



CENTER FOR THE STUDY OF LAW AND SOCIETY  
BERKELEY LAW

## **CSLS SPEAKER SERIES**

Monday, April 23, 2018

### **SANDRA SUSAN SMITH**

Professor of Sociology, UC Berkeley

## **“Rethinking the Relationship between Procedural Justice, Legal Cynicism, and Police Legitimacy: What We Can Learn from the Experiences of Individuals with Co-Occurring Disorders”**

Persons with co-occurring disorders—individuals who suffer from mental health illness and substance abusers—are overrepresented in the criminal justice system. Not only are they at greater risk of arrest, they are also disproportionately represented among state prisoners and jail inmates. Dominant explanations for their overrepresentation either focus on how their substance abuse acts as a mediator between serious mental health illness and arrest or how mental health illness and substance abuse interact to increase their odds of behaving violently, which in turn increases their odds of arrest. In this paper, we consider a different, complementary explanation—that relative to persons without CODs, individuals with CODs experience procedural injustices that feed a distrust in the legal system and law enforcement agents and thus erodes their willingness to obey the law. Drawing from in-depth, semi-structured interviews with 119 low-level offenders in the San Francisco Bay Area, we find that a much higher percentage of persons with CODs reported police-based procedural injustices, and, as procedural justice theory would predict, such reports were associated with much higher levels of legal cynicism and noncompliance with legal authorities. However, despite the fact that police officers were the direct source of the often violent and aggressive procedural injustices persons with CODs reported, their perceptions of police legitimacy were surprisingly high. We explain this paradox, which deviates significantly from expectations associated with procedural justice theory, by noting that, unlike other subgroups at high risk of procedural injustices (ethnoracial minorities, youths, and the poor, for instance), persons with CODs lack a collective oppositional identity that would make perceptions of police *il*legitimacy more likely.

**PLACE** Selznick Seminar Room, 2240 Piedmont Avenue  
**TIME** **12:45 – 2:00pm.** Coffee and water provided. Bag lunches welcome.  
**INFO** <https://www.law.berkeley.edu/centers/center-for-the-study-of-law-society/>  
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