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## Proactive policing and equal treatment of ethnic-minority youths

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Proactive policing aims at suppressing delinquency at an early stage. In the Netherlands, it is applied, *inter alia*, to youths and youth groups to prevent them from slipping off into delinquent behaviour and crime. Proactive policing implies that police officers keep in touch with local youths and monitor their behaviour. Furthermore, it entails police officers applying discretion in giving warnings, in asking for identification and in conducting stop and search. This contribution reports on an empirical investigation among 231 youths, interviewed on the street and in youth centres, to establish whether this proactive policing results in unequal treatment of ethnic minority youths. The main finding is that although proactive policing in the Netherlands is associated with considerable outcome inequality, the extent of unequal treatment of ethnic minority youths is surprisingly limited.

**Keywords:** proactive policing; community policing; unequal treatment; discrimination; ethnicity; youth

### 1. Introduction

In many modern cities, ethnic diversity is a fact of life, with ethnic minority groups providing essential contributions to economic, social and cultural life. Yet, members of these minorities typically have to struggle with problems of lower incomes, higher unemployment and lesser social acceptance by the majority population. Moreover, in many cities, ethnic minority youths are associated with higher levels of school drop-out, higher levels of unemployment and also higher levels of crime and disorder. Especially the overrepresentation in crime and disorder, be it real or perceived, frequently leads to public calls for more effective and, indeed, tougher policing against the minority groups held responsible.

If, however, the police follows such calls for tougher policing, this can easily lead to further discrimination of these minority groups, making the situation even worse. There is an extensive mainly Anglo-Saxon research literature which shows that extensive police discrimination against citizens from ethnic and racial minorities exists and that it is pervasive and structural. This has repeatedly led to accusations of police discrimination, ethnic profiling and even institutional racism (MacPherson 1999, Bowling and Phillips 2007, Smith and Alpert 2007). Such forms of police discrimination are, of course, morally unacceptable and also threaten to undermine police legitimacy and police effectiveness. Moreover, as we have seen in many examples over the past decades, such police discrimination can lead to further ethnic tension and indeed urban riots. The Watts

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riot in the US in 1965, the riots in 1981 and in 2011 in the UK, the riots following the beating of Rodney King in 1992, the riots in France in 2005 and the riots in Sweden in 2013, these are some examples in which large-scale riots were triggered by instances of (perceived) police discrimination against racial and ethnic minorities (Ransford 1968, Lasley 1994, Laurence and Vaisse 2005, Wain and Joyce 2012, Hirvonen 2013).

As a result, the police face a serious dilemma in maintaining legitimacy. On one hand, they have to be perceived as effective in fighting crime and disorder. On the other, they have to maintain absolute standards of equity and fairness.

In the context of this dilemma, this contribution focuses on a practice known as proactive policing. Proactive policing is an approach to policing that has been developed to make policing more effective in suppressing crime and disorder (Wilson and Kelling 1982, Zimmer 1990, Kaal and Korf 2003, Van der Torre and Schaap 2004, Clarke 2006). Proactive policing boils down to the idea that the police should not wait for crime to occur, to arrest any offenders after the fact, but that the police should intervene at an earlier stage, to nip crime in the bud. In order to do this, police officers are expected to take actions based on their own, discretionary judgements, about which situations are in danger of escalating and which persons are in need of their attention.

With respect to the question of police discrimination, however, this proactive approach to policing and its dependence on police officer discretion pose serious risks. In the literature, police discretion is generally regarded as a factor which facilitates and increases racial and ethnic discrimination (Mastrofski 2004, Talley *et al.* 2005, Ridgeway 2006, Bowling and Phillips 2007, Walsh and Taylor 2007, Gau and Brunson 2010, Van der Leun and Van der Woude 2011). Reading this literature, it seems almost self-evident that when more objective, formal grounds for police intervention are replaced by more subjective judgements by police officers, this will increase the likelihood of discrimination of ethnic minorities.

In this contribution, we report on an empirical investigation in this matter, in which we specifically look at the issue of the proactive policing of ethnic minority youths in the Netherlands. The question we ask is:

To what extent does proactive policing result in unequal treatment of ethnic minority youths?

In order to answer this question, this contribution is structured as follows. We start with presenting some background information about the Dutch context in which the research was conducted. Then, in Section 3, we discuss the theoretical and methodological intricacies of establishing the extent of unequal treatment in proactive policing. Next, in Section 4, we present the survey method applied in this project, in which we analysed outcome inequalities for ethnic minority youths while controlling for justifiable distinctions made in policing. The results of this analysis are presented in Section 5. The paper ends with a discussion of these results (Section 6) and a conclusion (Section 7).

## 2. Ethnicity and proactive policing in the Netherlands

The right to equal treatment is laid down in the first article of the Dutch constitution and, in common with other western countries; the right to equal treatment is also firmly embedded in other national laws, such as the General Equal Treatment Act and the Equal Treatment in Employment Act. Furthermore, the Netherlands has subscribed to several international conventions, including the International Convention on Civil and Political Rights and the United Nations Convention on Elimination of all forms of Racial

Discrimination. All these laws and conventions, however, cannot hide the fact that over the past decades societal change has taken place in the Netherlands, which has increased concerns about the extent to which people from ethnic minorities and especially ethnic minority youths can expect equal treatment.

First of all, in connection to the backlash against multiculturalism that swept over Europe (Vertovec and Wessendorf 2010), a change has taken place in Dutch politics. Whereas traditional political parties were always careful not to connect questions of safety and crime to issues of migration and ethnicity, new parties have started to thrive on precisely this combination, during the past decade. The most recent and most successful example so far, is the Freedom Party of Geert Wilders. This party, with an agenda against migration and especially against the so-called Islamisation of the Netherlands, has systematically promoted tougher migration laws and tougher crime policies. Whereas politicians from other parties initially objected to such populism, many of them conceded in recent years, and started to demonstrate to the electorate a comparable toughness on migration and problem causing youths (see also Prins and Saharso 2010).

Secondly, whereas until the 1980s mentioning the ethnic background of offenders was almost taboo, this has changed in recent years. Nowadays the Dutch media actually tend to focus on this background (Van der Leun and van der Woude 2011). Examples are reports about ethnic minority youths terrorising neighbourhoods and pestering homosexuals, but also discussions about increased violence in football, which is openly associated with the increased participation of players from ethnic minorities. Furthermore, a similar openness has come from researchers, who have produced numerous statistics that support the idea that ethnic minority youths do pose serious problems in terms of for example school drop-out rates and crime statistics (e.g. Junger *et al.* 2001, Stol and Vink 2005, Blokland *et al.* 2010).

Thirdly, given the broader political consensus that action against youth crime and youth disorder is desired – also against misbehaving native Dutch youths – tougher policies have been introduced during the past decades, and this has taken two distinct forms. On one hand, increased toughness is now expressed in swifter and harsher sanctions for those who are caught. On the other, following international trends, the Dutch Police has seen the introduction of *proactive policing* (Wilson and Kelling 1982, Zimmer 1990, Clarke 2006, Kaal and Korf 2003, Torre and Schaap 2004). In the context of youth policing, this means that the police may be expected to monitor what is going on in the streets, to address youths who are hanging out during school hours, to gather information about youth groups and to let them know that they are watched. Moreover, in order to make this type of policing effective, several new administrative instruments have been introduced, such as:

- Municipal decrees and by-laws, which make it possible to address all kinds of undesired youth behaviour, for example bans that allow officers to send youth groups away from certain public places, bans on alcohol consumption in public, bans on carrying knives and other objects as weapons and by-laws allowing stop and search by the police;
- The ‘Beke-list’, an administrative instrument, which is used in all police districts, to systematically register annoying, trouble causing and criminal youth groups, their members and their characteristics, such as ethnic background (Ferwerda and Kloosterman 2007, Ferwerda and Van Ham 2010);

- The introduction of obligatory identification, which may be used to establish the identities of any youngsters of interest.

Regarded from the perspective of equal treatment, it is especially the combination of these developments, which leads to concerns. Although proactive policing itself is not explicitly directed against ethnic minority youths, it is not unlikely that in the current sociopolitical climate these youths will bear the brunt of proactive policing. At least three mechanisms can be expected to play a role in this respect:

- in street level decisions, individual police officers themselves may – intentionally or not – treat ethnic minority youths in an unequal manner because they feel informed that these youths are more deserving of their attention (see also Smith and Alpert 2007);
- when the police use proactive instruments in response to complaints by citizens there is the risk that these complaints are biased against ethnic minority groups;
- when proactive policing is guided by political priorities, for example to quash crime in some disadvantaged neighbourhoods, there is a good chance that this too will disproportionately affect ethnic minorities youths, as they now dominate the political agenda and disadvantaged neighbourhoods are characterised, almost by definition, by higher proportions of ethnic youths (see also Weitzer and Tuch 1999).

In sum, the combination of a shift in the sociopolitical climate against cultural diversity, a call for tougher policing on youth crime and the introduction of proactive policing methods seem to lead to a higher risk of unequal treatment of ethnic minority youths. Yet, the question remains in which ways and to what extent this increased risk of unequal treatment materialises in practice.

### **3. Establishing the extent of unequal treatment**

Unfortunately, establishing the extent of unequal treatment in policing is a notoriously difficult task.

A first problem is of course that unequal treatment on inappropriate grounds as ethnicity and race is forbidden and that therefore police officers will not readily admit to such discrimination and are likely to conceal it. This means that interviews and surveys among police officers are generally of little help. Moreover observation studies of police behaviour are fraught with difficulty, too, as it is hard to carry out reliable observations without the police officers in question being aware of this.

A second problem, which is closely associated with the first, is that even when instances of unequal treatment are observed, it is generally difficult to be certain about this. When a police officer treats a member of an ethnic minority in a rough manner, this does not necessarily mean that ethnic discrimination is at play. Maybe the officer in question always acts that rough, maybe he or she had a bad day, maybe it was a result of a specific circumstance, something that was done or said, or perhaps a misunderstanding. Thus, in practice, almost any case of alleged unequal treatment may be disputed.

Unfortunately, some of these problems of establishing unequal treatment continue to exist when outcomes are aggregated. When in interviews members of ethnic minorities, on average, report less favourably about their police contacts than members of the

majority population, this still does not prove unequal treatment. It may well be that the difference in evaluation has little to do with differences in police behaviour. Instead, the difference in evaluation may be a result of different norms, values, expectations and attitudes between ethnic groups (Weitzer and Tuch 1999, Skogan 2006, 2007, Liu and Crank 2010).

Furthermore, even if researchers avoid the pitfall of subjective judgement and turn to more objective measurements of outcome inequality, serious problems remain. When for instance it is established that ethnic minority youths, on average, have more frequent police contacts or are 'disproportionately' fined or stopped and searched, this still does not prove unequal treatment. As Waddington *et al.* (2004) show, such outcome inequalities may well be a result of *justifiable distinctions* police officers make during their work. The most obvious defence against any proof of outcome inequality between ethnic groups is of course to blame it on characteristics of the populations involved: when members from ethnic minorities are treated differently, this may just be a reflection of different behaviour by these minorities. In case of differences in numbers of police contacts and numbers of arrests, this strategy of defending police behaviour easily turns into an act of blaming the victim, that is the suggestion that more negative experiences with the police are caused by higher delinquency rates in minority populations.

Less incriminating explanations found in the literature are that outcome inequality may also be blamed on other behavioural differences between ethnic populations. One such behavioural difference is what Waddington *et al.* (2004), with reference to Fitzgerald (1999) and MVA and Miller (2000), call 'availability'; 'that different racial or ethnic groups place themselves at greater or lesser risk of being stopped by the police through their differential use of public space'. In other words, disproportionately, high numbers of police contacts for some ethnic groups may be explained by a disproportionate presence of these groups in places and at times where the police operate. Another factor, which may not so much explain differences in the number of police contacts, but may explain differences in contact quality and in contact outcomes is the extent to which members of ethnic minorities master relevant cultural codes. The Dutch author Kaldenbach (2011), for instance, suggests that police officers may act tougher against ethnic minority youths because many of them fail to master the Dutch art of expressing sincere regret, which might get them off the hook more lightly. As he explains, expressing sincere regret in the Netherlands involves a series of actions to be carried out in concert: saying you are sorry, stating explicitly what you are sorry for, alternating between looking the other in the face to express sincerity and looking down to express regret, and so on. Whereas native Dutch youths have learned this complex behaviour in childhood, it is his experience that youths from ethnic minorities find it impossible to emulate this behaviour in a believable manner.

In sum, outcome inequality between youths from different ethnic backgrounds may not only result from direct and unjustifiable discrimination on ethnic appearance but also from justifiable distinctions made by police officers. It is for this reason that figures about outcome inequalities, alone, are hardly informative of the true extent of unequal treatment.

### ***Controlling outcome inequality for justifiable distinctions***

In order to get valid estimates of the extent of unequal treatment of ethnic minorities, it is necessary to apply research methods which make it possible to distinguish between

outcome inequality resulting from unequal treatment on improper grounds and outcome inequality which is justifiable. In principle, this may be done in two ways.

A first method is the scientific experiment, in which outcome inequalities which are justifiable can be excluded or randomised. In unequal treatment research, this method has been used with success in demonstrating unequal treatment in specific contexts such as job applications and door policies of clubs (Bovenkerk *et al.* 1995, Gras *et al.* 1996). In the broader context of community policing, it is however far more difficult to conduct such experiments, as:

- these contacts are often initiated by the police, which makes experiments troublesome as the experimenters will need to wait for the police to take the initiative,
- the course of such interactions is rather unpredictable, which makes it much harder to instruct test subjects to perform equal behaviour,
- it is almost impossible to simulate realistic situations in which contacts between police officers and citizens develop over days, months and even years.

A second method to correct outcome inequality for justifiable discriminations is to statistically control for variables which provide grounds for making justifiable distinctions. This second approach means that in the research process not only variables about policing outcomes have to be culled but also variables which provide justification for outcome inequality.

Whereas this type of controlling for relevant behavioural characteristics is common place in the social sciences, nowadays, this has long been omitted in studies on unequal treatment in policing (Smith and Alpert 2007). Moreover, in studies in which controls are used, the idea is seldom fully thought through, and controlling is limited to a few variables which are readily available.

Furthermore, when studies are based on observations of police behaviour or police records, there is a clear risk that control variables are ‘contaminated’, that is that their measurements are influenced by the police action that is being explained. This risk is most evident when controls for neighbourhood crime levels are used, which may also be regarded as outcomes of police activity, which may well lead to unjustifiable defences of racial bias as business necessity (cf. Borooh 2001). The risk of contamination, however, also exists for controls at the level of the individual; when a person is stopped and searched in the street, this fact in itself may lead to aggressive reactions. Moreover, such stopping may also allow police officers involved and even trained observers more time to notice that the person in question is not entirely sober, a fact that they might have overlooked if the person had not been stopped (see Brown *et al.* 2009).

Given these considerations, controlling for justifiable distinctions requires a careful consideration of which variables should and which variables should not be taken into account. In the case of proactive policing of youths, and based on the literature, we propose that following four specific variables can stand scrutiny in this respect:

- (1) *availability for police contacts on the street*: following the line of reasoning of Waddington *et al.* (2004), it is not only justifiable, but indeed self-evident that the amount of police attention individual youngsters receive, depends in part on the extent to which they make themselves available for police contacts by spending time on the street;

- (2) *individual delinquency*: given the aim of proactive policing, it is justifiable that police officers will give more attention to and will, on average, act harsher against youths who are more delinquent;
- (3) *involvement in youth groups with delinquent peers*: given the focus of youth policing on annoying, trouble causing and criminal youth groups, it is justifiable that police officers give more attention to and act harsher against youths who participate in such groups;
- (4) *Co-operation with the police*: in view of the nature of the work involved in proactive policing, which demands that youngsters respect the police, it is justifiable that police officers will act harsher against youths who fail to cooperate with their demands.

### Hypotheses

Based on the identification of these control variables, an explanatory model for outcome inequality may be constructed (Figure 1), which distinguishes between two hypotheses of interest:

#### *Hypothesis 1 (outcome inequality)*

Ethnic minority youths report more frequent and more negative outcomes of proactive policing than youth of native Dutch origin.

#### *Hypothesis 2 (unequal treatment)*

Even when controlling for availability on the street, individual delinquent behaviour, involvement in delinquent youth groups, and co-operative behavior, ethnic minority youths report more frequent and more negative outcomes than youths of native Dutch origin.

## 4. Method

In this study, the above model was used to establish the extent of unequal treatment in proactive policing of ethnic minority youths in the Netherlands. Given the fact that this model contains variables which are not directly observable – such as the amount of time

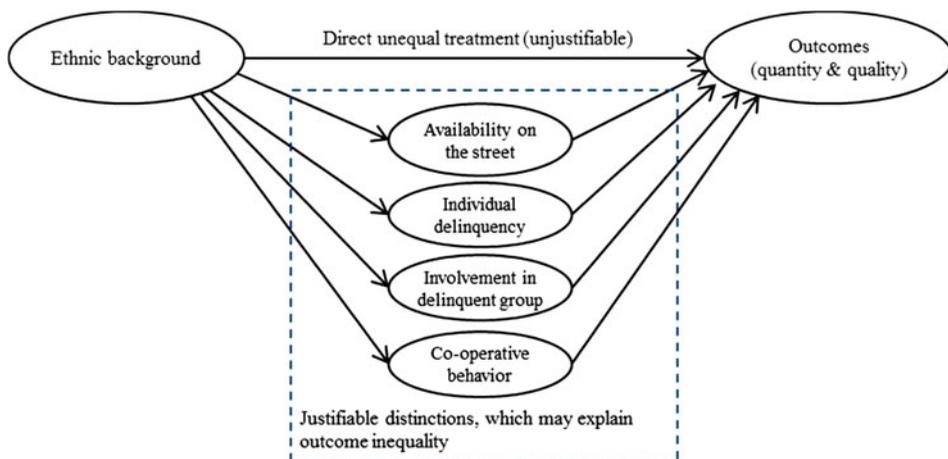


Figure 1. An explanatory model for outcome inequality in proactive policing of youths.

they spent on the street, and the extent of delinquent behaviour of the individuals involved and their friends – it was decided to base this study on survey data that were especially collected for this purpose.

In the period from May till September 2011 students of the VU University in Amsterdam and of the Saxion Polytechnic in Enschede, were instructed to contact youths between the ages of 12 and 25, found on the streets and in youth centres in Amsterdam and in the more rural region of Twente. The students asked these youths to fill in a questionnaire about their contacts with the police in the previous 12 months and about their personal background and behaviour.

### ***Dependent variables***

Given the importance of outcome inequality in this study, not one but three outcome variables were distinguished: proactive police contact, proactive instruments used against them and contact quality.

In order to establish whether or not the respondents had experienced proactive contacts with the police, they were asked to indicate the number of police contacts, for different reasons, they had had in the 12 months prior to the survey:

- How often had they been stopped by the police because they did something wrong (e.g. a traffic violation);
- How often had they themselves contacted the police (e.g. to report a theft)?
- How often had they run into a police check (e.g. a place where the police were checking for weapons or drugs)?
- How often had they been stopped by the police without an explicit reason?
- How often had they been stopped because they were wrongfully suspected?

The number of proactive contacts was computed as the sum of the number of contacts in the last three categories, that is the total number of contacts that had been experienced without the youths themselves giving direct cause for these contacts. It was found that the distribution of this number of proactive contacts was heavily skewed, with most respondents reporting no contact or just a single contact but some reporting over 50 of these contacts. In order to facilitate statistical analysis, the dichotomous variable, experienced proactive contact, was used to express whether (1) or not (0) the respondent had experienced any proactive police contact during the previous 12 months.

To establish whether the respondents had proactive instruments applied them, they were asked how often, during the previous 12 months, they had been:

- asked by the police to formally identify themselves;
- subjected to police stop and search;
- sent away by the police from a place they hung-out.

As the distribution of these experiences too was heavily skewed, the answers were again used to produce a dichotomous variable, *experienced proactive instruments*, which expressed whether (1) or not (0) the respondent had experienced any of these actions by the police.

Finally, contact quality was measured by asking each respondent who had had any contact with the police in the past 12 months to evaluate the quality of that contact in the form of six five-point Likert-type items (totally agree – totally disagree) about the

correctness, honesty, equality, roughness (reverse item), friendliness and respectfulness of police behaviour (Cronbach's alpha: 0.94).

### ***Independent variable***

Given the research question, the independent variable of interest was ethnic background. In the Netherlands, however, establishing ethnic background has become a much-disputed science in itself in recent years, with many nuances and many inconsistencies (e.g. can we really speak of a non-western third generation 'allochtonous' youth). In order to keep this issue manageable for this study, another approach was taken, by focusing on one single issue: *ethnic appearance*. For measurement of this variable, we decided to rely on the personal experience of the respondents themselves and asked in the questionnaire how they thought they were viewed by others on the street: as a Dutch youth (0) or as a non-Dutch youth (1).

### ***Control variables***

In order to control for justifiable forms of discrimination four control variables were measured: availability on the street, personal delinquency, association with a delinquent youth group and preparedness to cooperate with the police.

*Availability on the street* was operationalised in the form of a direct question about the number of hours per week spent on the street.

*Individual delinquency* was measured using 14 self-report delinquency items about having performed concrete forms of delinquent behaviour over the past 12 months (e.g. playing truant, not paying one's fare, having stolen something, having participated in a fight, having been drunk in public, having used soft drugs, having used hard drugs; Cronbach's alpha: 0.90).

*Involvement in a delinquent youth group* was measured using the same 14 items, but now applied to the group of friends with who the respondents were involved. How many of the respondent's friends – none, one, or two or more – had shown each form of delinquent behaviour over the past 12 months? (Cronbach's alpha: 0.81). The resulting score for group delinquency was multiplied by the number of hours per week these youths spent time together, to arrive at the intended measure of involvement.

*Preparedness to cooperate with the police*, was measured using three five-point Likert-style items (1: completely disagree to 5: completely agree) about the preparedness to accept directions by the police, and the preparedness to help the police as a witness (Cronbach's alpha: 0.78).

Furthermore, we controlled for two additional variables related to the independent variable: sex of the respondent and neighbourhood. Controlling for sex of the respondent was considered necessary because this variable is known to be related to police behaviour and because in the survey girls from ethnic minorities were underrepresented (a result of the fact that especially Muslim girls spend far less time outside the home than Muslim boys). Controlling for neighbourhood was considered necessary as this variable too is known to be related to policing outcomes and the percentage of ethnic minority youths strongly differed per area. Controlling for age was not considered necessary, as for the 'Dutch' and 'non-Dutch' subsamples, there was no significant difference in age composition.

### Response

Given the settings in which the surveys were conducted, with sometimes larger groups of youngsters passing by, it was difficult to get a precise overview of the non-response. The impression was that the response was certainly fair and that only few youths actively avoided the research assistants. Furthermore, the research assistants reported that about 70% of the youths they asked, had agreed to participate. The total response consisted of 231 filled in questionnaires, of which 225 were complete enough to be used in the statistical analysis. [Table 1](#) provides an overview of the measurements and their distributions in the sample.

### Statistical analysis

Statistical analysis was conducted using SPSS version 20.

## 5. Results

In presenting the results, we first focus on the first hypothesis of outcome inequality. [Table 2](#) describes and tests the outcome differences between youths who reported to appear Dutch and youth who reported to appear non-Dutch. As can be read from the table, the first hypothesis of more negative outcomes is supported for each of the three outcome measurements. Youths with a non-Dutch appearance reported significantly more often to have had proactive contact, significantly more often to have had proactive instruments used against them and a significantly lower quality of contact with the police.

Next, [Tables 3–5](#) present the results for hypothesis 2 for each of these three outcome measurements, while controlling for variables which may justify differences in police behaviour.

Table 1. Measurements of dependent, independent and control variables.

	<i>N</i>	Min.	Max.	Mean	SD
Dependent variables					
Had proactive police contact (Yes/No)	231	0	1	0.42	0.50
Had proactive instruments applied (Yes/No)	231	0	1	0.46	0.50
Quality of police contact (0–1)	130	0	1	0.52	0.30
Independent and control variables					
Non-Dutch appearance (Yes/No)	231	0	1	0.60	0.49
Male (Yes/No)	231	0	1	0.55	0.50
Availability (hours per week)	231	0	72	9.47	12.97
Individual delinquency (0–1)	226	0	1	0.22	0.21
Association w. delinquent group (0–1)	229	0	1	0.07	0.15
Preparedness to cooperate (0–1)	230	0	1	0.52	0.26
Valid <i>N</i> (list wise)	127				
Number of respondents per area					
Twente	93				
Amsterdam – neighbourhood 1	49				
Amsterdam – neighbourhood 2	69				
Amsterdam – neighbourhood 3	20				

Table 2. Outcome differences for Dutch and non-Dutch youths (without controls).

Appearance (self-reported)	Proactive contact last 12 months (yes/no) (%)	Proactive instruments last 12 months (yes/no) (%)	Contact quality reported Mean (SD)
Dutch ( $n = 92, 92, 42$ )*	31.5	47.5	0.65 (0.21)
Non-Dutch ( $n = 139,$ 139, 88)	49.6	52.5	0.46 (0.31)
Significance	0.005	0.014	0.000

\*For clarity: contact quality was only registered in case of any police contact; use of proactive instruments was also registered for non-proactive contacts (e.g. request for identification after a traffic violation).

Table 3 takes proactive police contact as the dependent variable. As can be read from the table, the first hypotheses – concerning outcome inequality for ethnic minority youths – is reaffirmed. If we only look at the explanatory power of ethnic appearance (Model 1), a non-Dutch appearance contributes significantly to the odds of having experienced one or more proactive contacts. The second hypothesis, however, which states that this outcome inequality is an unjustifiable result of unequal treatment, is not supported by the data. Indeed, if we control for sexual composition and for area, the coefficient for ethnic appearance still remains significant (Model 2). If, however, the variables for availability, individual delinquency and delinquent youth group involvement are introduced, explanatory power of ethnic appearance is strongly reduced and no longer statistically significant (Model 3).

In a similar vein, Table 4 tests hypothesis 2, taking experienced proactive instruments as the dependent variable, that is experiences of being sent away from places, of ID checks, and/or of stop and search by the police. The results are similar. Initially, ethnic appearance is reaffirmed as a significant predictor of having experienced proactive

Table 3. Has experienced proactive police contact, yes/no (dependent). Logistic regression,  $n = 225$ .

	Model 1 Odds ratio Sign.	Model 2 Odds ratio Sign.	Model 3 Odds ratio Sign.
Non-Dutch appearance (ref. Dutch appearance)	2.27**	1.73*	1.45
Male (ref. female)		2.87***	2.93**
Area (ref. Twente)			
Amsterdam – neighbourhood 1		1.64	1.71
Amsterdam – neighbourhood 2		3.22***	3.49**
Amsterdam – neighbourhood 3		5.96**	8.34**
Availability (Z-score)			1.16
Individual delinquency (Z-score)			1.09
Association w. delinquent group (Z-score)			3.21***
Constant	0.46***	0.16***	0.19***

Note: Significance levels \*0.05, \*\*0.01, \*\*\*0.001, neighbourhood tested two-sided, other variables tested one-sided.

Table 4. Has experienced proactive instruments, yes/no (dependent). Logistic regression,  $n = 225$ .

	Model 1 Odds ratio Sig.	Model 2 Odds ratio Sig.	Model 3 Odds ratio Sig.
Non-Dutch appearance (ref. Dutch appearance)	1.90*	1.45	1.18
Male (ref. female)		2.94***	2.95***
Area (ref. Twente)			
Amsterdam – neighbourhood 1		2.07	2.13
Amsterdam – neighbourhood 2		3.33***	3.54**
Amsterdam – neighbourhood 3		11.51***	15.11***
Availability (Z-score)			0.99
Individual delinquency (Z-score)			1.08
Association w. delinquent group (Z-score)			3.05***
Constant	0.59*	0.19***	0.23***

Note: Significance levels \*0.05, \*\*0.01, \*\*\*0.001, neighbourhood tested two-sided, other variables tested one-sided.

instruments (Model 1). When, however, the control variables are introduced, the significance of ethnic appearance dissolves (Models 2 and 3).

Finally, Table 5 tests hypothesis 2, taking contact quality as the dependent variable. This too leads to comparable results. Again, when only ethnic appearance is considered,

Table 5. Contact quality reported (dependent). Linear regression,  $n = 127$ , unstandardised coefficients.

	Model 1 <i>B</i> (SE) Sig.	Model 2 <i>B</i> (SE) Sig.	Model 3 <i>B</i> (SE) Sig.	Model 4 <i>B</i> (SE) Sig.
(Constant)	0.65 (0.04)***	0.79 (0.06)***	0.80 (0.06)***	0.70 (0.06)***
Non-Dutch appearance (ref. Dutch appearance)	-0.19 (0.05)***	-0.15 (0.05)**	-0.16 (0.05)***	-0.07 (0.05)
Male (ref. female)		-0.17 (0.05)***	-0.16 (0.05)***	-0.10 (0.04)*
Area (ref. Twente)				
Amsterdam – neighbourhood 1		0.01 (0.08)	0.01 (0.07)	-0.01 (0.06)
Amsterdam – neighbourhood 2		-0.06 (0.06)	-0.03 (0.05)	-0.02 (0.05)
Amsterdam – neighbourhood 3		-0.26 (0.08)**	-0.29 (0.08)***	-0.19 (0.07)**
Availability (Z-score)			-0.04 (0.02)*	-0.04 (0.02)*
Individual delinquency (Z-score)			-0.03 (0.03)	-0.01 (0.02)
Association w. delinquent group (Z-score)			-0.05 (0.02)*	-0.02 (0.02)
Preparedness to cooperate (Z-score)				-0.14 (0.02)***

Note: Significance levels \*0.05, \*\*0.01, \*\*\*0.001, neighbourhood tested two-sided, other variables tested one-sided.

we find support for hypothesis 1, with ethnic appearance being a significant predictor (Model 1). This variable remains significant when we subsequently introduce the control variables concerning sex and area (Model 2), and availability, delinquency and group involvement (Model 3). The significance of ethnic appearance for contact quality disappears, however, when the last control variable is introduced: preparedness to cooperate with the police. Thus, here too the hypothesis of unequal treatment of ethnic minority youths is not supported.

## 6. Discussion

To sum up the results of the empirical study; taken alone ethnic appearance is a significant predictor for all three dependent variables distinguished in this study. In other words, outcome inequality in proactive policing clearly exists. Ethnic minority youths more often have proactive contact, they more often have proactive instruments used against them and they also experience a lesser quality of police contact. In every instance, however, the significance of ethnic appearance disappears, when the various control variables are introduced. This leads to the conclusion that to a considerable extent these outcome inequalities are not the result of unequal treatment, but of justifiable distinctions which may be made by the police on other grounds.

What does this tell us about the extent of unequal treatment of ethnic minority youths in proactive policing, in the Netherlands? What can we conclude and what not?

To start with the important second part of the latter question: what we certainly cannot conclude is that unequal treatment by the police of ethnic minority youths does not exist. Of course it does. Not only do we know this from individual examples, the remaining coefficients for ethnic appearance found in this study, although no longer significant, all point in the direction of a limited level of unequal treatment and not a total absence. The odds-ratios for having had proactive contact and having experienced proactive instruments remain above 1, and the coefficient for contact quality remains negative.

Given the coefficients and given the sample size, we can conclude, however, that the extent of unequal treatment is much lower than was initially expected. Given the discussions in the Dutch media and the stories of ethnic discrimination reported to us in earlier interviews, we expected to find substantial evidence of unequal treatment (Svensson *et al.* 2011). The statistics, however, tell a different story. They show that, indeed, youths from ethnic minorities more often experience proactive contacts and also experience less positive contacts with the police, but they also show that, to a considerable extent, this outcome inequality is justifiable. For police officers, there are many factors that may be taken into account when dealing with youths on the streets, and this study shows that only a handful of factors suffices to largely explain away outcome inequality. In other words, police officers are found to treat youths of non-Dutch appearance remarkably equal.

This conclusion, however, raises another question: how is it possible that currently, in a context of societal uproar about ethnic minorities in the Netherlands, and given increased police discretion, the extent of unequal treatment is so limited?

We think that an important answer may be found in the practice of proactive policing itself. In discussions, we had with police officers and also in an additional observation study we conducted (Svensson *et al.* 2011), we found that, proactive policing, as it is implemented in the Netherlands, leads to many contacts between the police and ethnic minority youths. These contacts are not only with young delinquents but also with normal migrant youths who give little cause for repressive police action. Police officers have

friendly talks with Dutch, Moroccan and Turkish boys who are playing football in the park or who are just hanging out on the street. Based on these contacts, Dutch police officers have developed a much better understanding of these youths and what they stand for individually, than most citizens and also most politicians. As a result of this, police behaviour depends far less on ethnic stereotypes and more on criteria that really matter to police work (see also Bowling and Phillips 2007, Smith and Alpert 2007). Given their experience, police officers are capable of distinguishing youths who are deserving of their attention from youths who are not, using more relevant criteria than just ethnic appearance. Thus, whereas several authors have warned against the risks of police discretion, we propose that, depending on its implementation, proactive policing may actually help to reduce unequal treatment.

Having said this, however, we would also like to point out a more worrying side, namely the strong neighbourhood effect we found in the data analysis. As explained above, given the tasks of police officers in proactive policing, we had to control for this variable in this study. When proactive policing is especially focused on disadvantaged neighbourhoods and on youths hanging out on the street, this is likely to lead to indirect distinctions which are justifiable, given the tasks of the police officers. What is striking, however, is the size of the neighbourhood effect and the way it coincides with ethnic composition. In our opinion, this fact deserves further research in order to tease out the underlying mechanisms that are at play. A most important question is whether controlling for neighbourhood amounts to over-controlling. It may well be that hidden in mezzo-level decisions which direct police officers to focus their activities on specific neighbourhoods, unequal treatment does play a role. In other words, outcome inequality for ethnic minority youth may not so much be a result of unequal treatment by individual police officers on the street, but of unequal treatment at higher levels. In order to investigate this, a more extensive multi-level study would be required, based on a data collection in a variety of cities and neighbourhoods.

## 7. Conclusion

This study started from the assumption that ethnic discrimination is a fact of life in the Netherlands and that this might also be true in matters of policing. It then focused on determining the extent of unequal treatment of ethnic minority youth in proactive policing. In order to do this, we decided not only to look at outcome inequalities between ethnic minority youth and youth of a native Dutch appearance but we also tried to control for justifiable distinctions that may be made during proactive policing.

For this purpose, we conducted a survey, which led to the main conclusion of this paper, namely that although substantial *outcome inequality* exists, the extent of *unequal treatment* of ethnic minority youths is surprisingly limited. In fact, it is so limited, that in this study, the difference in treatment is not even statistically significant.

Furthermore, it was proposed that this limited level of unequal treatment may well be a positive result of the way proactive policing of youth is implemented in the Netherlands. With many informal contacts between police officers and youths of different backgrounds, proactive policing seems to further mutual understanding and to reduce police officers' dependence on ethnic stereotypes, and as this occurs, it seems to help to remove a root cause of ethnic discrimination.

Of course, additional research has to point out to what extent the same holds for proactive police innovations in other countries. As the term proactive policing seems to

be a container of many practices, it is interesting to find out which practices do work and which do not work in supporting equal treatment.

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