

“May I see Your Driver’s License, Please?”: The Emergence of Demeanor in Traffic Stops in the United States and El Salvador

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Abstract

Using audiotapes of sixty-three traffic stops as data, this paper explicates how such encounters are discursively and interactionally organized. In particular, this study examines the opening “requests” that patrol officers make of citizens in routine traffic encounters: “May I see your driver’s license?” This paper argues that demeanor of motorists emerges from the interaction itself; furthermore, it demonstrates how the outcomes of those encounters are reflexively and collaboratively produced by both the police and citizens alike, contingent upon police articulations of the opening turns and

citizens' understanding of them. As we will argue, requests in traffic stops are always encumbered in the context of other speech acts and other social, moral, and legal action.

Background and Context

Stops—vehicle and person—initiated by police contravene one of the fundamental rights of the public to move about freely, and poignantly illustrate the intrusive aspects of policing in a democratic state. In 1999 twenty-one percent of U.S. residents (43.8 million) encountered the police (Schmitt et al., 2002). In the U.K., police record that over two million U.K. citizens are subjected to stops and one million are subjected to search powers each year, but surveys indicate that the real figures may be as high as 8 million car stops and 3 million foot stops (Bowling, 2010). *Her Majesty's Chief Inspector of Constabulary* (HMIC) 2013 found that “The police use of stop and search powers has been cited as a key concern for police legitimacy and public trust in most of the major public inquiries into policing since the 1970s.” Tellingly, the Inspectorate also found that in 2011/12 only 9% led to arrests (HMIC, 2013). Stop & Search encounters between the police and the public have become a contentious issue, especially for people of color, leading to accusations of racial profiling and public protests against police (Bowling & Phillips, 2007; Higgs, 2012; Reilly, 2012). Traffic stops that escalate into allegations of the use of excessive force have often been the source of lawsuits contending Civil Rights violations and contentious traffic stops have frequently been the trigger for riots. It is well to remember that the riots over the Rodney King case in South Central Los Angeles, began for example, as a traffic stop. Degrading treatment during police stops has also been cited as a significant factor contributing to the recent London riots (Prasad, 2010). Modern technology has allowed recordings of poor practice in traffic stops to be widely disseminated. Thus, stops represent a pervasively occurring site of social and institutional interaction and contention between the police and the public, across the Western world (Delsol & Shiner, 2006; Lundman & Kaufman, 2003; Waddington, Stenson, & Don, 2004). Summarising the problems that arise from the intrusiveness and the contentiousness of police stops, HMIC (2013) found that “police use of stop and search powers is too often ineffective in tackling crime and procedurally incorrect, thereby threatening the legitimacy of the police.”

Opposition to Stop & Search powers has been developing for some time. In the case of *Gillan and Quinton V. The United Kingdom, 2010*, the *European Court of Human Rights* found that Stop and Search powers without suspicion that had been brought into being in the UK by section 44 of the *Terrorism Act, 2000* were a violation of the *European Convention on Human Rights*. The awareness of the problems around police stops has been raised by the *Open Society Justice Initiative* working with *Stopwatch* (2013), a coalition of legal experts, academics, citizens and civil liberties campaigners. Together they ran the *Stop & Talk* campaign, demonstrating the harm that citizens experience when subjected to police stops. In March 2010 the UK *Equality and Human Rights Commission* published the *Stop and think* report demonstrating that through effective action, the unmistakable and highly significant racial bias in the practice of police stops could be reduced. As a result, the UK government has announced a public consultation on Stop & Search powers (*Home Office, 2013*).

Introduction

In this paper we focus on interactions in traffic stops. Traffic stops are differentiated from other stops by the greater expectation of privacy that may be said to arise in a privately owned motor vehicle, though this expectation has been deconstructed in US law (Moran, 2002). How a police officer communicates with citizens in such encounters has been regarded as the paragon of police professionalism (Muir, 1977). Obviously, language is the means through which meaning is transmitted; yet, despite its importance in police work, talk has been virtually abandoned as a justifiable topic of inquiry in its own right (Shon, 2008). Previous researchers who have examined racial profiling in the U.S. and U.K. have noted that one of the primary shortcomings in the literature is that an explication of how the interactions—vehicle and person stops—are actually conducted is absent (Bowling & Phillips, 2007; Delsol & Shiner, 2006). Simply put, little is known about how the encounters between the police and the public actually unfold.

This paper attempts to remedy that existing gap in the literature by examining the way police officers and citizens actually talk to each other. This paper uses the opening “requests” that patrol officers make of citizens during traffic stops in the U.S. and El Salvador as data: “May I see your driver’s license?” How are such intrusive actions understood- if they are understood at all- by motorists who have been summoned to interact in a legally occasioned event? This paper conceptualizes bureaucratic requests first and foremost as speech-act-in-action (Schegloff, 1988), and examines how they are made meaningful in the context of mundane traffic encounters.

As this paper will show, requests in traffic stops are encumbered in the context of other speech acts, as well as other social, moral, and legal action. This paper demonstrates how the outcomes of such institutional encounters are reflexively produced, by police officers and citizens alike. By comparing traffic encounters from the two respective countries, we attempt to discern universalizable features of institutional discourse in the context of routine law enforcement.

Requests in Previous Works

Depending on context, in an attempt to get someone to do something, a request can be conceptualized as a directive (Austin, 1962; Ervin-Tripp, 1982, 1976; Taleghani-Nikazam, 2005). Scholars have found that status and power of the requestor, as well as the legitimacy of the request itself, shape outcomes. For instance, Griswold (2007: 292) found that “authority emerges when subordinates accept both the right of those in power to direct the actions of others and the rationale for this right” in the way requests are made (Heinmann, 2006). For a request to be granted, then, the requestor must possess the necessary authority to fulfill the preconditions of a request in the first place (Bargiela-Chiappini & Harris, 1996).

Previous works have also highlighted the salience of the syntactic forms of requests and directives in general. That is to say, directives can be hierarchically classified according

to the degree of force that is embedded within them, and the amount of social control the speaker wishes to exert over another speaker (Ervin-Tripp, 1976: 29). Curl and Drew (2008) also found that declarative forms of request lack a “display of entitlement” while interrogative forms show a marked sense of entitlement. They noted that requests are modified based on the relationship between the requestee and the requestor (Marcos & Bernicot, 1997). Similarly, Wichmann (2004) also found that requests that are made in private situations use “can” while “could” is used to formulate requests in public encounters. While it may be difficult to pinpoint “politeness” in requests, there is consensus that politeness effects are materialized through lexical markers such as “please,” “grateful,” “appreciate,” and modal verbs such as “would,” “could” and “may” (Bargiela-Chiappini & Harris, 1996: 645; Wootton, 2007).

There is also consensus in the literature that requests vary depending on cultural factors related to requestors. For example, Byon (2004) noted that while native English speakers and Korean Foreign Language learners made requests first and then followed up with an explanation for them, Korean native speakers reversed this process, the difference attributable to the way requests are viewed in Korean society as an impolite imposition. Yet, despite the convergence on power, status, syntax, form, and placement of politeness markers that affect the outcomes of requests, there are notable shortcomings in the literature on requests.

First, as the principal gatekeepers of the criminal justice system, the police exercise a considerable amount of discretion. The decision to apply the law in police-citizen encounters is axiomatically linked to the demeanor of the citizens involved. While prior research has examined requests in the context of children’s play educational settings, and other non-institutional contexts with the exception of calls to emergency centers (Whalen & Zimmerman, 1987), the requests that patrol officers make during their official duties have not been explicitly examined in their own right, despite the pervasiveness of traffic encounters and coercive mandate. An examination of requests police officers make during the course of their duties is thus warranted as a way of overcoming the preceding gap in the literature.

Second, criminologists have consistently used the words spoken by citizens and suspects as a representation—conduit—of demeanor (Mastrofski & Parks, 1990). A well-known example of this type of police classification of citizens is in van Maanen’s (1978: 223) argument that police categorize citizens into three “ideal” types: ‘suspicious persons’, ‘assholes’, and ‘know-nothings’. A ‘suspicious person’ is someone whom the police have reason to believe may have perpetrated an offense. An ‘asshole’ is someone who one who challenges police authority, openly displays his contempt for the police and does not “accept the police definition of the situation”. A know-nothing is someone who is neither suspicious nor an “asshole”. The following excerpt is an example from van Maanen (1978: 228):

Excerpt 1

Police Officer (PO): May I see your driver's license, please?

Motorist (M): Why the hell are you picking on me and not somewhere

PO: else looking for real criminals?
 Cause you're an asshole, that's why...but I didn't
 know until you opened your mouth

In this example conceptualized by van Maanen, there is an iconic correspondence between deference and demeanor. However, using language as a mere reflection of demeanor leads to a key analytical dilemma as some citizens guise their contempt for the police under a cloak of deference. That's because demeanor, like language, is interactive, dialogic, and reflexive. As Goffman (1967: 77) states, demeanor is a complex interweaving of "deportment, dress, and bearing": demeanor is self-presentational rather than self-professed (Goffman, 1959). Thus, when demeanor is exogenously imposed, it misses the rich ways that demeanor and language are performed *in situ*. And just as warnings that patrol officers issue to motorists really turn out to be threats, the polite requests patrol officers make may be imbued with coercion that is apt to be missed if cultural and ideological facets of police work are not taken into consideration. For such a reason, an analysis of requests that police officers make ought to be analyzed sequentially and informed by police ideology.

Third, while some works that have examined the discursive practices of police as a form of police behavior have emerged, those works are limited to an examination of U.S. police agencies (e.g., Shon, 2008). Consequently, research along such lines neglects to distinguish the universalizable aspects of police and citizen discourse across contexts and cultures from those that are culturally or nationally specific. Therefore, it behooves us to remedy this gap in the literature by discerning parallels and differences in the way institutional interactions unfold across cultural settings in a recognizably similar situational context.

Data and Method

This study uses audiotapes of sixty-three traffic stops as data. These were supplemented with "ride-alongs." The data represent observations and audio-recordings of five police agencies in two different states in the U.S. The audiotapes of ten traffic stops were made available to the first author for secondary analysis by officer "Harry" of Midwestern City Police Department. The rest of the traffic stops were observed and collected from four police departments in the southern region of the U.S. Out of the 50 U.S. traffic encounters, the police cited the motorists in 58 percent (29) of the cases, and released the drivers with a warning in 40 percent (20); one driver was arrested. This finding closely parallels national trends, for in 1999 alone 54 percent of the 19.3 million drivers were ticketed as a result of their contact with the police (Schmitt et al., 2002).

The U.S. data are then contrasted with the traffic bureau of the National Civil Police of El Salvador for comparative purposes. For more than a decade, El Salvador struggled through a civil war. The war ended in 1992 with the signing of the peace treaty between the government and rebel groups (Martínez, 1996). One notable compromise reached through peace negotiations was the dissolution of the military-controlled security forces in charge of public safety and the creation of a new law enforcement agency, the National

Civil Police (henceforth, PNC). The PNC, under the supervision of the United Nations, was implemented and deployed by 1994, and continues to provide basic law enforcement nationwide (Call, 1997; Costa, 1999). Yet, despite the peace treaty, non-political violence has been one of the most enduring issues in El Salvador (Arana, 2001); and while the PNC has effectively tackled major crime-control problems since its creation (Ponce *et al.*, 2005), traffic enforcement remains a high priority for the PNC since it represents the most visible and public face of modern law enforcement (Gardiner, 1969).

The recording of the traffic encounters took place in 2006 while the first author was present in El Salvador. The first author was invited by the PNC’s traffic bureau to observe; the recordings are based on one particular traffic unit who allowed the first author to be present. Therefore, the traffic stops are not necessarily generalizable to all traffic stops, and represent a convenience sample rather than a random one. All of the recorded traffic stops were transcribed. The PNC data were transcribed and translated by the administrative staff of the Center for Criminology and Police Science of the PNC. We have attempted to recapture the conversational details as much as possible, and will include those details when analytically relevant for the sake of clarity and accessibility. The traffic stops are identified as “(city name) Police # ___” + traffic stop #. For the sake of space, we have chosen as excerpts those encounters that best exemplify the analytical category under discussion.

Requests in Traffic Stops: A Street-Level View

Traffic stops are structurally and sequentially organized activities: the police summon motorists to “interact,” “initialize” the encounter through requests, and covertly solicit the problem, then inform citizens of their alleged infraction; the motorists, in return, may offer apologies and excuses, which works as a way of initiating the closing sequences in P-C encounters (Shon, 2008). That is, contingent upon nonverbal (e.g., how drivers pull over or do not) and verbal behaviors (e.g., proffering of excuses, accounts, apologies) drivers exhibit toward the police, they, in turn, modulate their treatment of drivers that result in lenient or punitive outcomes. But in addition to legal outcomes, the preceding factors shape the structural contours of talk between drivers and the police in other notable ways. After the motorists have been pulled over consider how the bureaucratically occasioned event is conversationally opened:

Excerpt 2 (Southern City Police: Traffic Stop # 19)

1 PO: alpha lima bravo romeo echo alpha
 2 union x-ray last name X
 3 DIS: 10-4
 4 → PO: sir can I have your driver’s license registration
 5 and proof of insurance?
 6 D: eeuh what’s the problem officer?
 7 PO: can I have your driver’s license, registration and
 8 proof of insurance
 9 (P)

10 D: here you go

Excerpt 3 (PNC: Autopista a Comalapa: Traffic Stop #1)

((Parada))

1 PO: bajese un momento jefe porfavor
 2 (7.5)
 3 Sus documentos de transito

((summons))

1 PO: please step out of the car for a moment chief
 2 (7.5)
 3 → your transit documents

Bureaucratic Requests

The officers in excerpt 1-3 open the encounter with the motorist through a bureaucratic request; the request topicalizes its object (license/traffic documents) as an item that is consequential for the business at hand and for the subsequent turns at talk (Schegloff, 1992b); and in excerpts 1-3 the officers attempt to get the motorist to do something, or what could broadly be conceptualized as a “directive” (Ervin-Tripp et al., 1987). As a speech act intended to influence the actions of another, the form of the bureaucratic directive is counterintuitive to the definition of the police, and implicitly contradicts the preconditions that legitimate its production. The police possess an authorized capacity to exercise a broad continuum of coercion to compel the citizens to comply with their directives (Bittner, 1978); however, as such an attempt, the bureaucratic request betrays its social marking and optimal communicative intent through a non-emphatic, indirect, and “opposable” interrogative. As Ervin-Tripp (1982: 40) writes, “the polite request as a social marker of age and rank implies expected failure.” There are more forceful, concise, and direct ways to get motorists to act.

As others have noted, the form a directive takes depends on variables such as age, status/power, and role. Hence, those in positions of power (superordinates) use more bald and direct imperatives and otherwise “talk down,” while subordinates use more indirect and face-saving strategies to get the superordinates to act, “talk up” (Ervin-Tripp, 1982). Hence, U.S. officers’ usage of the imbedded request already alludes to their sensitivity to the paradoxical origins of the very authority they exercise (Muir, 1977). Consequently, it is that coercive character of the encounter that the polite request mitigates; it anticipates potential resistance from its recipients, and preemptively inverts the moral trajectory of talk so that the citizens are put in a sequential position of power to grant or reject the directive (Wootton, 1984). The citizenry in the U.S., from the outset, then, are given options (illusory) to act, thus avoiding direct threats to their face; through the syntactic shape of the directive, intrusive power is mitigated, disguised, and veiled in the opening turn.

It is that mitigation and “softening” that is absent in excerpt 3. There is a conspicuous absence of modal verbs as a marker of politeness (except in the preceding clause directive). The initial request is phrased as a forceful and bald imperative. Moreover, rather than using a crisp ‘sir’ as a linguistic marker of politeness (Wootton, 2007), a colloquial address term (chief/jefe) is used to signify its social footing. That is, the coercive power of the police is encoded in the opening turn, and rather than using face-saving strategies and involvement forms of language, the police enact the superordinate position in the interaction by “talking down” to the very clients of their service.

Notice that in excerpts 1 and 2, the bureaucratic requests are permissively formulated and stand alone; the requests open the encounter and topicalize the official business with the public. The officer in excerpt 1 places in the sentence initial position a modal verb as a polite way of formulating the directive; a lexical marker of politeness (please) is used to complete his directive. Since the first pair part is a request, a preferred response to it would be (1) giving the officer the requested document or (2) a verbal acknowledgement (e.g., ok, sure) before initiating action. Either way, whether the second turn is performed directly or sequentially delayed through an inserted acknowledgement sequence, the action projected in the prior turn would be completed in a preferred manner (Wootton, 1981). However, the motorist’s second turn in excerpt 1 resembles nothing like a procedurally and sequentially relevant second pair part.

The motorist in excerpt 1 never responds to the request. The motorist not only deletes the topic raised in the prior turn but topicalizes a new one; and in it, he accuses the officer of an offensive act (Goodwin, 1990). The motorist thereby trivializes what the traffic officer does as being neither law enforcement nor peacekeeping, but something comparable to harassment; his turn is formulated in a register of a complaint (Matoesian, 1993), thereby setting up for an opposition—argument—in the very next turn (Maynard, 1985). This opposable utterance succeeds in denting the officer’s occupational identity, and the motorist finds the shortest route to disrespecting police authority (Westley, 1953). In response to the citizen’s complaint, the officer initiates a counter-complaint and topicalizes a category of his own: “cause you’re an asshole.” Through his second turn, then, the driver reveals his moral identity and initializes an argument with the police (Goodwin, 1982).

The request sequentially projects an orientation to it in the next turn; thus, a minimally type conforming (yes/no) response is expectable from the motorist about a topic that has been raised in the prior turn (Raymond, 2003). In excerpt 2, the motorist responds to the request by initiating another topic, the reason for the stop (line 6); that is, the motorist ignores the topical relevance the bureaucratic request projects and attempts to preemptively move to another step in the interactional order of traffic stops (Shon, 2008). And notice the problematic character of such a second turn response: the officer repeats the opening turn utterance, thereby indexing its “problematic” character, and compels the motorist to adhere to the sequential contours of the interaction the officer delineates (Tannen, 1987a). Simply put, the officer socializes the rebellious motorist into the interactional order of talk in P-C encounters. And that is precisely what the motorist does in the turn after (line 10): he treats the opening request as a request, and physically and

verbally responds to it in a sequentially preferred manner (here you go). Simply put, the verbally rebellious citizen has been socialized into a “governable,” one who conforms to the interactional order of police-citizen encounters (Muir, 1977).

These types of responses to requests are not only sequentially implicative for the next turn but morally so as well (Goffman, 1981: 35). The motorist in excerpt 1, by flouting what to the police is regarded as an expectable, anticipatable, and trustable next turn sequence (Garfinkel, 1967) through his turn design and topic recontextualization, mobilizes what becomes the incipient sequences of conflict talk (Antaki, 1994). The motorist inadvertently sacrifices further structural and sequential opportunities for favorable impression management (Goffman, 1959). By foregoing a normative rule of institutional interaction, the motorist provides the officer with a valuable conversational device with which to realign his moral character.

Interlocked Requests

Excerpt 4 (Southern City Police #3: Traffic Stop # 41)

3 → PO: how you doin sir let me see your driver’s license
 4 D: I don’t have one
 5 PO: why not?
 6 D: I got a DWI
 7 PO: is your license under suspension?
 8 D: no

Excerpt 5 (Midwest City Police: Traffic stop #2)

8 → PO: How you doin >see your driver’s license
 9 en proof of insurance?<
 10 (.7)
 11 D: I got it in my jacket can I get it?
 12 (.)
 13 PO: Yeah

Excerpt 6 (Southern City Police #1: Traffic Stop # 32)

9 → PO: >how you doing sir may I see your driver’s license
 10 plea[se?<
 11 D: [sure
 12 PO: good evening sir my name is officer X of the
 13 [Southern City police department the reason I’m
 14 D: [here you go () I’m Albert=
 15 PO: =>nice to meet you sir< the reason I’m pulling you over is...

Excerpt 7 (Midwest City Police: Traffic stop #5)

- 4 PO: Jesus Christ is he drunk?
 5 how you do[in' May I see your driver's license and proof of insurance?
 6 D: [hi

Excerpt 8 (PNC: Autopista a Comalapa: Traffic Stop #4)

((Parada))

- 1 D: buenos días jefe
 2 (.)
 3 PO: buenos días=
 4 D: =aja=
 5 PO: =sus documentos de tránsito por favor
 6 (2.3)
 7 D: venia muy muy rápido?

((summons))

- 1 D: good morning chief
 2 (.)
 3 → PO: good morning=
 4 D: =uh huh=
 5 → PO: =your transit documents please
 6 (2.3)
 7 D: was I driving to too fast?

Interlocked requests describe bureaucratic directives that are articulated alongside socially lubricating utterances such as greetings and 'how are yous' and other speech acts (Coupland et al., 1992). For instance, in excerpt 4-8, the officers' contacts with the public are composed of two distinct speech acts (greeting, request) that are compressed into the opening turn. In excerpt 5 and 6 the first turns are articulated with little pause between the two speech acts, in almost one breath. In excerpt 8, the driver, rather than the police, initiates the talk, thus deviating from the normative order of institutional interaction. In excerpt 4 the motorist treats the interlocked request as a request, and makes relevant in his response the object raised in the turn prior; the missing driver's license (line 4) becomes generative for further talk and turn expansion (line 5, 7).

Those who respond to the interlocked first turn with a "sure" are treating the [greeting + request] as a request; similarly, "I got it in my jacket can I get it?" is meaningful only if the utterance which preceded it is a request. For those who respond to the request with a "hi," the interlocked turn is treated as a greeting. Furthermore, the request is topically related to the occasioned institutional business, for the motorists' license (traffic documents) have sequential and organizational consequences for what follows next. Hence, the motorist in excerpt 4 who declares that he does not have his license is arrested. In excerpt 5 when the motorist responds "I got it in my jacket can I get it?" the indexical expression (it) has its referent in the historical antecedent that is made relevant and meaningful in the turn after the request.

The bureaucratic character of talk in traffic stops can be seen in the PNC data as well, for the traffic officer responds to the greeting in a conditionally relevant way; but just as significantly, the opening directive is articulated as a contiguous utterance, in a way that is strikingly similar to the U.S. data in that it is articulated in a perfunctory manner, present in form but not in intention. Thus, the bureaucratic character of police talk in El Salvador traffic stops also conforms to the contours of institutional talk others have noted (e.g., Drew & Heritage, 1992). If there are other parallels in the way traffic encounters are verbally organized in the two respective countries, they can be seen in the behavior of drivers. The motorist in excerpt 8 introduces a new topic in the turn after the initial request (line 7); by doing so, he canalizes the interactional order of traffic stops, and inverts the sequential and moral trajectory of talk and the encounter itself. In essence, he challenges the authority and legitimacy of the police, thereby taking the risk of his moral identity being recalibrated to that of an ‘asshole’, adumbrating a mutually disagreeable stance and an argument that follows.

Furthermore, motorists who interject into the officer’s talk (e.g., ex. 6, 7) or initiate a new topic while ignoring the relevancy requirements of the preceding turns (e.g., ex. 1, 2) may appear to be acting in a disaffiliative and argumentative sort of way (Makri-Tsilipakou, 1994). However, if the motorist’s response (i.e., hi) is seen as a response to the first turn constructional unit, then the overlapping greeting does not work as a disaffiliative move, a challenge to the officer’s request or as a sign of “uncooperativeness” (Murata, 1993). Thus, the motorist’s greeting response in excerpt 6 merely orients to an utterance that temporally precedes the second—bureaucratic—one; and Albert’s (excerpt 6, line 14) seemingly disaffiliative interruption merely completes the action initiated in a previous turn, and simply orients to the institutional talk as a social one (Wichmann, 2004).

In a sense, then, although the greeting is there, prior to the request, it is not there (absent) because some motorists do not “hear” the greeting and treat it as such. Thus, the talk between the police and citizens in the U.S. and El Salvador supports prior research on institutional talk which maintains that greetings and other recognitionals are absent in institutional talk (Whalen & Zimmerman, 1987). Even that absence, however, is performed collaboratively and reflexively: the rapid manner in which the greeting and other social talk is articulated, compressed into the official business at hand with little room for a “transition relevant place,” (Sacks et al., 1974) suggests that social discourse uttered in the pursuit of institutional action is present merely in form but not in intention. That is, the officers give no sequential opportunity or turn space for the other speaker to respond by articulating social talk in an overly perfunctory manner, thus prosodically imprinting their preference for what Clayman & Heritage (2002) have termed, institutional and bureaucratic organization of talk.

That some citizens respond to the interlocked request with a ‘hi’ demonstrates the way motorists orient to the social aspects of the encounter, not its institutionality, thus revealing a preference organization toward a noninstitutionalized format of talk (Wichmann, 2004). However, both the presence and absence of requests and greetings in the compressed first turn require sustenance from police officers and motorists: police

articulations and citizens' understandings of the opening turn are mutually and collaboratively performed in the opening moments of the interaction in the initial request.

Discussion

A traffic stop is a speech event that is culturally recognized as a law enforcement—institutional—activity (Drew & Heritage, 1992). The police initiate contact, ask questions, and otherwise sequentially dictate the interactional silhouette of the encounter. The first turn, by institutional design, belongs to the police and is almost always a question; the second turn belongs to the citizen and is usually an answer. Thus, traffic encounters are already structurally organized and constrained along the sequential pathways the police construct. These types of opening turn requests are relevant for the police since they function as a way of initializing the legal encounter, as well as a way of categorising the moral character of citizens: contingent upon motorists' responses to the officers' first turns, the police change their demeanor toward the public, hence, the outcome of the encounter (Maynard, 1991: 458). Motorists thus impact the moral, legal, and sequential contours of P-C encounters through their response in the second turn.

Being imputed as a deferential or a disrespectful citizen, then, has practical implications since it ascribes moral and legal identities to motorists (van Maanen, 1978). Utterances such as 'may I see your driver' license?' and 'your traffic documents' or their interlocked counterparts are rather simple, but do a tremendous amount of moral work. When someone utters a greeting or makes a request, recipients are normatively held accountable for a relevant next turn action (e.g., return greeting, comply with request). When speakers violate that projected expectation in the first turn the inference the violation generates is thoroughly moral. Hence, responding to bureaucratic requests with complaints or questioning the legal basis for the stop after the request—before the police announce it—serve as ways that speakers disengage themselves from traffic encounters. A most simplistic act triggers profoundly brutal consequences. However, as demonstrated in this paper, what that relevant next action is also constrained by the sequential placement, articulation, and delivery of those bureaucratic requests—requests that stand alone and clearly demarcate the footing of the encounter or requests that are sometimes buried in an avalanche of other speech acts that restrict drivers' orientation to utterances that adjacently precede them. Ascription of disrespect during traffic encounters, whether in the U.S. or El Salvador, arises from the violation of this normatively accountable communicative action—social—trust.

Respect not only tinctures the way police conceptualize their own identities, but functions as the moral currency of street interactions in general. Thus, motorists who violate communicative order of traffic stops fail to pay what the ideology of police work demands from the clients of their perceived service—respect; their reluctance to enter into the moral economy of the street results in predictable outcomes—citations. Motorists initialize that disrespect in the second turn by violating rules of relevance, essentially, initiating an argument with the officer. Consider the following:

Excerpt 10 (Southern City Police #4: Traffic Stop #20)

3 ((activates sirens))
 4 PO: good evening how you doin man?
 5 → D: you got a problem?
 6 PO: yeah it's a big problem what chug in a rush for?
 7 D: I'm not in a rush [I'm not speeding ((raised pitch and raised tone))
 8 PO: [yeah you just you were
 9 I didn't say you were speeding
 10 I didn't say why I stopped you yet
 11 → you got your license registration and proof of insurance?
 12 D: yes sir
 13 PO: you didn't come to a complete stop at that stop
 14 sign on Rex street and Saint Mary Rex street
 15 and east Lewis right there the stop sign the
 16 one where on Rex street you didn't come to a complete stop
 17 D: I thought I did [I'm (I)
 18 PO: [no you didn't and you're
 19 what chu in a rush for?

Excerpt 11 (PNC: Autopista a Comalapa: Traffic Stop #10)
 (English Translation only)

9 PO: step out for a moment if you like I'm going
 10 to write you a ticket
 11 (14.0)
 12 → D: That's what the radar gun says but I don't
 13 know if it's true
 14 (1.1)
 15 that the radar gun () because
 16 I didn't see you pointing at me but well
 17 (3.4)
 18 PO: the spad speed limit posted here
 19 (0.9)
 20 at sixty
 21 (1.3)
 22 → D: then write everybody a ticket because
 23 everyone () is driving faster than sixty
 24 (3.1)
 25 I don't think a single one is driving under sixty there
 26 (1.7)
 27 You see I'm telling you
 28 (1.2)
 29 PO: uh huh
 30 (0.5)
 31 → D: and where does it say he's driving sixty?
 32 ((car breaking and tires screeching))
 33 fuck that one is

34 (0.9)
 35 now stick him with a ticket
 36 ((laughing))
 37 (2.9)
 38 Where does it say here he's driving sixty?
 39 (0.7)
 40 PO: Kilometer
 41 (2.0)
 42 Twenty-five two kilometers back
 43 (0.7)
 44 there is a sign there
 45 (1.3)
 46 → D: but to build a big road like this so
 47 you can drive sixty you're better
 48 off not building it right? I think
 49 they have made a mistake

The motorist's response to the opening turn in excerpt 10 is far from the conventionalized monosyllabic 'fine' (Coupland et al., 1992). He responds to the greeting with a question that attempts to preemptively move to the first topic in a way that opposes the contextual and sequential relevance of the officer's first turn. The officer, in line 6, intensifies the motorist's initial assessment (Pomerantz, 1984) and suggests just what the problematic relevancy might be. The motorist in turn offers a canonic denial and disagreement (line 7), and sets himself up for the conflict to emerge in the form of counter-accusations (line 8-9). Only after such a nascent conflict-talk sequence does the request emerge in the encounter; and despite the motorist's deferential response to the request as an attempt to repair his damaged moral identity (line 12), and deescalate the encounter aggravated in the preceding turns through the attempted-but-aborted apology (line 17), the outcome of the encounter—and his negative identity—has already been determined.

In the next turn, the officer accuses the motorist of a legal violation (line 13), the "offensive act" (Goodwin, 1982); that accusation is treated in an adversative way by the motorist, which the officer himself treats as a warrantable source of disagreement (Gruber, 1998). And it is this format that is mirrored again in excerpt 11. The driver treats the officer's decision to write a ticket as a bone of contention, and uses it as fodder to challenge the very legitimacy of the police. This conflict-talk format is repeated throughout subsequent turns, with the driver contesting, challenging, and arguing with the traffic officer. How these types of disagreements are managed is the essence of conversational arguing (Muntigil & Turnbull, 1998), but the point is that in order for an argument to materialize, a proposition/statement that a speaker (A) makes must be treated in a disagreeable, adversative, or opposable manner by the next turn speaker (B) (Goodwin, 1990; Maynard, 1985).

That is to say arguments are "response centered" events (Hutchby, 1996); the motorist in excerpt 10 never accepts the uptake of the officer's greeting or the official request; instead, he responds to it and the stop itself as a source of disagreement and opposition,

and uses it to initiate an argument. That is, the motorist uses his second turn to display a hostile and an uncooperative attitude. Arguments cannot get started if motorists do not respond to the “summons to interact” as sources of opposition and escalate them, or if the police do not respond to citizens in opposition. While there is usually no clear winner and loser in arguments, the “loser” of arguments in traffic encounters incurs the heavy fine of a citation.

To transform a traffic stop into an argument through opposition in the turn after such requests not only shifts the locus of the axis from the police to the citizen, but it alters the categorial framework of the activity itself. Arguing with the police is a form of disrespect because it opposes and challenges, in form and content, the relevance and claims embodied in the opening turn (cf. Mastrofski et al., 2002). In other words, a citizen's violation in the second turn is not only sequentially implicative, but also activity-type implicative (Levinson, 1992). To wrest the sequential axis of interaction from the police is essentially to challenge their authority; and by shifting the *police-citizen* encounter to a *citizen-police* encounter, the citizen repaves the interactional frame of the encounter. As shown here, drivers in the U.S. and El Salvador behave in similar ways that verbally challenge and disrespect the police at the earliest possible turn.

But if drivers have the sequential power to shape the structure of the encounter in the turn after the opening, then the police, too, have the power to tune the moral rhythm of the interaction in ways that are less mordant. Notice that in excerpt 11, the driver initiates the argument with the police by treating the occasioned event in an adverse way (line 12-13). But in subsequent turns, it is the traffic cop who fertilizes the argument through his self-initiated turn at talk (lines 18, 29, 40). The 3.4 (line 17) second pause after the driver's vitriolic complaint (lines 12-16) clearly signals the termination of his turn-in-progress and demarcates a transition relevant place. Yet, the officer's self-initiated next turn at talk (lines 18-20) launches the next argument sequence since the driver uses the very preceding turn as ammunition for his next adverse turn. The driver's pauses (lines 24, 26, 28), rather than marking transition across turns, is now used as an intraturn transitional device, almost as if generating momentum for the more intensified argument to emerge. That is, the driver almost talks himself into a frenzy in order to elongate his argument with the police: (1) the pace of the driver's talk escalates, as indicated by the decrease in pause length (2) when the officer proffers a minimal token acknowledgement (line 29) that token is used as another opposable item: profanity appears in his talk as an interjection marker to indicate his disagreeable affective stance (line 33). Simply put, the argument escalates—but only because the traffic officer responds to the driver's complaint, and fails to use silence as an interactional resource (Saville-Troike, 1985). Consequently, the argument is unnecessarily sustained across four turns.

Conclusion

The current policing literature has established that perceptions of legitimacy of the police are inversely related to stop and searches (Tyler & Fagan, 2012; Her *Majesty's Chief Inspector of Constabulary*, 2013) and contacts between police and Minority Ethnic Groups have significantly undermined race relations (Bowling & Phillips, 2007; Reilly,

2012; Waddington, Stenson, & Don, 2004; Delson & Shiner, 2006; *Open Society Justice Initiative* and *Stop Watch*, 2013). In the current study, we have demonstrated that how the police talk to and interpret citizens during their encounters has implications for the direction that the interactions will take and hence on public attitudes toward the legitimacy of the police.

Furthermore, we have noted syntactic differences in the way the requests are made, one veiling its power under a guise of indirect politeness while another leaves its coercive fingerprint in the form of the language. As argued here, it is this latter type of law enforcement that is inconsistent with the democratic ideals of policing, and one that may corrode legitimacy of the police in the ears of the public since talk that travels down bears a striking resemblance to the discourse of imperatives of state-controlled security forces (Montgomery, 1995). A police force that is democratic is one that is just, equitable, and accountable to the *campesinos*, in policy as well as in the structure and allocation of turns (see Wood, 2003).

Furthermore, we have shown that there are cross-cultural parallels in the interactions that occur in traffic stops. We have also shown that police discourse in both El Salvador and the United States shares perfunctory characteristics in the manner of articulation and delivery with other institutional discourses. Challenging the moral and legal authority of the police is perceived by them, as disrespect (Westley, 1953). That challenge, along with citizens' demeanor, emerges in traffic stops from the way that citizens respond to requests and other speech acts in the opening turns. If drivers are obstreperous, or challenge police authority, by launching into a complaint sequence when asked for a driver's license, preemptively moving to the first topic slot, and treating the stop itself as a source of conflict, they may be perceived as performing disrespect (Dersley & Wooton, 2000, 2001). However, deference toward the police is also spoken into existence in the micro-details of communicative action through the citizens' verbal behavior. Both participants speak the interactional order of traffic stops into being and sustain that frame through collaborative discursive work. Conflict in the traffic stop can be escalated by either police or citizens. As shown here, a driver's attempt to topicalize the reason for the stop after the request is interpreted by police as a way of disrespecting police authority and instantiates an argument with the police. This paper has also shown that the police may be witting or unwitting contributors to the escalation of arguments during traffic stops.

Citizens' satisfaction with police services can be quantitatively measured through complaint records, surveys, and interviews, but in this study, the actual recordings of encounters between the police and the public have yielded interesting and usable findings. In the context of broader research about more appropriate targeting and minimisation of stop and search practices by police (*Equality & Human Rights Commission*, 2013; HMIC, 2013), our research can be used to urge and shape training of police in de-escalation techniques. Several questions emerge from our findings. How might variations in the sequential ordering of reasons for a stop affect citizens' satisfaction with police services and their perceptions of fairness? Would the announcement of reasons for the stop at the earliest sequential opportunity increase

perceptions of police legitimacy? How should such announcements be verbally organized and sequenced? What other phenomenon might we find if we conceptualized and operationalized traffic stops as (process-oriented) speech events rather than (outcome-oriented) statistical events? These are questions that are worthy of pursuit in future research.

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