

# AmericasBarometer *Insights*: 2011

Number 62

## Confidence in the Criminal Justice System in the Americas

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**Executive Summary.** The level of public confidence in the criminal justice system (CJS) has important implications for democratic politics. In this report, we use data from the 2010 AmericasBarometer survey to examine the level of confidence that citizens in 26 countries in the Americas have in their country's criminal justice system. Drawing our hypotheses from existing literature, we test several individual-level factors that may explain confidence in the CJS. This report finds that wealth, education and urban residency are negatively correlated with confidence in the criminal justice system, while age increases confidence in the CJS. As hypothesized, individual and household crime victimization, perceived corruption, and individual perceived insecurity are also negatively correlated with confidence in the CJS. Additionally, we find that attitudes towards the CJS are closely related to attitudes towards other government institutions.

*LAPOP is pleased to note that this report was developed and written by Vanderbilt undergraduate students participating in a Vanderbilt University honors seminar (HNRS 186, taught by Professor E. J. Zechmeister). Biographies of the authors are provided in the report appendix.*

*The Insights Series is co-edited by Mitchell A. Seligson, Amy Erica Smith, and Elizabeth J. Zechmeister with administrative, technical, and intellectual support from the LAPOP group at Vanderbilt.*

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The level of public confidence in the criminal justice system (CJS) has important implications for democratic politics. Confidence in the CJS can be critical to state legitimacy because the activities of the police and criminal courts are typically perceived as “core functions of the state” (Van de Walle and Raine 2008, p. 4). The effective functioning of the police and courts is also essential to insuring the robust participation of citizens in the criminal justice process. Low levels of confidence in the criminal justice system can feed into cycles of poor performance. For example, when there is low confidence and satisfaction with the justice system, citizens may be less likely to participate in the judicial process as jurors. When citizens do not trust their local police force, they are also less likely to report a crime or serve as witnesses in criminal cases (see Van de Walle and Raine 2008, p. 4). Further, when the CJS is perceived as ineffective, it is more difficult to recruit competent personnel (see Van de Walle and Raine, 2008, p. 4). For all these reasons, it is important to assess public confidence in the CJS.

In this *Insights* report, we provide a picture of faith in the criminal justice system in the Americas and assess some factors that predict this attitude using data from the 2010 LAPOP AmericasBarometer survey.<sup>1,2</sup> Specifically, we use responses to the following question to draw conclusions about confidence in the CJS in the Americas:

**AOJ12:** “If you were a victim of a robbery or assault, how much faith do you have that the judicial system would punish the guilty?”

<sup>1</sup> Funding for the 2010 round mainly came from the United States Agency for International Development (USAID). Important sources of support were also the Inter-American Development Bank (IADB), the United Nations Development Program (UNDP), and Vanderbilt University.

<sup>2</sup> Prior issues in the *Insights* series can be found at: <http://www.vanderbilt.edu/lapop/insights.php>  
 The data on which they are based can be found at <http://www.vanderbilt.edu/lapop>.

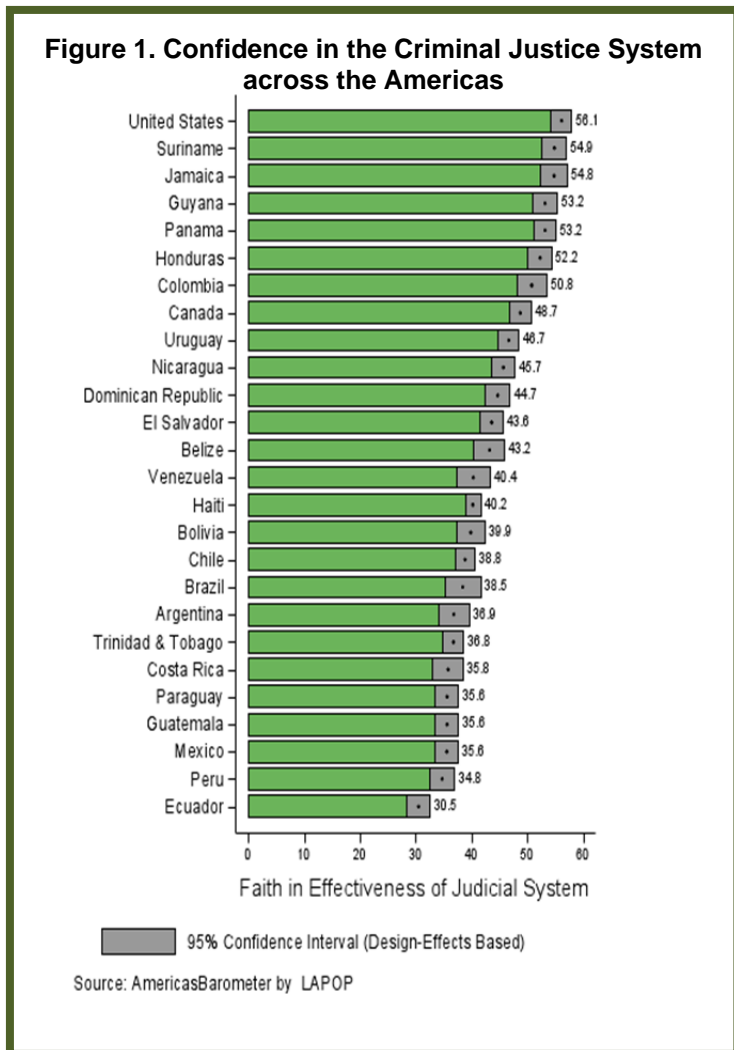


Figure 1 shows mean responses (with confidence intervals) by country to this question, with responses recalibrated from the original four-point scale to a 0-100 scale, where zero indicates no faith (“none”) in the criminal justice system and 100 represents “a lot” of faith in the CJS.<sup>3</sup> In no country is faith in the criminal justice system exceptionally high: mean values are below 60 units on the scale in all 26 countries and only seven countries present average levels above the 50-unit midline. Figure 1 also shows significant variation across countries, with the United States topping the list at 56.1. This result is consistent with the United States’ high score

<sup>3</sup> Non-response to this particular question was 6.47% (weighted) across the sample as a whole. Analysis was conducted using STATA v11.1.

in the *Economist's* democracy index<sup>4</sup> (Kekic 2007); however, interestingly, Canada – which also boasts a high democracy index score<sup>5</sup> -- does not place as high here with a mean score of 48.7. Colombia's high score is interesting in light of the country's difficulties with law and order. Haiti has a comparatively high average confidence in the criminal justice system (40.2 units), which is surprising considering its high corruption victimization level (see Seligson and Smith 2010).<sup>6</sup> Interestingly, several countries with high levels of development fall at the low end of the set of countries, specifically Chile, where faith in the effectiveness of the CJS averages 38.8 units, and Argentina averages 36.9 units. The lowest mean level of confidence in the criminal judicial system is found in Ecuador (30.5 units), a country that has been affected by spillover violence involving FARC and related actors and, as well, a recent clash among the executive leadership, the military, and the police.

In all, while country context appears to matter, there is not an obvious relationship between level of democracy, economic development, or other salient country-level factors, on the one hand, and confidence in the criminal justice system on the other. Therefore, in this report, we focus on individual-level predictors of confidence in the criminal justice system.

*[T]he wealthy are more likely to be victimized by crime, which might translate into skepticism regarding the effectiveness of the judiciary.*

## Socioeconomic and Demographic Factors and Confidence in the Criminal Justice System

We begin by examining how socioeconomic and demographic features affect confidence in the criminal justice system.<sup>7</sup> One might expect wealthy individuals, who may enjoy positions of privilege, to have more confidence that governmental systems will work in their favor. However, we suspect that the wealthy are more likely to be victimized by crime, an attribute that might translate into skepticism regarding the effectiveness of the judiciary (Gaviria and Pages 2002; Maldonado 2011). Similarly, residents of urban areas experience more crime than those living in rural regions, which may explain the higher levels of confidence in criminal justice

that other scholars have found in less populated areas (Gaviria and Pages 2002; Cao and Zhao 2005). Furthermore, some scholars note that the aging process promotes

“conservatism and integration into the institutional order,” a phenomenon that can increase trust in governmental bodies, including the CJS (Cao and Zhao 2005, p. 406; see also Christenson and Laegreid 2005).

With these expectations in mind, we created a regression model that examines the relationship between these factors and faith in judicial effectiveness. We considered wealth<sup>8</sup>, education, age, gender, and an indicator of rural versus urban residence as independent variables. The regression output, shown in Figure 2, displays standardized coefficients for ease of comparison. Statistical significance is represented by 95%

<sup>4</sup> The United States was assigned a Democracy Index score of 8.22 in 2007.

<sup>5</sup> Canada was assigned a Democracy Index score of 9.07 in 2007.

<sup>6</sup> In addition, the US Department of State claims that law and order in Haiti has progressively deteriorated as a result of drug transit (Haiti is one of the four most important countries for drug transit to the US). [http://travel.state.gov/travel/cis\\_pa\\_tw/cis/cis\\_1134.html#crime](http://travel.state.gov/travel/cis_pa_tw/cis/cis_1134.html#crime)

<sup>7</sup> In accord with typical practice for the *Insights* series, we omit Canada and the United States from these and other analyses in this report in order to focus on the Latin American and Caribbean cases.

<sup>8</sup> For more information about the wealth measure see Córdova (2009).

confidence intervals (the horizontal bars) that do not overlap the vertical “0” line. Dots to the left of the line indicate that the variable has negative contribution, while dots to the right imply a positive correlation.

As revealed in Figure 2, those who are wealthier tend to have less faith in the judicial system than their poorer fellow citizens. Interestingly, as we will show later, this effect exists independently of crime victimization rates, implying an alternate explanation could be important to consider. As we expected, age is positively correlated and urban residency is negatively correlated with confidence in the criminal justice system.

Given the work of past scholars<sup>9</sup>, we were surprised to find that increased levels of education *decrease* faith in the effectiveness of the criminal justice system. However, in the Latin American context, education may cause citizens to be more critical of the appreciably volatile political establishment; this critical perspective may translate into lower levels of trust in the CJS (Catterberg and Moreno 2006).<sup>10</sup> Finally, we note that gender is not a significant predictor of faith in the judicial system.

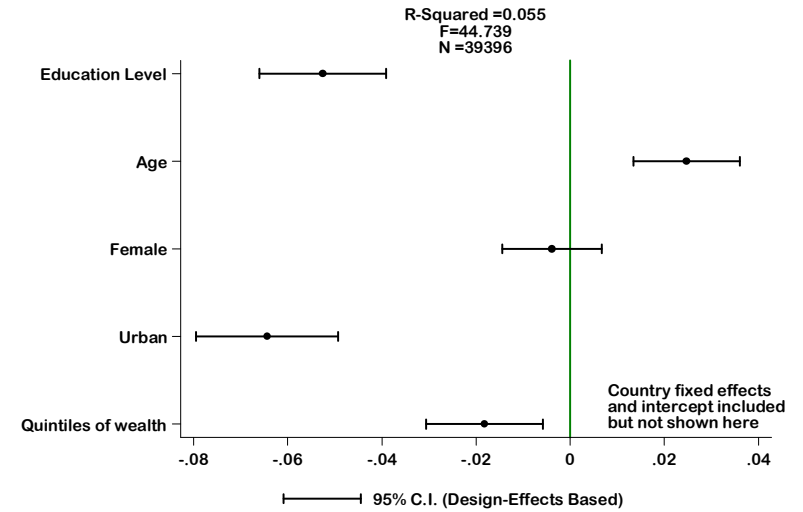
## Attitudes and Experiences as Predictors of Confidence in the Criminal Justice System

Prior research suggests that security and crime victimization play a significant role in shaping perceptions of the criminal justice system. A Canadian study found that the public tends to

<sup>9</sup> A study by Benesh (2006) finds the opposite but was limited to the United States.

<sup>10</sup> Oftentimes, wealth and education are closely correlated, making it difficult to distinguish which, if any, of the two has a significant impact. However, we have found that both variables significantly influence trust in the effectiveness of the judicial system even when we control for the other variable. Therefore, both have an independent and appreciable effect.

**Figure 2. Socio-economic and Demographic Characteristics Predicting Confidence in the Criminal Justice System**



Source: AmericasBarometer by LAPOP

subscribe to a “crime control” model of the CJS, meaning that they believe the primary role of the system is to deter crime (Roberts 2004, 21). It follows that crime victims—or those who otherwise perceive themselves as vulnerable or insecure—will tend to display less confidence in the efficacy of such a system. Scholars have also hypothesized that interaction with the courts challenges prior “idealistic beliefs” about the judiciary (Fossati and Meeker 1997, p. 144). Benesh and Howell (2001) assert that “high-stakes, low-control” court users, such as defendants and victims, will have less confidence in the courts as a result of their experiences. We speculate that this effect is not limited to the victims themselves; it seems likely that *any* experience with crime victimization, whether personal or through a family member, influences perceptions of the CJS. In order to measure this effect, we use self-reported individual and household-level crime victimization, along with a variable that quantifies an individual’s overall “sense of security.”<sup>11</sup>

<sup>11</sup> The crime victimization measures are coded “1” if there is a report of any experience(s) and “0” otherwise (based on questions VIC1EXT and VIC1HOGAR). The security

Other studies point to an “all good things go together” effect. Scholars have shown that confidence in the CJS is often tied to confidence in other government institutions (Van de Walle and Raine 2008, pp. 21-22). Some suggest that this is because people hold certain attitudes towards government as a whole, and they often fail to distinguish between different governmental agencies (Olson and Huth 1998, p. 46). Using this framework, we expected to observe a strong correlation between trust in the country’s chief executive and national police force, respectively, and confidence in the CJS.<sup>12</sup>

Our review of the literature led us to formulate additional expectations. Given its negative implications for crime-fighting, we expected that perceived corruption would lead to diminished confidence in the CJS. We also suspected that race might play a role in shaping perceptions of the system. The “differential experience” theory suggests that citizens’ perceptions of the courts are shaped by their unique experiences with the system (Sun and Wu 2006, p. 458). Scholars have found that historically marginalized groups tend to show reduced levels of trust in the courts, likely due to actual or perceived differential treatment (Overby et al 2005; Tyler 2005). Using this framework, we predicted that whites (the historically privileged group) would on average display higher trust than other racial and ethnic groups. We test for this relationship using racial self-identification.<sup>13</sup> As an admittedly simplistic approach to the question, in the analysis in

measure is based on the following question: **AOJ11**. Speaking of the neighborhood where you live and thinking of the possibility of being assaulted or robbed, do you feel very safe, somewhat safe, somewhat unsafe or very unsafe? It is coded here so that higher values indicate more security.

<sup>12</sup> **B21A**. To what extent do you trust the President [Prime Minister]? **B18**. To what extent do you trust the National Police? Initially asked on 1-7 scales, coded here so that higher values indicate more confidence.

<sup>13</sup> Question ETID asks respondents to self-identify as white, mestizo, indigenous, black, or of another race.

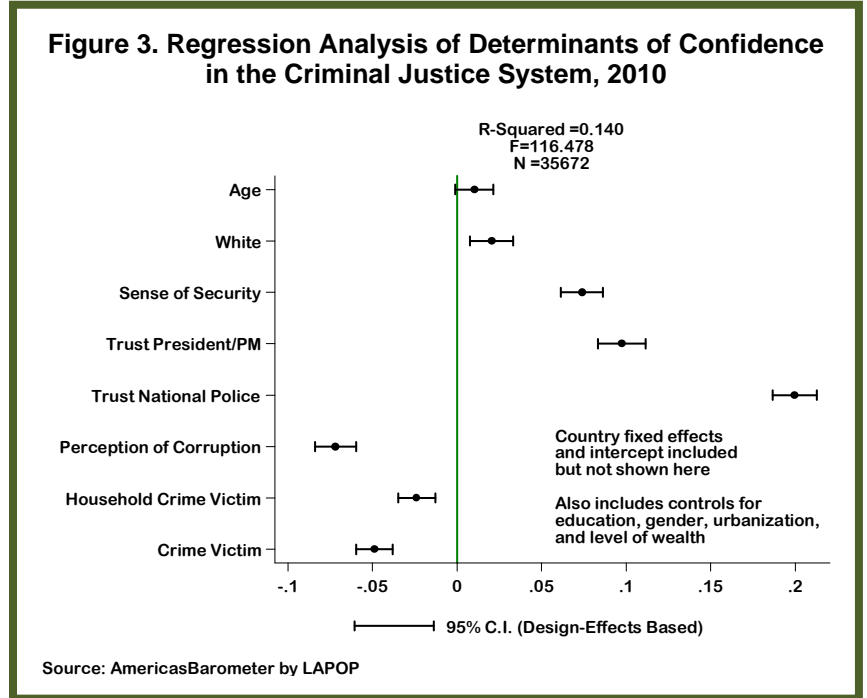


Figure 3, we assess the effect of self-identifying as “white” compared to self-identifying as anything else.

As shown in Figure 3, the results of the statistical analysis support the notion that a person’s sense of security and crime victimization are important predictors of confidence in the criminal justice system. As one might expect, the results indicate that individual-level crime victimization has a stronger impact than household crime victimization, but both variables are significant.<sup>14</sup> Interestingly, in analyses we conducted but do not show here, we found that a variable that records crime rates (measured by aggregating self-reports of crime victimization in the survey) by sub-national region also has a significant effect. This suggests that the effect of crime on confidence in the CJS is not limited to mere victimization; overall crime rates in the individual’s region also play an important role.

<sup>14</sup> We also found that an individual’s level of court utilization (variable EXC14) has no statistically significant effect. This corresponds with Benesh and Howells’ (2001) thesis that it is the *nature* of the interaction with the CJS that affects confidence, not simply the extent of such interaction.

The analysis also confirms our expectation that confidence in the criminal justice system is highly correlated with confidence in other governmental institutions. In fact, trust in the police and trust in the executive are the two strongest predictors of confidence in the CJS. We initially suspected that including both trust in the national police and confidence in the CJS might cause problems for the model, as we thought the two variables might capture the same sentiment. However, our robustness checks confirm that the other results we report here hold whether or not trust in the police is included in the model.<sup>15</sup> In other analyses not shown here we found that the inclusion of a variable that records approval of the government's performance in improving security diminishes the effect of the "trust in the president/PM" variable, with no significant effect on the results for the "trust in the national police" variable. This appears somewhat at odds with our "all good things go together" hypothesis and suggests that evaluations of a president's effectiveness in improving security, not his overall performance, translate most clearly into improved confidence in the CJS.

The analysis also supports our secondary expectations. As shown in Figure 3, perceived corruption is a robust predictor of diminished confidence in the CJS. A relationship between self-reported race/ethnicity and confidence in the system exists, as shown in Figure 3, but we note that this relationship is somewhat more complicated than it might appear at first glance. The analysis in Figure 3 shows that self-identification as "white" corresponds to greater confidence in the CJS, compared to all other racial and ethnic self-categorizations. However,

*[C]rime victimization, perceptions of corruption, and feelings of insecurity translate into diminished confidence in the criminal justice system.*

in analyses not shown here, we find that a variable in which the interviewer coded the interviewee's skin tone is not statistically significant. The discrepancy between objective (skin tone) and subjective (self-identification) measures of race is interesting and merits further study. In particular we suspect that the relationship between skin color or race/ethnicity and confidence in the criminal justice system might be one that varies by country, given the vastly different demographic profiles that exist across the Americas.

Interestingly, once we include other variables in the model, the effect of age becomes insignificant (as shown in Figure 3). The other socioeconomic and demographic variables considered earlier (education, wealth, gender, and urban vs. rural) have similar effects across the analyses shown in Figures 2 and 3 (these are not shown in Figure 3 for the sake of brevity; see the Appendix for the full regression results).

## Conclusions

We found that individual and household crime victimization, corruption perceptions, and insecurity translate into diminished confidence in the criminal justice system. Further, it seems that confidence in the CJS is closely tied to confidence in other government institutions. Various socioeconomic and demographic factors matter as well, such as education, wealth, and urban residency.

Our findings have significant public policy implications. Our analysis suggests that the best way to improve confidence in the CJS is to improve the system's performance, in particular in the domain of law and order. Lower crime victimization, heightened anti-corruption measures, and perceived security improvements should translate into greater confidence in the

<sup>15</sup> In other words, exclusion of the trust in the police variable does not significantly impact the effects of the other variables we report on here.

CJS. Because confidence in the CJS is closely tied to confidence in other government institutions and to effective citizen participation in the system (e.g., by witnesses and well-qualified personnel), such steps might improve faith in the overall government, enhance state legitimacy, and ultimately improve a country's democratic performance.

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## Appendix I: Full Regression Results

	Coefficient	Standard Error
Female	-0.005	.0053
Age	0.010	.0057
Urban	-0.029*	.0076
Level of Education	-0.031*	.0069
Quintile of Wealth	-0.013*	.0062
White	0.020*	.0065
Sense of Security	0.074*	.0063
Trust President/PM	0.097*	.0072
Trust National Police	0.200*	.0066
Perception of Corruption	-0.072*	.0062
Household Crime Victim	-0.024*	.0056
Crime Victim	-0.049*	.0055
Mexico	-0.021*	.0070
Guatemala	-0.008	.0074
El Salvador	-0.003	.0063
Honduras	0.032*	.0064
Nicaragua	0.014	.0078
Costa Rica	-0.038*	.0078
Panama	0.040*	.0083
Colombia	0.032*	.0075
Ecuador	-0.076*	.0111
Bolivia	-0.000	.0107
Peru	-0.006	.0075
Paraguay	-0.023*	.0076
Chile	-0.057*	.0075
Brazil	-0.049*	.0112
Venezuela	0.019*	.0088
Argentina	0.010	.0080
Dominican Republic	0.022*	.0074
Haiti	-0.013	.0074
Jamaica	0.091*	.0086
Guyana	0.063*	.0083
Trinidad & Tobago	0.002	.0073
Belize	0.024*	.0086
Suriname	0.048*	.0075
Constant	-0.008	.0070
<i>R-Squared</i>	0.140	
<i>Number of Observations</i>	35,672	
* p<0.05		

Note: Coefficients are statistically significant at \*p<0.05, two-tailed.

+Reference Country: Uruguay



## Appendix II: Author Biographies\*

Stefanie Herrmann has just finished her sophomore year at Vanderbilt University. She is a member of the College Scholars (Honors) Program and the Ingram Scholars Program. She is double majoring in French and European Studies and Latin American Studies. She is the founder and president of Vanderbilt Hope, a student-led organization focused on improving the quality of education locally in Nashville and internationally in South India. Stefanie is also a Resident Adviser at the University. After graduation she intends to pursue a career in international diplomacy.

Dillon MacDonald has just finished his junior year at Vanderbilt University and is a member of the College Scholars (Honors) Program. He is majoring in Political Science with minors in Economics and Financial Economics. After graduation he intends to pursue a career in financial services.

Rob Tauscher has just finished his sophomore year at Vanderbilt University and is a member of the College Scholars (Honors) Program. He is majoring in Biological Sciences and Spanish and is a member of the Vanderbilt Crew Team. After graduation he plans to attend medical school.

*\*Author names are listed alphabetically. Matthew Layton, a graduate student in Political Science at Vanderbilt University, acted as a technical consultant on this report.*