy way indicative of procedural justice (Tyler, 2006). Research typically suggests that unfair behavior can result

in perceptions of untrustworthiness (Lind, 2001). Yet that was clearly not the case for these gang members. Instead, there was a ubiquitous trust that the police would act in accordance with the department's rule. This suggests that in some cases, procedurally just behavior can contribute to experiences of procedural injustice.

Discussion

Overall, the vast majority of gang members in the study described racial and gendered experiences with law enforcement that had an impact on their perceptions of procedural fairness. Most notably, the participants believed officers behaved unfairly and treated men and women in starkly different ways. It was evident that officers used discretion to engage in gang and drug suppression efforts as they saw fit (Katz & Webb, 2006), focusing more significantly on men than women (Durán, 2008; Katz & Webb, 2006; Klein, 1995; Miller, 1995). The men and women in the study reported that females were targeted, stopped, and searched less frequently. They were also treated with more leniency than their male counterparts, often escaping detection and/or arrest (Gabbidon et al., 2011; Steffensmeier & Allan, 1988; Stolzenberg & Alessio, 2004). On the other hand, the men described being the focal point of gang and drug suppression efforts reporting a greater number of stops, searches, and arrests than the women (Durán, 2008; Egley, 2002).

The reported racial and gendered differences may be, in part, because of legitimated profiling (see Durán, 2008; Katz & Webb, 2006), female gang desistance (Hunt et al., 2005; Moloney et al., 2011), and/or the likelihood that men are prone to being involved in more serious criminal behavior (Esbensen & Osgood, 1997; Esbensen & Winfree, 1998; Miller, 2001; Moore & Hagedorn, 2001). However, the present investigation suggests an additional factor that may have also intensified the gendered experience: *that differing gendered experiences may also be a result of compositional facets of the police force (i.e., male-dominated police force) in conjunction with policies like General Order 7.01 that restricts searches of opposite gender suspects*. Indeed, this was commonly described as shaping gang members' perceptions of officer intent—pointing out that an overwhelmingly male force resulted in men being targeted, searched, and arrested significantly more so than women. This indicated that the limited representation of females in policing (Reaves, 2015) can result in inequitable enforcement of the law.

This finding also identified another way in which gender imbalances in policing can significantly affect individuals' experiences with police. Women are already treated with greater leniency (Chesney-Lind, 1977; Crew, 1991) and perceived as less threatening or less likely to be criminally involved by officers (Brunson & Miller, 2006; Chilton & Datesman, 1987; Freidrich, 1977). This investigation demonstrated that gender imbalances may also affect arrest rates and the proportion of men detained when compared with women—regardless of officer suspicion of criminal involvement. This calls attention to the gendered legal implications that can result from the overrepresentation of male officers. Specifically, that men are more likely to be searched and subsequently arrested simply because there are more male officers on the force. Women, on the other hand, may not be because of the limited number of female officers on the force. This situation may be further exacerbated by

the exclusion of female officers in more specialized gang units and their likelihood of being delegated to women's work within the precinct (Rabe-Hemp, 2008).

The gendered differences reported by the gang members also offer several theoretical contributions to procedural justice theory (Tyler, 2006). The findings highlighted a contradiction in the literature—which is that, in some cases, compliance with rules can, counter intuitively, contribute to perceptions of procedural injustice. Although Tyler (2006) posits that positive experiences with regard to trust, participation, fairness, and respect can collectively contribute to favorable attitudes toward police, the present study demonstrates how that may not always be the case. The men and women described trusting the officers to adhere to the departmental policy that restricted them from searching opposite gender suspects. Yet because of that trust in rule adherence, they reported perceptions of procedural unfairness—where men were treated significantly more harshly than their female counterparts. This expands the current procedural justice scholarship by demonstrating that experiences of procedural justice are not uniformly positive and may not consistently contribute to favorable opinions of the police.

Furthermore, because the unfair outcome of the policy and the gender imbalance of the police force were widely accepted as normative among the gang members, the negative effects of procedural injustice were seemingly mitigated. Procedural justice scholarship would expect that experiences of procedural unfairness would result in articulations of distrust (Lind, 2001). Yet, this was not the case. This finding further expands procedural justice literature by suggesting that perhaps, when procedural unfairness is institutionalized and accepted by the receiving party, the adverse impacts are diminished.

Ultimately, this research sought to investigate how perceptions of procedural fairness may be complicated by gender, gendered polices, and police force composition among a young, criminalized group. However, there were limitations to consider suggesting that additional research on this topic would be beneficial. Most notably, the investigation used secondary qualitative data. As such, it was impossible to parse out the intersectional factors of race, class, gender, and neighborhood context on perceptions of procedural fairness. Although it was evident that the gang members called specific attention to the gender imbalance of the force and restrictive search policies that exacerbated the gendered experiences, further research with dedicated in-depth questions on these topics is needed for a more refined understanding of the impact. Furthermore, the sample was almost exclusively young, drug-dealing gang members of color located in an urban setting. Additional research should include other age groups, populations (e.g., non-criminally/gang-involved, White), and locations (e.g., rural, suburban) to provide a more holistic understanding of how male-dominated police forces, operating with departmental restrictions, affect other groups in different places.

Despite the limitations, the investigation identified important issues that expanded gender and policing research by accounting for additional ways in which predominantly male police forces may be comparatively more harmful to men. Our research demonstrated that procedural injustice may also be a systemic problem where the imbalanced gender composition of the police force itself creates an inherently unfair system. Thus, although the

police may behave in accordance with the rules, more female officers may be needed to provide basic equitable enforcement of the law. Although not all police departments have policies that restrict opposite gender searches, it nevertheless highlights the importance of women serving on the force and their inclusion in hyper-masculine specialized units. Beyond the direct implications, it may also suggest that inadequate gender representation could interact with a wide variety of other gendered rules within policing resulting in unforeseen consequences that affect perceptions of legitimacy more broadly.

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References

- Biernacki P, Waldorf D. Snowball sampling: Problems and techniques of chain referral sampling. *Sociological Methods & Research*. 1981; 10:141–163.
- Bjerregaard B, Smith C. Gender differences in gang participation, delinquency, and substance use. *Journal of Quantitative Criminology*. 1993; 9:329–355.
- Blalock G, DeVaro J, Leventhal S, Simon DH. Gender bias in power relationships: Evidence from police traffic stops. 2007. Available at SSRN: <https://ssrn.com/abstract=998464>
- Bottoms A, Tankebe J. Beyond procedural justice: A dialogic approach to legitimacy in criminal justice. *Journal of Criminal Law & Criminology*. 2012; 102:119–170.
- Braga A, Winship C, Tyler T, Fagan J, Meares T. The salience of social contextual factors in appraisals of police interactions with citizens: A randomized factorial experiment. *Journal of Quantitative Criminology*. 2014; 30:599–627.
- Brick BT, Taylor TJ, Esbensen FA. Juvenile attitudes towards the police: The importance of subcultural involvement and community ties. *Journal of Criminal Justice*. 2009; 37:488–495.
- Brown B, Benedict W. Perceptions of the police: Past findings, methodological issues, conceptual issues and policy implications. *Policing: An International Journal of Policing Strategies & Management*. 2002; 25:543–580.
- Browne K. Snowball sampling: Using social networks to research non-heterosexual women. *International Journal of Social Research Methodology*. 2005; 8:47–60.
- Brunson R. “Police Don’t Like Black People”: African-American Young Men’s Accumulated Police Experiences. *Criminology & Public Policy*. 2007; 6(1):71–101.
- Brunson R, Miller J. Gender, race, and urban policing: The experience of African American youths. *Gender & Society*. 2006; 20:531–552.
- Bureau of Investigation and Intelligence. Organized crime in California. 2010. Retrieved from http://oag.ca.gov/sites/all/files/agweb/pdfs/publications/org_crime2010.pdf
- Bureau of Justice Statistics. Prisoners in 2015. 2015. Retrieved from https://www.bjs.gov/content/pub/pdf/p15_sum.pdf
- Casper JD, Tyler T, Fisher B. Procedural justice in felony cases. *Law & Society Review*. 1988; 22:483–507.
- Charmaz K. *Constructing grounded theory: A practical guide through qualitative analysis*. 2. London, England: Sage; 2005.
- Chesney-Lind M. Judicial Paternalism and the Female Status Offender. *Crime & Delinquency*. 1977; 23(2):121–130.
- Chaurprakobkit S. Police-citizen contact and police performance: Attitudinal differences between Hispanics and non-Hispanics. *Journal of Criminal Justice*. 2000; 28:325–336.

- Chilton R, Datesman SK. Gender, race, and crime: An analysis of urban arrest trends, 1960–1980. *Gender & Society*. 1987; 1:152–171.
- Corsianos M. Policing and gendered justice: Examining the possibilities. Toronto, Ontario, Canada: University of Toronto Press; 2009.
- Crank J. Understanding police culture. Cincinnati, OH: Anderson Publishing; 1998.
- Crew BK. Sex differences in criminal sentencing: Chivalry or patriarchy? *Justice Quarterly*. 1991; 8:59–83.
- De Cremer D, Tyler TR. The effects of trust in authority and procedural fairness on cooperation. *Journal of Applied Psychology*. 2007; 92:639–649. [PubMed: 17484547]
- De Cremer D, Tyler TR, Den Ouden N. Managing cooperation via procedural fairness: The mediating influence of self-other merging. *Journal of Economic Psychology*. 2005; 26:393–406.
- De Cremer D, Van Vugt M. Intergroup and intragroup aspects of leadership in social dilemmas: A relational model of cooperation. *Journal of Experimental Social Psychology*. 2002; 38:126–136.
- Deschenes EP, Esbensen FA. Violence and gangs: Gender differences in perceptions and behavior. *Journal of Quantitative Criminology*. 1999; 15:63–96.
- Durán R. Legitimated oppression: Inner-city Mexican American experiences with police gang enforcement. *Journal of Contemporary Ethnography*. 2008; 38:143–168.
- Egley A. National youth gang survey trends from 1996 to 2000. Washington, DC: US Department of Justice, Office of Justice Programs, Office of Juvenile Justice and Delinquency Prevention; 2002.
- Elliott I, Thomas S, Ogloff J. Procedural justice in contacts with the police: The perspective of victims of crime. *Police Practice and Research*. 2012; 13:437–449.
- Engel RS, Calnon JM, Bernard TJ. Theory and racial profiling: Shortcomings and future directions in research. *Justice Quarterly*. 2002; 19:249–273.
- Engel RS, Calnon JM, Liu L, Johnson RR. Project on police-citizen contacts, Year 1 final report. Pennsylvania State Police; Harrisburg, PA: 2004. Retrieved from https://www.uc.edu/content/dam/uc/ccjr/docs/reports/project_reports/PAPoliceCitizensContact0203.pdf
- Esbensen FA, Carson DC. Who are the gangsters? An examination of the age, race/ethnicity, sex, and immigration status of self-reported gang members in a seven-city study of American youth. *Journal of Contemporary Criminal Justice*. 2012; 28:465–481.
- Esbensen FA, Osgood DW. National evaluation of GREAT. Washington, DC: US Department of Justice, Office of Justice Programs, National Institute of Justice; 1997.
- Esbensen FA, Winfree LT. Race and gender differences between gang and non-gang youths: Results from a multisite survey. *Justice Quarterly*. 1998; 15:505–526.
- Farrell A. Explaining leniency: Organizational predictors of the differential treatment of men and women in traffic stops. *Crime & Delinquency*. 2015; 61:509–537.
- Farrell A, McDevitt J, Bailey L, Andresen C, Pierce E. Massachusetts racial and gender profiling study. Boston, MA: Northeastern University, Institute on Race and Justice; 2004.
- Fleisher MS, Krienert JL. Life-course events, social networks, and the emergence of violence among female gang members. *Journal of Community Psychology*. 2004; 32:607–622.
- Fratello J, Rengifo A, Trone J. Coming of age with stop and frisk: Experiences, self-perceptions, and public safety implications. New York, NY: Vera Institute of Justice Center on Youth Justice; 2013.
- Gabbidon SL, Higgins GE, Potter H. Race, gender, and the perception of recently experiencing unfair treatment by the police: Exploratory results from an all-black sample. *Criminal Justice Review*. 2011; 36:5–21.
- Garcia V. Difference in the police department. *Journal of Contemporary Criminal Justice*. 2003; 19:330–344.
- Herbert S. “Hard charger” or “station queen”? Policing and the masculinist state. *Gender, Place and Culture: A Journal of Feminist Geography*. 2001; 8:55–71.
- Hinds L, Murphy K. Public satisfaction with police: Using procedural justice to improve police legitimacy. *The Australian and New Zealand Journal of Criminology*. 2007; 40:27–42.
- Hunt G, Joe-Laidler K, MacKenzie K. Moving into motherhood: Gang girls and controlled risk. *Youth & Society*. 2005; 36:333–373.
- Hunt JC. The logic of sexism among police. *Women & Criminal Justice*. 1990; 1:3–30.

- Hurst YG, Frank J, Browning S. The attitudes of juveniles toward the police: A comparison of black and white youth. *Policing: An International Journal of Police Strategies & Management*. 2000; 23:37–53.
- Hurst YG, McDermott MJ, Thomas DL. The attitudes of girls toward the police: Differences by race. *Policing: An International Journal of Police Strategies & Management*. 2005; 28(4):578–593.
- Jackson J, Bradford B, Hough M, Myhill A, Quinton P, Tyler TR. Why do people comply with the law? Legitimacy and the influence of legal institutions. *British Journal of Criminology*. 2012; 52:1051–1071.
- Katz C, Webb V. *Policing gangs in America*. Cambridge, UK: Cambridge University Press; 2006.
- Kirk D, Papachristos AV. Cultural mechanisms and the persistence of neighborhood violence. *Journal of Sociology*. 2011; 116:1190–1233.
- Klein MW. *Street gangs and street workers*. Englewood Cliffs, NJ: Prentice-Hall; 1971.
- Klein MW. *The American street gang: Its nature, prevalence, and control*. New York, NY: Oxford University Press; 1995.
- Klein MW, Maxson C. *Street gang patterns and policies*. Oxford, UK: Oxford University Press; 2006.
- Kringen AL, Novich M. Is it “just hair” or is it “everything”? Embodiment and gender repression in policing. *Gender, Work, and Organization*. 2017 Early View.
- Lasley J. The impact of the Rodney King incident on citizen attitudes toward the police. *Policing & Society*. 1994; 3:245–255.
- Lee J, Steinberg L, Piquero A. Ethnic identity and attitudes toward the police among African American juvenile offenders. *Journal of Criminal Justice*. 2010; 38:781–789.
- Lind EA. Fairness heuristic theory: Justice judgments as pivotal cognitions in organizational relations. *Advances in Organizational Justice*. 2001:56–88.
- Lonsway KA, Paynich R, Hall JN. Sexual harassment in law enforcement: Incidence, impact, and perception. *Police Quarterly*. 2013; 16:177–210.
- Macklin R. “Due” and “undue” inducements: On paying money to research subjects. *IRB: Ethics & Human Research*. 1981; 3:1–6.
- Martin S, Jurik N. *Doing justice, doing gender*. Los Angeles, CA: Sage; 1996.
- Martin S, Jurik N. *Doing justice, doing gender*. Los Angeles, CA: Sage; 2006.
- Mastrofski SD, Reisig MD, McCluskey JD. Police disrespect toward the public: An encounter-based analysis. *Criminology*. 2002; 40:515–551.
- Maxson CL, Hennigan KM, Sloane DC. It’s getting crazy out there: Can a civil gang injunction change a community? *Criminology & Public Policy*. 2005; 45:77–605.
- Maxwell JA. *Qualitative research design: An interactive approach*. Thousand Oaks, CA: Sage; 2005.
- Mazerolle L, Antrobus E, Bennett S, Tyler TR. Shaping citizen perceptions of police legitimacy: A randomized field trial of procedural justice. *Criminology*. 2013; 51:33–63.
- Mazerolle L, Bennett S, Davis J, Sargeant E, Manning M. *Legitimacy in Policing: A Systematic Review*. Campbell Systematic Reviews. 2013
- Metcalf B, Dick G. Is the force still with her? Gender and commitment in the police. *Women in Management Review*. 2002; 17:392–403.
- Miller J. Struggles over the symbolic: Gang style and the meanings of social control. In: Ferrell J, Sanders C, editors *Cultural criminology*. Boston, MA: Northeastern University Press; 1995. 213–234.
- Miller J. *One of the guys: Girls, gangs, and gender*. New York, NY: Oxford University Press; 2001.
- Miller J, Decker SH. Young women and gang violence: Gender, street offending, and violent victimization in gangs. *Justice Quarterly*. 2001; 18:115–140.
- Moloney M, Hunt GP, Joe-Laidler K, MacKenzie K. Young mother (in the) hood: Gang girls’ negotiation of new identities. *Journal of Youth Studies*. 2011; 14:1–19. [PubMed: 21116461]
- Moore JW, Hagedorn J. *Female gangs: A focus on research*. Washington, DC: US Department of Justice, Office of Justice Programs, Office of Juvenile Justice and Delinquency Prevention; 2001.

- Murphy K. Public satisfaction with police: The importance of procedural justice and police performance in police–citizen encounters. *Australian and New Zealand Journal of Criminology*. 2009; 40:159–178.
- Murphy K, Cherney A. Understanding cooperation with police in a diverse society. *British Journal of Criminology*. 2011; 52:181–201.
- National Center for Women in Policing. Equality denied: The status of women in policing 1998. Beverley Hills, CA: National Center for Women in Policing; 1999.
- Novich M. 'Perceptions of Police Legitimacy among Female Sex Workers in Sri Lanka. *Lives of Incarcerated Women: An International Perspective*. 2015; 28:109.
- Novich M, Hunt G. Trust of Police Motivations During Involuntary Encounters: An Examination of Young Gang Members of Colour. *Race and Justice: An International Journal*. 2018; 8(1):51–70.
- Novich M, Hunt G. "Get off me": Perceptions of disrespectful police behaviour among ethnic minority youth gang members. *Drugs: Education, Prevention and Policy*. 2017; 24(3):248–255.
- Papachristos A, Meares T, Fagan J. Why do criminals obey the law? The influence of legitimacy and social networks on active gun owners. *Journal of Criminal Law & Criminology*. 2012; 102:397–440.
- Paternoster R, Brame R, Bachman R, Sherman LW. Do fair procedures matter? The effect of procedural justice on spouse assault. *Law and Society Review*. 1997; 31:163–204.
- Presser L, Sandberg S. *Narrative criminology: Understanding stories of crime*. New York: NYU Press; 2015.
- Prokos A, Padavic I. There outta be a law against bitches: Masculinity lessons in police academy training. *Gender, Work, and Organization*. 2002; 9:439–459.
- Rabe-Hemp CE. Female officers and the ethic of care: Does officer gender impact police behaviors? *Journal of Criminal Justice*. 2008; 36:426–434.
- Reaves BA. Local police departments, 2013: Personnel, policies, and practices. Washington, DC: U.S. Department of Justice, Office of Justice Programs, Bureau of Justice Statistics; 2015.
- Reaves BA, Hickman MJ. Police Departments in Large Cities, 1990–2000. Washington, D.C: U.S. Department of Justice, Office of Justice Programs, Bureau of Justice Statistics; 2002. NCJ 175703 Retrieved from <http://www.bjs.gov/content/pub/pdf/pdlc00.pdf>
- Reisig MD, Lloyd C. Procedural justice, police legitimacy, and helping the police fight crime: Results from a survey of Jamaican adolescents. *Police Quarterly*. 2009; 12:42–62.
- Reisig MD, Parks RB. Experience, quality of life, and neighborhood context: A hierarchical analysis of satisfaction with the police. *Justice Quarterly*. 2000; 17:607–629.
- Rios VM. *Punished: Policing the lives of Black and Latino boys*. New York: NYU Press; 2011.
- Schuck AM. Gender differences in policing: Testing hypotheses from the performance and disruption perspectives. *Feminist Criminology*. 2014; 9:160–185.
- Silverman D. *Interpreting qualitative data: Methods for analyzing talk, text and interaction*. London, England: Sage; 2006.
- Singer E, Bossarte RM. Incentives for survey participation when are they "coercive"? *American Journal of Preventive Medicine*. 2006; 31:411–418. [PubMed: 17046413]
- Singer E, Couper MP. Do incentives exert undue influence on survey participation? *Experimental evidence. Journal of Empirical Research on Human Research Ethics JERHRE*. 2008; 3:49–56.
- Slocum L, Rengifo A, Carbone-Lopez K. Specifying the strain-violence link: The role of emotions in women's descriptions of violent incidents. *Victims & Offenders*. 2012; 7:1–29.
- Smith E. Pitfalls and promises: The use of secondary data analysis in educational research. *British Journal of Educational Studies*. 2008; 56:323–339.
- Smith MR, Makarios M, Alpert GP. Differential suspicion: Theory specification and gender effects in the traffic stop context. *Justice Quarterly*. 2006; 23:271–295.
- Steffensmeier DJ, Allan EA. Sex disparities in arrests by residence, race, and age: An assessment of the gender convergence/crime hypothesis. *Justice Quarterly*. 1988; 5:53–80.
- Stolzenberg LD, Alessio SJ. Sex differences in the likelihood of arrest. *Journal of Criminal Justice*. 2004; 32:443–454.

- Sunshine J, Tyler TR. The role of procedural justice and legitimacy in shaping public support for policing. *Law & Society Review*. 2003; 37:513–547.
- Tankebe J. Public cooperation with the police in Ghana: Does procedural fairness matter? *Criminology*. 2009; 47:1267–1293.
- Taylor RB. Incivilities reduction policing, zero tolerance, and the retreat from coproduction: Weak foundations and strong pressures. In: Weisburd D, Braga A, editors *Police innovation: Contrasting perspectives*. Cambridge, UK: Cambridge University Press; 2006. 98–114.
- Tomaskovic-Devey D, Mason M, Zingraff M. Looking for the driving while black phenomena: Conceptualizing racial bias processes and their associated distributions. *Police Quarterly*. 2004; 7:3–29.
- Tyler T, Fagan J. Legitimacy and cooperation: Why do people help the police fight crime in their communities? *Ohio State Journal of Criminal Law*. 2008; 6:231–275.
- Tyler T, Wakslak C. Profiling and police legitimacy: Procedural justice, attributions of motive, and acceptance of police authority. *Criminology*. 2004; 42:253–281.
- Tyler TR. Procedural justice, legitimacy, and the effective rule of law. In: Tonry MH, editor *Crime and justice: Review of research*. Chicago, IL: University of Chicago Press; 2003. 283–357.
- Tyler TR. *Why people obey the law*. New Haven, CT: Yale University Press; 2006.
- Tyler TR, Huo YJ. *Trust in the law: Encouraging public cooperation with the police and courts*. New York, NY: Russell Sage Foundation Publications; 2002.
- Van Dijke M, De Cremer D, Mayer DM. The role of authority power in explaining procedural fairness effects. *Journal of Applied Psychology*. 2010; 95:488–502. [PubMed: 20476828]
- Visher CA. Gender, police arrest decisions, and notions of chivalry. *Criminology*. 1983; 21:5–28.
- Weitzer R. Racialized policing: Residents' perceptions in three neighborhoods. *Law & Society Review*. 2000; 34:129–155.
- Weitzer R, Tuch SA. Race and perceptions of police misconduct. *Social Problems*. 2004; 51:305–326.
- Wertheimer A, Miller FG. Payment for research participation: A coercive offer? *Journal of Medical Ethics*. 2008; 34:389–392. [PubMed: 18448723]
- Wu Y. Race/ethnicity and perceptions of the police: A comparison of White, Black, Asian and Hispanic Americans. *Policing & Society*. 2014; 24:135–157.

Biographies

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Table 1

Overview of the Respondents in the Sample.

	Male gang members (<i>N</i> = 119)	Female gang members (<i>N</i> = 134)
Average age (years)	22.1	21.2
Racial composition	African American (<i>N</i> = 58)	African American (<i>N</i> = 79)
	Latino (<i>N</i> = 42)	Latino (<i>N</i> = 26)
	Asian (<i>N</i> = 11)	Asian (<i>N</i> = 14)
	Multiracial (<i>N</i> = 6)	Multiracial (<i>N</i> = 11)
	White (<i>N</i> = 1)	White (<i>N</i> = 3)
	Other (<i>N</i> = 1)	Other (<i>N</i> = 1)
Number of respondents stopped (%)	105 (88)	100 (75)
Average number of stops	9.6 times	4.5 times

Table 2

Gang Members Who Described Fair and Unfair Police Behavior.

	Men	Women	Total
Of total sample ($N = 253$), number that discussed fair/unfair police treatment	$N = 83$ (70%)	$N = 117$ (87%)	$N = 200$ (80%)
Believed men treated unfairly by police	$N = 75$ (90%)	$N = 97$ (83%)	$N = 172$ (86%)
Believed unfair treatment as result of stereotyping primarily on race and gender	$N = 71$ (95%)	$N = 56$ (58%)	$N = 127$ (74%)
Believed unfair treatment exacerbated by gender composition of police force and restricted search policy	$N = 32$ (27%)	$N = 13$ (10%)	$N = 45$ (26%)
Believed men and women treated equally	$N = 10$ (12%)	$N = 20$ (17%)	$N = 30$ (15%)
Believed women treated unfairly by police	$N = 2$ (2%)	$N = 3$ (3%)	$N = 5$ (3%)