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New Developments in Procedural Fairness: A Quarterly Report
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General Research

Juan Liang & Xianoa Li, *Explaining the Procedural Justice–Perceived Legitimacy Relationship: Relying on Relational Concern or Instrumental Concern?* J. COMMUNITY & APPLIED SOC. PSYCHOL. (published online January 2019), <https://onlinelibrary.wiley.com/doi/full/10.1002/casp.2394>.

Abstract

People can extract relational information (i.e., relational concern) as well as instrumental information (i.e., instrumental concern) from decision-making procedures. Thus, both instrumental and relational concerns are assumed to influence the procedural justice–perceived legitimacy relationship. Drawing from social exchange theory, the different kinds of concerns may lead to form different exchange relationships (social exchange relationship vs. economic relationship), which can be indicated by two forms of trust (affect-based trust vs. cognition-based trust). We built a model of trust mediation in which procedural justice predicted affect-based and cognition-based trust. Further, we also tested the hypothesis that high (compared with low) group identification individuals are more likely to rely on relational concern to construct procedural justice and judge legitimacy of authority, because they use procedural fairness information to infer the quality of their relationships with the authority. The results of an experiment (Study 1) demonstrated that both affect-based trust and cognition-based trust mediated the procedural justice–perceived legitimacy relationship. Moreover, a field study (Study 2) showed that affect-based trust mediated the relationship between procedural justice and perceived legitimacy primarily among individuals with high group identification whereas cognition-based trust mediated this relationship primarily among those with low group identification.

Liana Pennington & Amy Farrell, *Role of Voice in the Legal Process*, CRIMINOLOGY (published online February 2019), <https://onlinelibrary.wiley.com/doi/abs/10.1111/1745-9125.12205>.

Abstract

As communities face unrest and protest because of perceived racial bias and decreased trust and confidence in the criminal justice system, it is critical to explore mechanisms that foster institutional legitimacy. Voice is a central element in the procedural justice framework because it is anticipated to promote process control as well as a shared understanding between institutions and communities. As a concept, however, voice is undertheorized. Measures of voice used in legitimacy research may result in oversimplification of the concept, not fully capturing the struggles disadvantaged people face in trying to exercise influence in the court system. Through the use of rich data from qualitative interviews with youth and families involved in the juvenile justice system and in-depth observations of juvenile court events, we explore what voice is, the mechanisms through which people try to assert voice, and how voice matters in the legal process. Respondents sought voice for many reasons, including to validate their experiences, to affirm their membership in a community, and to assert concerns about perceived police misconduct. Contrary to traditional conceptualizations of voice as a static event (e.g., having voice or not having voice), voice was a process of negotiating dialogue between court officials and court participants throughout the legal process.

Richard K. Moule, Jr. et al., *Legal Socialization and Subcultural Norms: Examining Linkages Between Perceptions of Procedural Justice, Legal Cynicism, and the Code of the Street*, 61 J. CRIM. JUST. 26 (2019),

<https://www.sciencedirect.com/science/article/pii/S0047235218304641>.

Abstract

Purpose: The procedural justice model of legal socialization holds that perceptions of unfair treatment by legal authorities foster cynicism toward the law. Subcultural theories argue negative perceptions of those same authorities, and resulting cynicism toward the law, also foster belief in antisocial norms. The current study considers the overlap of these literatures by exploring the psychometric properties of the core constructs found in both models and the relationships between these constructs.

Methods: Using a national sample of 702 American adults, confirmatory factor analysis and structural equation modeling are used to assess the relationships between perceptions of procedural justice, legal cynicism, and the code of the street.

Results: Confirmatory factor analysis indicates legal cynicism and the street code are empirically distinct, but moderately correlated. Structural equation modeling shows that perceptions of procedural justice and legal cynicism are both significantly associated with street code beliefs. Perceptions of procedural justice also have a significant indirect effect on street code beliefs through legal cynicism. Alternative model specifications demonstrate a persisting association between cynicism and the street code, but mixed evidence for relationships between experiences with police and belief in the code.

Conclusions: Findings highlight opportunities to better integrate the legal socialization and subcultural literatures.

Compliance and Cooperation

Policing

Stacie St. Louis & Jack R. Greene, *Social Context in Police Legitimacy: Giving Meaning to Police/Community Contacts*, POLICING & SOC'Y (published online February 2019), <https://www.tandfonline.com/doi/abs/10.1080/10439463.2019.1578768>.

Abstract

The history of policing in the United States is a history of tension between the police and the public, especially in marginalized communities, where the legitimacy of the police and their interventions has been most questioned. Marginalized and often minority communities often complain about over and under policing, that is, policing that harasses local residents but does not address serious crime. In recent years, concerns with the institutional legitimacy of the police in the US and elsewhere have risen in public discussions and in scientific research. Current models of police legitimacy tend to focus on transactions between the police and the public over matters of procedural justice; however, taking a more contextual view of police interventions in communities provides opportunities to look beyond transactions and sort out the socio-cultural acceptance of the police against the myriad of services they provide to communities. Here we focus on census tracts in Boston, merging calls for service data with perceptual survey data. We find significant differences in the types of police services requested by advantaged and disadvantaged communities. Public-initiated calls for service are largely for emergency response matters as opposed to crime prevention and community restoration; police-initiated services, however, are more evenly distributed across prevention, response, and restoration. While residents of disadvantaged, high-crime communities request the police more often, they perceive themselves as unwilling to report crime. Additionally, they perceive their communities as unsafe while also viewing the police as less legitimate.

Jeffrey B. Snipes, Edward Maguire & David H. Tyler, *The Effects of Procedural Justice on Civil Disobedience: Evidence from Protesters in Three Cities*, 42 J. CRIME & JUST. 32 (2019), <https://asu.pure.elsevier.com/en/publications/the-effects-of-procedural-justice-on-civil-disobedience-evidence->.

Abstract

A large body of research reveals that procedural justice influences compliance with the law and legal authorities in a variety of settings. Recent research in protest settings has found that procedural justice influences protesters' attitudes toward the use of violence against police as well as their self-reported violent behaviors toward police. Protesters who perceive the police as unjust are more willing to use or support the use of violence against the police. What is not yet known is the extent to which procedural justice might influence non-violent forms of illegal behavior among protesters. Based on data from surveys of protesters in three U.S. cities (Oakland, CA, New York, NY, and Washington, D.C.), we examine the linkages between procedural justice and civil disobedience.

Terance D. Miethe, Olesya Venger & Joel D. Lieberman, *Police Use of Force and Its Video Coverage: An Experimental Study of the Impact of Media Source and Content on Public Perceptions*, J. CRIM. JUST. 35 (2019),

<https://www.sciencedirect.com/science/article/pii/S0047235218303702>.

Abstract

Purpose: To explore the influence of media source, suspect's alleged criminal activity, and the rater's socio-demographic attributes on public ratings of video incidents of police use of force (PUF).

Methods: A national online sample of 581 adults viewed and evaluated four different PUF videos in a 3 × 3 experimental design. Study participants were randomly assigned to experimental conditions involving differences in (1) media sources and (2) suspect's alleged criminal activity. The dependent variables included ratings of the credibility of the video's media source (i.e., trust in the source and accuracy of its video account) and the officer's conduct (i.e., excessive force, justifiable force). The independent and moderating variables included the experimental conditions, personal salience of PUF incidents, the rater's use of different media sources, and other socio-demographic attributes.

Results: Three major results were found in this study: (1) video accounts of PUF are rated as more trustworthy when the video is attributed to "national TV news" source than "social media" outlets, (2) ratings of excessive force are more likely in PUF incidents when they involve a more dangerous offender (i.e., an alleged murder vs. shoplifter), and (3) the impact of the individual's socio-demographic characteristics on these public perceptions are strongly moderated by the personal salience of PUF incidents to the rater and their pattern of daily usage of conventional and social media.

Conclusions: The visual content in short, video clips of PUF incidents strongly influences public attitudes about the officer's conduct as excessive and unjustifiable. However, by the timely release of the video images and framing them within their wider context, police departments may better demonstrate transparency and help overcome various cognitive biases that may underlie adverse public reactions to PUF incidents.

Sergio M. Montolio, *Black Lives Matter Members' Perceptions of Police Attitudes Towards African Americans* (December 2018) (unpublished Ph.D. dissertation, Walden University),

<https://search.proquest.com/openview/b2f0360d5805f989d8bfb6872d6c55a8/1?pq-origsite=gscholar&cbl=18750&diss=y>.

Abstract

The relationship between the police and African Americans has been fraught for some time. In the 2010s, amid the rise of the Black Lives Matter movement, the relationship between African Americans and the police was marked by serious tensions including racism, White privilege, and perceptions of police brutality. The purpose of this case study was to explore the current relationship between the police and the Black Lives Matter social movement and assess movement activists' perceptions of police actions. The

theoretical framework for this qualitative case study was based on procedural justice and the reason of actions component of Derrick Bell's critical race theory. Data for this study included more than 1,000 social media postings from Facebook and Twitter; 205 public documents, which included police interactions, incident reports, and interviews; and 25 observations from public gatherings between 2013-2016. Data were coded into a priori themes and then content analyzed. Findings indicated that the Black Lives Matter movement generally increases the tensions in the relationship between the police and African Americans, creating emotional strain due to activists' messages of racism, White privilege, and violence. Recommendations included expanding open communication with the police, providing more training for the police, and encouraging police officers to control their actions when having interactions with African Americans, all of which may result in positive social change. The study findings provided a blueprint for community policing in minority communities.

Matthew Kenyon, *Correlates of Procedural Justice in American Law Enforcement* (2018) (unpublished Ph.D. dissertation, George Mason University), <https://search.proquest.com/openview/eb10707d6a58a1c51abd57555536fe52/1?pq-origsite=gscholar&cbl=18750&diss=y>.

Abstract

While there have been many calls for the expanded use of procedural justice in American law enforcement agencies over the past few years, little is known about what can be done to increase adoption. An examination of the personal and contextual factors that correlate with the support for and use of procedural justice by law enforcement officers was completed using survey data from over 6,300 officers across 64 agencies to gain insight into what may be useful in increasing adoption. Results indicate that having values compatible with procedural justice, a strong organizational commitment, and a college degree all correlate with an increase in a predisposition to act in procedurally just ways. An officer's race correlates with procedural justice in different ways, with non-white officers more likely to support procedural justice but white officers more predisposed to use procedural justice. Officer perceptions of their agency leadership's support for procedural justice generally correlate with a predisposition to use procedural justice, but these perceptions do not always align with the chief's stance on procedural justice. Effects were tested for possible mediation by an officer's support for procedural justice as an innovation, but these results could not support a meaningful mediation effect due to small indirect effect sizes. While the effect sizes are small across the variables, these results suggest important implications for law enforcement leaders and researchers. Police chiefs can focus on hiring diverse, college-educated officers and training them to value a procedurally just model of policing. In addition, future research should focus on longitudinal studies of these factors as well as broader studies of other factors that may influence procedural justice use.

David Hurdle, *Can a Procedural Justice Approach to Enforcement Reduce Low-Level Speeding?* (2019) (unpublished M.S. thesis, Edith Cowan University), <https://ro.ecu.edu.au/theses/2168/>.

Abstract

Low level speeding is widespread and generally considered socially acceptable and not suitable for enforcement by police (Austroads, 2013). However, it is the widespread nature that magnifies both the risk and the benefits from reducing the prevalence of the behavior. The aim of this study is to ascertain if using a procedural justice approach to enforcement could result in a reduction in low level speeding. Enforcement has been shown to be effective at reducing speeding and procedural justice as promoting perceptions of fairness, acceptance of enforcement and future compliance with the law. . . . The study found that procedural justice had positive effects on perceptions of fairness, acceptance of enforcement by infringement and future compliance with the speed limit. Road setting and enforcement type had some effect but this was in the strength of the influence of procedural justice rather than the direction. A procedural justice approach to enforcement was found to increase perceptions of future compliance with the speed limit even in those who routinely exceed the speed limit or who did not believe in the strict enforcement. The findings are a positive for policing and road safety as they provide a strategy to tackle the low level speeding issue that may be effective but maintain legitimacy. It provides support for the concepts arising from procedural justice theory and a base for further research.

Christopher D. Maxwell et al., *Status Influences on Perceptions of Procedural Justice: A Test of the Group Value Model Among Intimate Partner Violence Arrestees*, INT'L J. COMP. & APPLIED CRIM. JUST. (published online February 2019), <https://www.tandfonline.com/doi/abs/10.1080/01924036.2019.1575253>.

Abstract

Procedural justice theorists contend that individuals who see police acting in a procedurally fair manner will more frequently comply with police commands and obey the law. While studies report positive correlations between perception of fairness and compliance with police commands, there is a dearth of research about whether procedural or distributive justice processes can influence subsequent compliance with the law. This research tests whether a person's social status influences their perceptions of procedural and distributive justice among a sample of men arrested for suspected assault of their intimate partner. This research also tests whether these suspects' perceptions of the procedural and distributive justice properties of their police encounter influence their long-term compliance with the law. The analyses indicate that there are few differences in perceptions of procedural and distributive justice across social statuses. However, the analysis does show that a more respectful police interaction positively influences subsequent compliance.

Tyrell Spencer, *Police Legitimacy Across High-Crime Contexts: An Examination of Neighborhood-Level Expressive Concerns and Accumulated Experiences* (October 2018) (unpublished M.A. thesis, Southern Illinois University, Carbondale), <https://search.proquest.com/openview/a6ef1774f3b754af14cf3b7a816401fa/1?pq-origsite=gscholar&cbl=18750&diss=y>.

Abstract

Research on public perceptions of the police has identified various individual characteristics that have been found to influence police legitimacy. These individual characteristics often reflect demographic factors such as race/ethnicity, age and socioeconomic status. In addition to demographic factors, process-based factors such as procedural justice and fairness have also been found to influence individual perceptions of legitimacy. What has not been fully established within the literature on public perceptions of police is the extent to which neighborhood characteristics and context shape neighborhood assessments of police legitimacy. This thesis seeks to fill in the gap on public perceptions of police by examining whether expressive concerns and accumulated experiences with police at the neighborhood-level influence legitimacy judgments across high-crime areas. Using baseline survey data collected for the St. Louis County Hot Spots in Residential Areas (SCHIRA) project between March and May of 2012, residents in St. Louis County, Missouri are aggregated to 71 crime hot spots. Findings suggest that neighborhood-level expressive concerns and accumulated experiences do not influence legitimacy judgments across the high-crime areas. However, low neighborhood cohesion predicts the percentage of residents in the area having a recent negative experience with police. Implications for future research and police practice are discussed

Ross Deuchar, Vaughn J. Crichlow & Seth Wyatt Fallik, *Cops in Crisis?: Ethnographic Insights on a New Era of Politicization, Activism, Accountability, and Change in Transatlantic Policing*, POLICING & SOC'Y (published online February 219), <https://www.tandfonline.com/doi/abs/10.1080/10439463.2019.1584197>.

Abstract

Against the complex backdrop of a post-modern era, characterized by a renewed emphasis on public accountability, oppositional social and political movements, it has been argued that traditional agents of social control have increasingly begun to experience a sense of disempowerment. Nowhere has this been more apparent than within the context of policing, where the increased influence of the mass media, social media, and newly empowered groups has led to an apparent legitimacy crisis on both sides of the Atlantic. To better understand officers' views, attitudes, and perspectives about the changing landscape of policing, this paper reports on insights from a comparative study involving participant observation in two counties in a Southern State in the United States of America and three inner-city areas in Scotland. The observations were paired with in-depth semi-structured interviews with 18 American and 22 Scottish officers. The data suggest that officers on both sides of the Atlantic are hostile towards the increasing influence of new forms of media and digital activism. Many officers also expressed concern for declining public cooperation and perceived there to have been a general diminution of police authority and enforcement tactics. Finally, there was a general feeling of reduced officer self-legitimacy among the participants but an increased awareness of procedural justice and alternative (and more covert) enforcement strategies. The implications from these findings are discussed in terms of changing perceptions of justice, legitimacy, social ideology, and the proposed consequences for rights-based policing in the 21st Century.

Amanda Geller & Jeffrey Fagan, *Police Contact and the Legal Socialization of Urban Teens*, 5 J. SOC. SCI. 26 (2019), <https://www.rsjournal.org/content/5/1/26.abstract>.

Abstract

Contemporary American policing has routinized involuntary police contacts with young people through frequent, sometimes intrusive investigative stops. Personal experience with the police has the potential to corrode adolescents' relationships with law and skew law-related behaviors. We use the Fragile Families and Child Wellbeing Study to estimate how adolescents' experiences with the police shape their legal socialization. We find that both personal and vicarious police contact are associated with increased legal cynicism. Associations are present across racial groups and are not explained by teens' behaviors, school settings, or family backgrounds. Legal cynicism is amplified in teens reporting intrusive contact but diminished among teens reporting experiences characterized by procedural justice. Our findings suggest that aggressive policing risks weakening teens' deference to law and legal authorities.

Rick Trinkner et al., *Legal Socialization in Brazil: Examining the Generalizability of the Procedural Justice Model*, INT'L J. COMP. & APPLIED CRIM. JUST. (published online March 2019),

https://www.researchgate.net/profile/Rick_Trinkner/publication/331356868_Legal_Socialization_in_Brazil_Examining_the_Generalizability_of_the_Procedural_Justice_Model/links/5c75834c458515831f729022/Legal-Socialization-in-Brazil-Examining-the-Generalizability-of-the-Procedural-Justice-Model.pdf.

Abstract

Research examining the legal socialization process continues to be almost exclusively focused on US adolescents, calling into question the generalizability of this body of work. The purpose of this study was to test a popular model of legal socialization—the procedural justice model—amongst a representative sample of young adolescents in São Paulo, Brazil. Approximately 750 12-year-olds completed a survey assessing their direct and vicarious contact with police, judgments of police procedural justice, crime perceptions, police legitimacy, legal cynicism, and criminal offending. Both direct and indirect experience with the police was associated with lower procedural justice. Police legitimacy was associated with both procedural justice and crime perceptions; however, legal cynicism was only associated with perceptions of crime. Finally, higher perceptions of police legitimacy, but not legal cynicism, was associated with lower levels of self-reported offending. Overall, this study showed mixed support for the generalizability of the procedural justice model of legal socialization. While the links among police contact, procedural justice, police legitimacy, and offending were substantively identical to findings from the US, no support was found for the argument of legal cynicism as an additional mechanism linking police contact to criminal offending in youth.

Jonathan Jackson et al., *Police Legitimacy and the Norm to Cooperate: Using a Mixed Effects Location-Scale Model to Estimate the Strength of Social Norms at Small Spatial*

Scale, J. QUANTITATIVE CRIMINOLOGY (published online March 2019),
https://www.researchgate.net/profile/Jonathan_Jackson3/publication/332152764_Police_Legitimacy_and_the_Norm_to_Cooperate_Using_a_Mixed_Effects_Location-Scale_Model_to_Estimate_the_Strength_of_Social_Norms_at_Small_Spatial_Scale/links/5ca36d96299bf1b86d5f9a12/Police-Legitimacy-and-the-Norm-to-Cooperate-Using-a-Mixed-Effects-Location-Scale-Model-to-Estimate-the-Strength-of-Social-Norms-at-Small-Spatial-Scale.pdf.

Abstract

Objectives: Test whether cooperation with the police is a social norm that varies in strength from neighborhood to neighborhood. Test whether police legitimacy plays no role with willingness to cooperate in neighborhoods where the norm is strong but is a positive predictor of cooperation in neighborhoods where the norm is weak.

Methods: A survey of 1,057 individuals in 98 neighborhoods, defined at small spatial scale, measures (a) willingness to cooperate using a hypothetical vignette and (b) legitimacy using normative alignment indicators. A mixed-effects location-scale model estimates the cluster-level mean and variance of cooperation as a latent variable. A cross-level interaction tests whether legitimacy predicts cooperation only in neighborhoods where the norm to cooperate is weak.

Results: Willingness to cooperate with the police clusters strongly by neighborhood and there are neighborhoods with (i) high mean and low variance, (ii) high mean and high variance, (iii) (relatively) low mean and low variance, and (iv) (relatively) low mean and high variance. Legitimacy is only a positive predictor of cooperation in neighborhoods that have a low mean and high variance. In neighborhoods where the norm to cooperate is strong, most people are willing to engage so there is little variance left over to explain.

Conclusions: Findings support a boundary condition of procedural justice theory: namely, cooperation with the police is a social norm that varies from neighborhood to neighborhood and that legitimacy only plays a role in neighborhoods where the social norm is weak.

Lisa M. Dario et al., *Assessing LGBT People's Perceptions of Police Legitimacy*, J. HOMOSEXUALITY (published online January 2019),
https://www.researchgate.net/publication/330326762_Assessing_LGBT_People's_Perceptions_of_Police_Legitimacy.

Abstract

Although lesbian, gay, bisexual, and transgender (LGBT) people have achieved increased acceptance and access to social institutions in recent years, they have continued to be confronted with persistent homophobic attitudes, including from U.S. law enforcement personnel. Police culture often fosters these beliefs, and consequently results in the under-policing of LGBT citizens when victimized, but over-

policing in places of leisure. This relationship is exacerbated when considering the intersectional effect of gender and sexual orientation, undoubtedly impacting legitimacy perceptions due to perceived (and actual) procedural injustice. Using original data collected at an LGBT festival in Arizona (N = 428), the current study examines the relationship between procedural justice and perceptions of police legitimacy among a historically marginalized population. Implications for theory and policy are discussed, with special attention given to contextualizing the findings within the current legitimacy crisis faced by American law enforcement.

Starr J. Solomon, Examining the Role of Treatment Quality, Decision-Making Quality, and Driver Race During Traffic Stops (June 2018) (unpublished Ph.D. dissertation, University of Nebraska),

<https://search.proquest.com/openview/54a4998265c8d0d8d417bc5aaf6cac9c/1?pq-origsite=gscholar&cbl=18750&diss=y>.

Abstract

Fair procedures in police encounters lead to perceptions of police legitimacy and to compliance with police officer requests. In order for police to effectively utilize procedural justice and build legitimacy, it is important to consider which components of procedural justice contribute to public perceptions of fair treatment by police and legitimate police action. Few studies have explicitly explored how the components of procedural justice influence perceptions of police legitimacy during traffic stops. Additionally, limited scholarship examines whether the race of the driver involved in traffic stops moderates perceptions of procedural justice during traffic stops. The purpose of this dissertation is to examine how differentially emphasizing the components of procedural justice and driver race during traffic stops influences public perceptions of police. I utilize a factorial design to examine whether quality of police treatment, quality of police decision-making, and driver race are related to encounter-specific perceptions of fair treatment, obligations to obey police, trust in police, and cooperation with police. The findings indicated that respectful treatment and high-quality decision-making were positively associated with perceptions of police. However, the treatment of black drivers was negatively associated with perceptions of fair treatment, trust in police, and cooperation with police. The methodological and theoretical implications of these findings are discussed in detail.

New Thinking and Interpretations

P. Colin Bolger & Glenn D. Walters, *The Relationship Between Police Procedural Justice, Police Legitimacy, and People's Willingness to Cooperate with Law Enforcement: A Meta-Analysis*, 60 J. CRIM. JUST. 93 (2019),

<https://www.sciencedirect.com/science/article/pii/S0047235219300029>.

Introduction

Citizen cooperation with the police can have an important bearing on how effective the police are in performing their duties. Without cooperation, suspects disappear, leads unravel, arrests plummet, and cases fail to materialize. In those low-income communities where citizens tend not to report crime, the crime rate is nearly always high (La Vigne, Fontaine, & Dwivedi, 2017), whereas citizens who report victimization experiences to the police are less likely to be victimized in the future than those who do not report victimization experiences to the police (Ranapurwala, Berg, & Casteel, 2016). When victimization experiences are not reported to the police, criminals become emboldened and their inclination to believe they are above the law grows even stronger. Finding ways to encourage the public to cooperate with the police and other law enforcement officials is therefore of cardinal significance when it comes to improving police effectiveness. First, however, we must identify the factors that motivate the public to cooperate with the police. Two such factors, perceived police procedural justice and police legitimacy beliefs, were the focus of the current investigation. This investigation will use the meta-analytic method to examine the univariate associations between procedural justice, legitimacy beliefs, and cooperation with the police in studies conducted over the past 28 years.

Jane Tudor-Owen, *The Importance of 'Blue Shirts' in Traffic Policing*, POLICING (published online February 2019), <https://academic.oup.com/policing/advance-article-abstract/doi/10.1093/police/paz012/5321161?redirectedFrom=fulltext>.

Abstract

The requirement for transparency and accountability for public spending has seen a focus on quantitative cost-benefit analyses. In the context of traffic policing, the temptation is to emphasize the importance of automated systems of enforcement as these pose an arguably less expensive alternative to using uniformed police. In the context of speed enforcement, automated means of enforcement are a logical way to efficiently distribute resources. However, in other areas of traffic policing, like driver distraction, seatbelt use, random breath testing, the use of uniformed police is essential. Following an overview of empirical research examining traffic enforcement, this article explores theoretical explanations for compliance with the law, focusing on research that has examined the importance of procedural justice. It is suggested that an approach embracing both automated means of enforcement coupled with visible police presence is essential to encourage perceptions of procedural justice and police legitimacy. Further empirical research is needed to model the ideal allocation of funding across automated and non-automatic law enforcement in traffic to maximize public compliance with the law and ultimately reduce crashes.

Renée J. Mitchell & Kendall Von Zoller, *Dynamic Presence Rather Than Command Presence: How Communicative Intelligence Influences Police/Citizen Interactions*, in HANDBOOK OF RESEARCH ON STRATEGIC COMMUNICATION, LEADERSHIP, AND CONFLICT MANAGEMENT IN MODERN ORGANIZATIONS 255 (2019), <https://www.igi-global.com/chapter/dynamic-presence-rather-than-command-presence/226060>.

Abstract

Human beings are social animals inhabiting a world where unspoken, nonverbal body language dominates the perception of the listener. It has been shown that nonverbal behaviors effect perception more intently than verbal communication. Police-citizen interactions are a complex process where verbal and nonverbal interactions are occurring simultaneously and interpreted immediately, leading to multiple chances for misunderstanding or misinterpretation of the officer's intent. With little research on the actual techniques to create the perception of police legitimacy, the authors intend to link communicative intelligence to the verbal and physical behaviors officers should engage in to enhance procedural justice and improve police legitimacy. They posit that the citizen's perceived level of police fairness is derived from the officer's treatment of the citizen which is significantly influenced by how the officer communicates with the citizen.

Victims and Offenders

Hyounggon Kwak, Rick Dierenfeldt & Susan McNeeley, *The Code of the Street and Cooperation with the Police: Do Codes of Violence, Procedural Injustice, and Police Ineffectiveness Discourage Reporting Violent Victimization to the Police?* 60 J. CRIM. JUST. 25 (2019), <https://www.sciencedirect.com/science/article/pii/S0047235218303155>.

Abstract

Few quantitative studies have tested Anderson's (1999) suggestion that reliance on codes of violence and mistrust in the police reduce the likelihood of cooperating with the police after being victimized. We examine whether perceived codes of violence, perceived police effectiveness, and perceived procedural injustice influence the decision to report crime to the police. We also examine whether these relationships interact with individual or situational characteristics. This study applies binary logistic regression to a sample of 687 victims of violence from the Seattle Neighborhoods and Crime Survey. The results indicated that procedural injustice had significant effects on crime reporting, though this relationship was conditioned by victim injury. Codes of violence and police effectiveness were related to crime reporting, but only among Black crime victims. Taken together, the results underscore the importance of police-community relations, as poor perceptions of the police and reliance on oneself for protection and justice reduce cooperation with the police, especially among minorities.

Flora Fitzalan Howard, *The Experience of Prison Recall in England and Wales*, HOWARD J. CRIME & JUST. (published online January 2019), <https://onlinelibrary.wiley.com/doi/abs/10.1111/hojo.12306>.

Abstract

The number of people recalled to custody in England and Wales has increased in recent years. Improving successful re-release by engaging people in an effective recall process would achieve better outcomes for prisons, probation, and the public. Analyzing in-depth accounts of seven men, recall was experienced as painful and damaging rather than rehabilitative, lacking in credibility and legitimacy, and as a process faced alone. Progression was inhibited by hopelessness and powerlessness. Some expressed motivation

for the future, but others intended to disengage from supervision. There is a need for greater procedural justice, collaboration, autonomy, hope, and trust, in the recall process and supervisory relationships.

Sharon Menezes, *Experiencing Justice Delivery: Women Exploited for Commercial Sex Speak*, 2 J. VICTIMOLOGY & VICTIM JUST. 11 (2019),
<https://journals.sagepub.com/doi/abs/10.1177/2516606918819286>.

Abstract

Based on a phenomenological study conducted in the state of Maharashtra, India, this article draws attention to how women with current and former engagements in commercial sex perceived delivery of justice. The article voices women's responses to protective and penal measures enacted by the state through the Immoral Traffic Prevention Act (1956). Protective sections include rescue of persons, their intermediate custody and assessing prospects for rehabilitation. Penal sections include arrest of managers and pimps, punishment for keeping a brothel and living off the earnings of prostitution and soliciting in the vicinity of public places. The article points to women's lack of participation and voice in the delivery of justice and highlights the need for attention to procedural justice in the context of justice delivery.

Lin Liu, Christy A. Visher & Daniel J. O'Connell, *The Strain from Procedural Injustice on Parolees: Bridging Procedural Justice Theory and General Strain Theory*, CRIME & DELINQUENCY (published online March 2019),
<https://journals.sagepub.com/doi/abs/10.1177/0011128719839376>.

Abstract

The procedural justice literature explains why people obey the law. However, prior research has largely neglected the implication of procedural justice in the correctional context in general and in parole efficacy in particular. In an attempt to bridge the propositions of procedural justice and general strain theory, this study assesses the effect of parolees' perceived procedural injustice on their success in reentry. Using data from a longitudinal study of prisoner reentry, we investigate the nexus of procedural injustice, negative emotions, family bonds, and post release criminal propensity. Findings indicate that procedural injustice increases criminal propensity, and the negative emotion of depression partially mediates this relationship. We also find parolees' family bonds totally mediate the effect of procedural injustice on criminal propensity.

Melissa Mendez, *Youthmen with Big Man Mentality: An Exploration and Analysis of the Narratives of Young Offenders in Trinidad and Tobago* (2019) (unpublished Ph.D. dissertation, Cardiff University),
<https://ethos.bl.uk/OrderDetails.do?uin=uk.bl.ethos.768100>.

Abstract

There is an ongoing moral panic about 'the' juvenile delinquent in Trinidad and Tobago. The media present, with increasing regularity, stories about problematic youth—particularly young men—giving the impression that youth crime is spiraling out of control, when official statistical evidence suggests otherwise. Research into youth offending in Trinidad and Tobago has been mainly quantitative, considering the risks and protective factors associated with delinquency and desistance. The extant research also analyses and discusses the data uncovered within the framework of Western criminological theories. Little attempt is made to use, adapt, or develop theory in the Caribbean or Trinbagonian context in which the data was produced. The present study addresses the dearth of qualitative data on young offenders in Trinidad and Tobago by presenting the narratives of a census population of convicted juvenile offenders housed at the Youth Training Centre in Trinidad. These narratives are analyzed and interpreted within the socio-economic, cultural and historical context in which these accounts were produced, taking up a 40-year-old call for the development of a 'Caribbean Criminology'. The main purpose of this project was to gain an understanding of the subjective lived experiences of incarcerated young men in Trinidad and Tobago; how they feel, think, act and make sense of the world. I discuss the implications of the narratives presented with regard to broader sociological-criminological questions about state legitimacy and procedural justice and within the context of the families and communities from which my participants come. My findings offer insight into stigmatized communities and suggest the need for a reconceptualization of poverty as a structural deficit rather than an individual failing, and a need for state officials to recognize the social and cultural injustice that have blocked opportunities for a number of citizens.

Frank S. Pezzella & Matthew D. Fetzer, *The Dark Figure of Hate Crime Underreporting*, AM. BEHAV. SCI. (published online January 2019), <https://journals.sagepub.com/doi/abs/10.1177/0002764218823844>.

Abstract

Hate crimes are notoriously underestimated evident by significant differences reported between the Uniform Crime Report (UCR) and the National Crime Victimization Survey (NCVS). Between 2004 and 2012, an average of 269,000 victimizations were reported by the NCVS; simultaneously, UCR hate crime statistics reported an average of 8,770 incidents (FBI UCR Hate Crime Statistics, 2004-2012) implicating sizable hate crime underreporting. We present two hypotheses to explain the dark figure of hate crime reporting. First, we hypothesize that bias crime victims, relative to nonbias crime victims, are less likely to report their victimization to police. Second, we hypothesized that misperceptions of police legitimacy by groups with strained relations with police who are also at risk for hate victimization explain declinations to report. Using stepwise logistic regression, controlling in subsequent models with victim, offender, and situational factors previously found to increase nonbias crime victim reporting, we detected an increasingly stronger propensity for bias crime victims to not report their victimization. We also found that victim misperception of police legitimacy evident by the absence of confidence (29.2%) and victim decisions to report to different official (22.3%) largely explain underreporting. Implications for victim perceptions of police legitimacy and their ability to discharge procedural justice are discussed. Improved public relations with communities who sustain a strained relationship with police in conjunction with proactive, clear enforcement policies, and practices are suggested.

Sinead Pembroke, *Historical Institutional Child Abuse in Ireland: Survivor Perspectives on Taking Part in the Commission to Inquire into Child Abuse (CICA) and the Redress Scheme*, 22 CONTEMP. JUST. REV. 43 (2019),
<https://www.tandfonline.com/doi/abs/10.1080/10282580.2019.1576130>.

Abstract

This article explores the experience of taking part in the Irish State's Commission to Inquire into Child Abuse (CICA) and the subsequent redress scheme. The Commission was set up in 2000 with the task of investigating Industrial and Reformatory Schools that were in existence for most of the twentieth century. A redress scheme was also set up by the government to compensate those who were abused in these institutions. 25 qualitative interviews were conducted with male and female Industrial and Reformatory School survivors. The focus of this article is to understand some of the issues that this cohort of survivors faced in taking part in the inquiry and redress process, dealing with issues such as re-traumatization, retributive justice and procedural justice.

New Thinking and Interpretations

Ciska Wittouck, *Persons with Mental Illness Who Offended and Procedural Justice: Giving Voice to Persons Subjected to an Internment Measure About Their Interactions with Power Holders* (2019) (unpublished Ph.D. dissertation, Ghent University),
<https://biblio.ugent.be/publication/8605569/file/8605570>.

Excerpt from Introduction

Persons with mental illness who offended (PMIO) are highly prevalent in the criminal justice system. . . . One way of responding to PMIO is subjecting them to court-mandated or court-ordered treatment which is typically combined with ongoing judicial supervision. . . . There is thus some preliminary evidence that court-mandated treatment works. However, relatively little is known regarding how court-mandated treatment works. . . . The concept of procedural justice, which originated in social psychology, can be a means to address the tension between care and control that is inherently associated with imposing court-mandated treatment to PMIO. . . . Therefore, in this doctoral dissertation, the potential role of procedural justice theory as a normative framework for power holders working with PMIO is investigated as a means to develop and maintain working alliances with PMIO and thus facilitate recovery and desistance processes.

Prisons and Prisoners

Eric G. Lambert et al., *The Effects of Distributive and Procedural Justice on Job Satisfaction and Organizational Commitment of Correctional Staff*, SOC. SCI. J.

(published online February 2019),

<https://www.sciencedirect.com/science/article/abs/pii/S0362331919300187>.

Abstract

Correctional staff are expensive, and they perform the most critical and central duty within the facility: the care and custody of inmates. Improving the job satisfaction and organizational commitment of staff is important, as they have been linked to many salient positive outcomes. We explored whether the job satisfaction and organizational commitment of correctional staff were affected by distributive and procedural justice, the two major dimensions of organizational justice, as well as fear of victimization, role overload, and perceptions of training. Ordinary Least Squares (OLS) regression results of 322 survey responses indicated that perceptions of quality training, distributive justice, and procedural justice had significant positive effects on job satisfaction, while role overload had negative effects. For organizational commitment, perceptions of training and procedural justice had significant positive effects. OLS analysis of demographic variables indicated that custody staff and staff with college degrees had lower job satisfaction and lower organizational commitment, while female staff had higher job satisfaction.

Flora Fitzalan Howard & Helen Wakeling, *Prisoner and Staff Perceptions of Procedural Justice in English and Welsh Prisons*, HM PRISON & PROBATION SERVICE (2019).

Abstract

This research was conducted to develop measures of prisoners' and staff members' procedural justice perceptions, and to explore the variation and importance of these perceptions in English and Welsh prisons. Previous research has identified procedural justice perceptions as being relevant to a series of prisoner outcomes that are priority areas for Her Majesty's Prison and Probation Service (HMPPS), including misconduct, wellbeing and reoffending. Furthermore, previous research suggests that staff perceptions of procedural justice may have important implications for workforce maintenance, wellbeing and effectiveness. This work aimed to test prior research findings and expand HMPPS's understanding of procedural justice for prison staff and people in custody.

Courts and Dispute Resolution

Vicki Lens, *Judging the Other: The Intersection of Race, Gender, and Class in Family Court*, FAM. CT. REV. (published online January 2019),

<https://onlinelibrary.wiley.com/doi/full/10.1111/fcre.12397>.

Abstract

This critical ethnographic study of family court child maltreatment proceedings describes and illuminates the ways in which racial, gender, and class disadvantages can manifest on the ground as judges, attorneys, social service workers, and parents—joined often by gender but split by race and class—adjudicate cases. The findings suggest that intersectionality worked in ways that exponentially marginalized poor mothers

of color in the courtroom. They were marginalized both through the rules of the adversarial process (which silenced their voices) and through the construction of narratives (which emphasized individual weakness) over structural obstacles as well as personal irresponsibility over expressions of maternal care and concern. Standard due process courtroom practices also communicated bias or social exclusion, especially in a courtroom split by race and class.

Henrik Litleré Bentsen, *Dissent, Legitimacy, and Public Support for Court Decisions: Evidence from a Survey-Based Experiment*, 53 LAW & SOC'Y REV. (2019), <https://onlinelibrary.wiley.com/doi/full/10.1111/lasr.12402>.

Abstract

Scholars often argue that whereas unanimous rulings should boost public support for court decisions, dissents should fuel public opposition. Previous studies on public responses to U.S. Supreme Court decisions suggest that unanimity does in fact bolster support. However, a recent study has also found that dissents may increase support among opponents of a court decision by suggesting evidence of procedural justice. By examining how individuals react to dissents from the Supreme Court of Norway, this article is the first study outside the U.S. context of the public's reaction to unanimity and dissent. Breaking with the common notion of the negative effects of dissent on public support, the article shows that when the Supreme Court handles cases of higher political salience, the formulation of dissenting opinions can be a meaningful way of securing greater support for its policy outputs by suggesting evidence of procedural justice. Contrary to recent studies, however, this positive influence of dissent is irrespective of individuals' ex ante policy views.

Mohammad Tarikul Islam, *Rural Dispute Resolution in Bangladesh: How Do Village Courts Safeguard Justice?* 27 CONTEMP. SOUTH ASIA 58 (2019), <https://www.tandfonline.com/doi/abs/10.1080/09584935.2019.1573214>.

Abstract

The rural poor and other marginalized people in Bangladesh are caught in a quandary. Neither the formal judicial system nor informal dispute resolution through local tribunals, called Shalish, is able to meet their needs. The formal system is hardly accessible and affordable to them and suffers from millions of pending cases. Informal dispute resolution through Shalish is notorious for unfair decisions based on local power structures and backward norms, as well as draconian enforcement practices. To remedy this situation, a 2006 law has reformed and redesigned Shalish under the guise of village courts. These village courts were introduced as an accessible, fair and affordable alternative to both the formal judicial system and traditional Shalish, but experience since 2006 has shown that they have their own flaws and require further reform. Drawing on popular perceptions in two Bangladeshi villages, this study finds that more attention should be paid to access for poor and otherwise vulnerable people, procedural fairness shielding litigants from local power structures, and matters of effectiveness. Only then can village courts truly fulfil their promise of providing redress for those most in need of social justice and human security.

Donald Johnson, *Perceptions and Perspectives Regarding Procedural Fairness in Louisiana Trial Courts* (December 2018) (unpublished Ph.D. dissertation, University of Nevada, Reno), <https://scholarworks.unr.edu/handle/11714/4874>.

Abstract

Procedural fairness is a helpful or effective communication process that can be used to achieve successful outcome effects from trial judges' courtroom realistic bench adjudication abilities. This dissertation provides the history of procedural fairness, scientific support for its existence, its evidence-informed basis of its effectiveness, and its status in the fields of social sciences and law. It also examines the scope of courtroom implementation in Louisiana since the CCJ/COSCA nationally adopted Resolution 12. Judges completed a survey, which provided insight of their perspectives regarding procedural fairness, as well as their incorporation of the principles of procedural fairness in their courtrooms. Data provided by a trained court observer was collected in order to assess select state and local trial court judges' behaviors and whether or not they adjudicated in open court through the principles of procedural fairness. Primary data collection for judges and court observations occurred through an expertly developed instrument—Measuring Perceptions of Fairness: An Evaluation Toolkit. Though defendants were given the Defendant Exit Survey, no defendants participated in the study. When used correctly this toolkit gives judges a way to monitor, assess, and improve their bench adjudicating techniques and gives court attendees' the ability to evaluate their perceptions of the judge. The research concluded that Louisiana state and local trial court judges (a) understand procedural fairness, (b) believe that procedural fairness is important, (c) do not incorporate procedural fairness systematically, and (d) have significant differences in how important they believe procedural fairness is, based on their religious attitudes.

New Thinking and Interpretations

Matthias Dembinski & Dirk Peters, *The Power of Justice: How Procedural Justice Concerns Affect the Legitimacy of International Institutions*, 25 *GLOBAL GOVERNANCE* 149 (2019), https://brill.com/view/journals/gg/25/1/article-p149_9.xml.

Abstract

Complaints about “double standards” in global governance are widespread. When governments from the Global South criticize powerful Western states for applying double standards in implementing norms such as international criminal justice, this is usually taken to indicate that they disagree with the substance of these norms. In contrast, this article argues that the criticism can also be understood as expressing dissatisfaction with the procedures for applying those norms. Based on insights from empirical justice research in social psychology, the article highlights the significance of procedural fairness for the legitimacy of institutions and illustrates the importance of concerns about procedural unfairness in recent complaints about the International Criminal Court (ICC) by African governments.

Pamela Foohey, *A New Deal for Debtors: Providing Procedural Justice in Consumer Bankruptcy*, 60 B.C. L. REV. (published online March 2019), https://papers.ssrn.com/sol3/papers.cfm?abstract_id=3341473.

Abstract

Across the criminal and civil justice systems, research regarding procedural justice—feeling that one has a voice, is respected, and is before a neutral and even-handed adjudicator—shows that people’s positive perceptions of legal processes are fundamental to the legal system’s effectiveness and to the rule of law. About a million people file bankruptcy every year, making the consumer bankruptcy system the part of the federal court system with which people most often come into contact. Given the importance of bankruptcy to American families and the credit economy, there should exist a rich literature theorizing and investigating how people’s perceptions of consumer bankruptcy’s procedures advance the system’s goals. Instead, bankruptcy’s procedures have received strikingly little scholarly attention.

This Article begins to fill this significant gap by combining procedural justice and related research with what is known about the people who file bankruptcy to craft a theory of consumer bankruptcy’s procedural deficiencies. If consumer bankruptcy is procedurally bankrupt, as this Article posits, then the “fresh start” delivered to struggling households is not nearly as fresh as presumed, which will hamper people’s return to their communities and to the credit economy. As such, the Article proposes two sets of changes to the consumer bankruptcy process—one modest and one more drastic. Both of these new deals for debtors promise to enhance people’s perceptions of bankruptcy’s procedural justice and thereby the legitimacy of the system.

Alexander Shytov & Peter Duff, *Truth and Procedural Fairness in Chinese Criminal Procedure Law*, INT’L J. EVIDENCE & PROOF (published online March 2019), <https://journals.sagepub.com/doi/abs/10.1177/1365712719830704>.

Abstract

Chinese criminal procedural law has recently been undergoing rapid transformation. While the search for ‘truth’, embodied in a confession by the accused, has traditionally dominated the criminal process, efforts are now being made to secure more procedural fairness. This is exemplified by the introduction of rules to render inadmissible at trial confessions extorted from suspects by ill treatment. Unsurprisingly, it has proved difficult to shift the mindsets of the players in the criminal justice process. The new rules have not been fully implemented in many respects and there is still confusion over the criteria to be used by the courts in making decisions about inadmissibility. Further, it has proved difficult to enable defense lawyers to play a more active role in defending their clients and to render it normal for witnesses to testify at trial. This handicaps the drive to secure a better balance between the search for truth and procedural fairness in the Chinese criminal trial.

Kaijus Ervasti, *Problem-Solving Justice in Criminal and Civil Justice in Finland*, 14 UTRECHT L. REV. 19 (2019), <https://www.utrechtlawreview.org/articles/abstract/10.18352/ulr.469/>.

Abstract

In this article, I will describe problem-solving approaches in the field of law in Finland. I will also explain why we do not have 'problem-solving justice' as a core concept or problem-solving courts in Finland or the other Nordic countries in the field of criminal justice. Finally, I will discuss whether we should understand problem-solving justice in a broader sense than it has often been understood.

Business and Management

Rebecca Hewett & Hannes Leroy, *Well It's Only Fair: How Perceptions of Manager Discretion in Bonus Allocation Affect Intrinsic Motivation*, J. MGMT. STUD. (published online March 2019), <https://onlinelibrary.wiley.com/doi/abs/10.1111/joms.12445>.

Abstract

Perceptions of manager discretion in incentive allocation are theoretically and practically important to help explain the much-debated relationship between performance-related bonuses and intrinsic motivation. We argue, and demonstrate, that perceived managerial discretion is a key moderator to this relationship because of its relevance to procedural fairness. In a first study, we developed a measure for perceived manager discretion and distinguished it from related concepts. In a second experiment, we found that higher bonuses associated with higher levels of perceived manager discretion enhanced procedural fairness but those based on lower discretion did not. In a third field study, we found that actual bonuses implemented by a service organization enhanced intrinsic motivation indirectly through procedural fairness, but only when employees perceived their bonus to be based on higher levels of perceived manager discretion. Conversely, when bonus level was associated with lower perceived manager discretion, it negatively predicted of intrinsic motivation.

Sylvia G. Roch et al., *Role of Employee Felt Obligation and Endorsement of the Just World Hypothesis: A Social Exchange Theory Investigation in an Organizational Justice Context*, J. APPLIED SOC. PSYCHOL. (published online March 2019), <https://onlinelibrary.wiley.com/doi/abs/10.1111/jasp.12578>.

Abstract

According to social exchange theory, felt obligation after being treated justly is key to explaining why justice perceptions influence behaviors important to organizations, such as task performance and organizational citizenship behavior (OCB). Perhaps those who believe in a just world (Just World Hypothesis, JWH) are more likely to feel obligated to reciprocate just treatment with behaviors benefiting the organization. Thus, our goal was to investigate whether belief in the JWH influences to what extent

people feel obligated after being treated justly and the importance of felt obligation in regard to behavioral outcomes, such as OCB and task performance. Based on 160 university alumni and their supervisors, results provide support that justice perceptions can relate to both job performance and OCB via felt obligation, providing empirical support for the theoretical role of felt obligation in the social exchange theory explanation of how justice perceptions can translate into employee behaviors benefiting the organization. Results also suggest that endorsement of the JWH interacts with procedural and distributive justice perceptions, but not interpersonal justice perceptions, to influence felt obligation and that the indirect effect of distributive and procedural justice perceptions on both OCB and task performance via felt obligation is only significant for individuals with relatively high levels of endorsement of the JWH. Implications are discussed.

Jennifer L. Nelson et al., *Trust and Respect at Work: Justice Antecedents and the Role of Coworker Dynamics*, *WORK & OCCUPATIONS* (published online March 2019), <https://journals.sagepub.com/doi/abs/10.1177/0730888419835261>.

Abstract

The authors address three overlooked issues regarding the well-established organizational justice and trust relationship: how an authority's enactment of fair outcomes, procedures, and interactions "trickles down" to the development of coworker trust; how trust and respect represent distinct interpersonal outcomes; and whether coworker dynamics mediate these relationships. Using original survey data collected at two time points from 354 high school teachers, the authors investigate justice antecedents and the mediating role of coworker dynamics using structural equation modeling. The authors find that the effects of the authority's (i.e., principal's) distributive and procedural justice actions on coworker trust and respect do "trickle down" and are mediated through coworkers' collective responsibility and work communication. In contrast, principal's interpersonal justice has no effect on coworker dynamics or interpersonal outcomes, but coworker interpersonal justice enhances these outcomes. The results of this study also provide empirical support for the conceptual distinctiveness of trust and respect in the workplace.

Steven Carnovale et al., *Unintended Consequences: How Suppliers Compensate for Price Concessions and the Role of Organizational Justice in Buyer-Supplier Relations*, *J. BUS. LOGISTICS* (published online March 2019), <https://onlinelibrary.wiley.com/doi/abs/10.1111/jbl.12205>.

Abstract

"You get what you pay for" is one of life's lessons that predominates in purchasing decisions individuals make in their personal lives. The results of this study suggest this lesson should also prevail among management when price-related purchasing decisions in businesses are being made. An evaluation of over 1,700 purchasing instances across seven years of a longitudinal panel data set collected from Tier 1 production suppliers to the six major North American automotive Original Equipment Manufacturers (OEMs), Chrysler, Ford, General Motors, Honda, Nissan, and Toyota, found that suppliers compensate for price concessions and price reduction pressure from the OEM in the year following the concession, by

reducing product quality, service support, and R&D expenditures associated with goods provided to the OEM. This industry is particularly relevant because it is highly adversarial, yet at the same time reliant on interdependence. The results show that supplier price concessions granted to an OEM led to compensatory supplier behaviors of reduced quality and R&D expenditures toward that OEM. Further, the results suggest that the organizational justice dimensions of distributive justice, procedural justice, interpersonal justice, and informational justice can ameliorate negative supplier compensatory activities. A buyer–supplier relational environment that engenders organizational justice tactics such as open and honest communication with suppliers provides suppliers the expectation of an acceptable return on business over the long term, provides help to suppliers to reduce costs, and builds supplier trust of the OEM had generally positive effects on quality, service, and R&D expenditures. From a management perspective, these results indicate there is a very real risk versus reward issue associated with pressuring suppliers for price reductions.

Lauren Nicole Scanlan, “Sure I’ll Do That, But the Joke’s on You: Malicious Compliance in the Workplace” (November 2018) (unpublished M.A. thesis, East Carolina University), <http://thescholarship.ecu.edu/handle/10342/7073>.

Abstract

This study examined the relationship of trait aggression and procedural justice with counterproductive work behaviors (CWB) and malicious compliance—explicitly following orders with the knowledge they will not produce the desired results. Implicit aggression and procedural justice contributed to the prediction of both CWBs and willingness to engage in malicious compliance. Specifically, individuals who were identified as having high implicit aggression and low explicit aggression reported higher instances of covert malicious compliance tendencies. Additionally, lower procedural justice in an organization was associated with higher instances of malicious compliance behaviors. Overall, this study establishes the construct and a novel measure of malicious compliance ($\alpha = .84$). This knowledge can be applied to investigating individuals in the workplace as well as examining overall organizational climate.

Yimo Shen et al., *Work Group Climate and Behavioral Responses to Psychological Contract Breach*, FRONTIERS PSYCHOL. (published online February 2019), <https://www.frontiersin.org/articles/10.3389/fpsyg.2019.00067/full>.

Abstract

Drawing on theories of social exchange and social information processing, we examined whether the influence of psychological contract breach on in-role performance and organization-directed citizenship behavior (OCBO) depends on work group climate levels, specifically procedural justice climate and power distance climate. The findings supported our hypothesis that psychological contract breach more strongly influences in-role performance and OCBO among members of units with favorable procedural justice climates. Support for a hypothesized moderating role of power distance climate was less conclusive. We discuss the implications of our model and findings for theories of employee–organization relationships and practice.

Shanshan Zhang, Jieshuang Liang & Jianxin Zhang, *The Relationship Between Person–Team Fit with Supervisor–Subordinate Guanxi and Organizational Justice in a Chinese State-Owned Enterprise*, INT’L J. SELECTION & ASSESSMENT (published online March 2019), <https://onlinelibrary.wiley.com/doi/full/10.1111/ijsa.12235>.

Abstract

The study examines how subordinates’ perceptions of justice in Chinese working teams are influenced by the person–team fit (or the misfit) of the supervisor–subordinate guanxi (SSG). We tested our hypotheses on a sample of 1,086 employees from 149 work groups in one state-owned enterprise; using a combination of cross-level polynomial regression and response surface analysis. The results showed that subordinates’ perceptions of justice, in terms of procedural, interactional, and distributive justice, were higher when individual SSG was congruent with the average SSG in the team (TSSG) at a high level than when an individual SSG was congruent with TSSG at a low level. Meanwhile, in the misfit situation, subordinates’ perceptions of the three dimensions of justice were higher when the individual SSG relative to TSSG (relative SSG, or RSSG) was surplus (individual SSG exceeded TSSG) versus RSSG deficient (TSSG exceeded individual SSG). Nevertheless, the subordinates’ perceptions of distributive justice were the highest when SSG and TSSG were almost equal in high level, as observed by integrating the fit with the misfit line. These findings highlight the important boundary cultural conditions of the psychological processes of justice and provide useful insights for international managers conducting their business in China.

Christian Geisler et al., *The Role of Procedural Justice for Global Strategy and Subsidiary Initiatives*, GLOBAL STRATEGY J. (published online March 2019), <https://onlinelibrary.wiley.com/doi/abs/10.1002/gsj.1341>.

Abstract

The global strategy literature highlights the role of headquarters (HQ) in realizing global integration benefits while enabling independent subsidiary strategic initiatives. We construct a game-theoretic model of the interaction between HQ and subsidiaries, and, building on procedural justice theory, we analyze the motivational costs that can result from the anticipation or realization of HQ intervention in subsidiary initiatives. We also analyze the implications for MNC-level value creation when HQ managers, fearing subsidiary managers’ emotion-based reactions, refrain from intervening. We derive a number of counter-intuitive results, for example, that good HQ behavior may involve forgoing opportunities for value creation, and that procedural justice systems may sometimes be counterproductive.

Nobutada Yokouchi & Hideki Hashimoto, *Association Between Deviation of Fairness Perceptions from Group Average and Serious Psychological Distress in Japanese Worksites: A Cross-Sectional Study*, INT’L J. BEHAV. MED. (published online March 2019), <https://link.springer.com/article/10.1007/s12529-019-09781-8>.

Abstract

Background: Workers with deviating fairness perceptions are likely to be excluded and become isolated at worksites, leading to psychological distress. The study aimed to examine the cross-sectional association between deviation of fairness perception from the group average and serious psychological distress in Japanese worksites.

Methods: Secondary data analysis of an existing Japanese occupational cohort data using a multilevel logistic regression model was conducted for 8701 workers from 12 companies in Japan who participated in the baseline survey (from April 2010 to March 2012). Individual perception of interactional and procedural fairness was measured with the Japanese version of the Organizational Justice Scale. Group averages were calculated within workers' reference groups, categorized by company affiliation, age group, gender, and occupational class. Psychological distress was measured using the K6 scale, and serious psychological distress was defined as a total K6 score of 13 or more.

Results: Both low deviation and high deviation of interactional fairness perception were significantly and positively associated with serious psychological distress . . . Only high deviation of procedural fairness perception was significantly and positively related to serious psychological distress. The results indicated that divergent perceptions of fairness at worksites may deserve further exploration for equal achievement of workers' psychological well-being.

Robert Eisenberger et al., *Is the Employee-Organization Relationship Dying or Thriving? A Temporal Meta-Analysis*, J. APPLIED PSYCHOL. (published online February 2019), <https://europepmc.org/abstract/med/30730164>.

Abstract

There is controversy concerning whether, in recent years, organizational failures to act benevolently toward employees have lessened employees' social-exchange relationship (SER) with their work organization or whether, on the contrary, organizations' more favorable treatment of employees has strengthened the SER. With samples of U.S. employees, we examined changes over the past 3 decades in three key elements of the SER: perceived organizational support (POS: 317 samples, including 121,469 individuals), leader-member exchange (LMX: 191 samples, including 216,975 individuals), and affective organizational commitment (383 samples, including 116,766 individuals). We considered both how the average levels changed over time and how the associations of these 3 elements with the antecedents of procedural and distributive justice and the consequences of in-role and extra-role performance have changed. We found that the average levels of indicators of the SER have remained steady except for an increase in POS. LMX and affective commitment show levels near neutral, and POS has increased to only a moderately positive level. In contrast, the relationships between these elements with distributive and procedural justice and extra-role performance remain substantial. These findings suggest that employees on average do not currently have strong exchange relationships with their work organization but remain ready to more fully engage based on perceived voluntary favorable treatment by the work organization and its representatives.

Ashley Gomez, Impact of Conditional Job Offer on Applicant Reactions to Social Media in the Selection Process (March 2019) (unpublished M.S. thesis, California State University, San Bernardino), <https://scholarworks.lib.csusb.edu/etd/789/>.

Abstract

Social media (SM) permits the sharing of personal information online, which can lead to employers accessing personal, non-job-related information about applicants throughout the selection process. Limited prior research (Jeske & Shultz, in press; Stoughton et al., 2015) has found that, to varying degrees, applicants find this access of their personal information to be an invasion of their personal privacy. The aim of the present study was to replicate prior findings regarding invasion of privacy moderating the relationship between SM screening presence and procedural justice perceptions and to expand on prior research by exploring whether the stage at which this information was collected (pre- and post- conditional job offer) would mediate the relationship between SM screening and perceived invasion of privacy. A survey was administered electronically and participants (N = 210) were randomly assigned to one of four SM screening conditions: (a) SM screening absent, job offer absent, (b) SM screening absent, job offer present, (c) SM screening present, job offer absent, and (d) SM screening present, job offer present. One component of the hypothesized model was supported, that those in the SM screening groups reported higher levels of perceived invasion of privacy as compared to the no SM screening groups. No interaction effects were found between SM screening and stage in the selection process on either perceived invasion of privacy or procedural justice perceptions, indicating limited to no support for the proposed model. Thus, alternative, more robust contextual models for the examination of SM screening in the selection process were proposed for future research.

Shaobo Wei et al., *The Effects of Justice and Top Management Beliefs and Participation: An Exploratory Study in the Context of Digital Supply Chain Management*, J. BUS. ETHICS (published online February 2019), <https://link.springer.com/article/10.1007/s10551-018-04100-9>.

Abstract

Drawing on justice theory and upper echelons perspective, this study develops and tests an integrative model linking justice to the implementation of IT-enabled supply chain information integration (IeSCII) through the top management. Specifically, the study investigates the effects of the three facets of justice—distributive, procedural, and interactional justice—on the two dimensions of IeSCII (information sharing and collaborative planning), and examines the mediating influences of top management beliefs (TMB) and top management participation (TMP) in these relationships. Using structural equation modeling to analyze data collected from 190 firms in China, the study documents that interactional justice positively affects both TMB and TMP, while procedural justice positively affects TMB (but not TMP) in the IeSCII implementation process. In contrast, distributive justice is not significantly related to either TMB or TMP, but is positively associated with information sharing. The results also show that procedural justice positively affects TMB, which then positively affects TMP in IeSCII. Furthermore, the study finds

significant mediating effects of TMB and TMP in the relationship between interactional justice and IeSCII. The theoretical and managerial implications of this study are discussed.

Subhash C. Kundu et al., *Diversity Focused HR Practices and Perceived Firm Performance: Mediating Role of Procedural Justice*, J. ASIAN BUS. STUD. (published online March 2019), <https://www.emeraldinsight.com/doi/abs/10.1108/JABS-02-2018-0032>.

Abstract

The purpose of this paper is to investigate the relationship between diversity management (i.e. diversity focused human resource practices related to recruitment and selection, training and development, performance appraisal, and compensation) and perceived firm performance, and the mediating effect of procedural justice. Primary data based on 400 respondents of 162 organizations operating in India were analyzed using statistical tools such as factor analysis, analysis of variance (ANOVA), and multiple regression analysis. Multiple regression analysis indicated that diversity focused HR practices had a positive association with perceived firm performance. Further, it was found that procedural justice played a partially mediating role in the relationship between diversity focused HR practices and perceived firm performance.

Peter Bußwolder, Swetlana Dregert & Peter Letmathe, *Consequences of Unfair Job Promotions in Organizations*, 71 SCHMALENBACH BUS. REV. 3 (2019), https://ideas.repec.org/a/spr/schmbr/v71y2019i1d10.1007_s41464-019-00068-9.html.

Abstract

We analyze the effect of fair and unfair job promotions on the willingness to cooperate within a group. To investigate how individuals respond to unfair (fair) job promotions, a laboratory experiment was conducted. During the experiment, one of the two persons in each dyad was assigned the role of supervisor and the other one was assigned the role of subordinate. We manipulate two factors: fair and unfair promotion (procedural injustice) as well as the possibility for the subordinate to punish the supervisor. We show that regardless of procedural justice and supported by inequity aversion as well as attribution theory, the willingness to cooperate when supervisors offer low compensation is limited. Paradoxically, supervisors who try to offset their unfair promotion actually benefit from procedural unfairness. We also show that Social Value Orientation (SVO) plays a role in the supervisor's behavior but does not affect the subordinate's willingness to cooperate.

Miscellaneous

Matthew P. Wallace, *Fairness and Justice in L2 Classroom Assessment: Perceptions from Test Takers*, 15 J. ASIATEFL 1051 (2018), <https://www.earticle.net/Article/A344709>.

Abstract

Fairness and justice are key aspects in the evaluation of language assessments. In this paper, I argue that fairness and justice are subjective perceptions of test takers. Consistent with Kunnan (2018), fairness was conceived as a test quality, while justice was a quality of the social entity administering the test; which in this study was the language program. Test fairness was conceptualized as a multidimensional construct—distributive fairness (how fairly learners perceive their score relative to their effort), procedural fairness (equality of procedures administered during the assessment), interactional fairness (respectful interpersonal treatment of the students by the test administrator), and informational fairness (how fairly information about the assessment and its procedures were provided). In total, 83 university L2 learners in Taiwan completed an online questionnaire gauging perceptions of a single test administration. Regression analysis revealed that procedural and interactional fairness were predictive of justice perceptions of the language program. Distributive fairness shared a relationship with justice perceptions but was not predictive. These findings suggest that participants made justice judgments of their language programs based on how fairly the procedures used to administer a single test were carried out and how respectfully the instructor administering the test treated them.

Anna Ernst, *How Participation Influences the Perception of Fairness, Efficiency and Effectiveness in Environmental Governance: An Empirical Analysis*, 238 J. ENVIRON. MGMT. 368 (2019),

<https://www.sciencedirect.com/science/article/pii/S030147971930310X>.

Abstract

Participation processes can improve environmental decision-making. However, proving the impact of participation processes—i.e. decision-making involving diverse actors from civil society, business, state, and administration—is challenging. This paper therefore examines participation processes by applying proxy measures that are assumed to strongly correlate with improved environmental decision-making. Such indicators include the perception of the process as being fair and legitimate, the final outcomes being considered effective and efficient, satisfaction with one's own engagement and the development of trust, and conflict resolution. Participation process characteristics such as participation format and facilitation are assumed to have an impact on these indicators. This study examined participation processes in relation to the German energy transformation (Energiewende), asking respondents about their experience of participation, their perception of the process, and also about intermediate outcomes such as trust building and conflict resolution. An online survey was conducted, resulting in 516 valid responses. The results show that participation processes related to the Energiewende are often perceived as fair and legitimate. Moreover, the findings provide a better understanding of the relationships between participation process characteristics and desirable intermediate outcomes, such as trust and conflict resolution, as well as normative process factors. The intensity of a participation process—i.e. whether it is dialogic or a written consultation process—had no significant influence either on normative process factors, such as procedural fairness, or on trust or conflict resolution. Instead, a trustworthy moderator and the integration of all affected interests are important participation process characteristics that could determine the success of the decision-making process.

Matthew L. Hamilton & Mark Lubell, *Climate Change Adaptation, Social Capital, and the Performance of Polycentric Governance Institutions*, 152 CLIMATIC CHANGE 307 (March 2019), <https://link.springer.com/article/10.1007/s10584-019-02380-2>.

Abstract

How do patterns of interactions among policy actors shape their ability to contribute to climate change adaptation decision-making processes in fragmented regional governance settings? We address this question through statistical models of adaptation policy actors' assessments of access to scientific/technical information as well as their perceptions of cooperation and procedural fairness across numerous adaptation decision-making processes operating in the Lake Victoria region, East Africa. We measured actors' collaborative interactions as well as their participation in task forces, steering committees, and other policy forums that have emerged in response to the challenges of building adaptive capacity to the effects of climate change in the region. Because information access, cooperation, and procedural fairness are shaped by social processes, we tested how the performance of policy forums varied according to different measures of social capital. Specifically, we distinguished between bridging social capital (the value of relationships that span or broker between distinct subgroups) and bonding social capital (which results from frequent interaction or from clustered relationships within subgroups). We found that measures of bridging social capital had a positive effect on actors' assessments of their access to information in policy forums, but a negative effect on their perceptions of cooperation and procedural fairness in forums. In contrast, measures of bonding social capital had a positive effect on cooperation and procedural fairness, but no effect on information access. Taken together, our results suggest that different forms of social capital have separate—and potentially opposing—effects on distinct measures of the performance of adaptation policy forums. The relative importance of each performance measure, which may vary from one policy forum to another, should guide efforts to encourage different forms of social capital across the numerous decision-making processes that comprise regional climate change adaptation governance systems.

Benjamin Froncek & Anette Rohmann, *“You Get the Great Feeling That You’re Being Heard but in the End You Realize That Things Will Be Done Differently and in Others’ Favor”*: An Experimental Investigation of Negative Effects of Participation in Evaluation, AM. J. EVALUATION (published online February 2019), <https://journals.sagepub.com/doi/abs/10.1177/1098214018813447>.

Abstract

Practical-participatory evaluation is often considered an effective approach to enhancing evaluation use. Despite this generally positive connotation, potential negative effects of participatory evaluation have also been discussed in the literature but never empirically investigated before. Drawing upon the social-psychological procedural justice literature, we assumed that stakeholders' perceptions about the justice of an evaluation might explain possible negative effects of participatory evaluation on evaluation use. Negative effects of participatory evaluation on instrumental and conceptual use were explored in two

experiments (Study 1: N = 85; Study 2: N = 78). The results show that negative effects of participation on evaluation use are mediated by stakeholders' justice perceptions. Implications of the present research include considering stakeholders' socioemotional needs, negotiation, and transparency when conducting participatory evaluation.

Chun-Lin Feng, Zhi-Chao Cheng & Li-Juan Huang, *An Investigation into Patient Privacy Disclosure in Online Medical Platforms*, 7 IEEE ACCESS (published online February 2019), <https://ieeexplore.ieee.org/abstract/document/8653293>.

Abstract

Patients using online medical community platforms are a special group of social media users, unique in terms of their willingness and behavior in disclosing private information. However, patients' willingness for information disclosure is crucial for efficient operation of the platforms. From the perspective of these platforms, this paper investigates the impact of fairness (outcome fairness and procedural fairness) on the patients' willingness to disclose privacy in the platform, and the role of perceived platform interactivity in this effect. Survey analysis of 1,546 online medical platform users shows that outcome fairness and procedural fairness have a direct positive impact on both the patient's perceived platform interactivity and their willingness for privacy disclosure, while the perceived interactivity is found to enhance the willingness for privacy disclosure. These findings provide theoretical and practical guidance for online medical community platforms in encouraging patients to disclose information.

Siun Gallagher & Miles Little, *Procedural Justice and the Individual Participant in Priority Setting: Doctors' Experiences*, 228 SOC. SCI. & MED. 75 (2019), <https://www.sciencedirect.com/science/article/abs/pii/S0277953619301546>.

Abstract

In this study we describe, synthesize, and discuss the experiences and views of doctors who participate as technical experts in health care priority setting, reflect on the ethical significance of the challenges to procedural and distributive justice they encounter, and propose an empirically derived practical approach to improving the fairness of the process.

Between August 2015 and July 2016 we conducted semi-structured face-to-face interviews with 20 doctors in NSW, Australia, purposively selected on the basis of their participation in macroallocation. Participant selection, data collection, and analysis were carried out according to the principles of grounded moral analysis, an empirical bioethics methodology closely based on grounded theory.

The doctors we interviewed attached ethical significance to a broad range of procedural concerns that militated both against the prospect of distributive justice and against their own wellbeing: unfair access to opportunities to participate in macroallocation, sexist behaviors and structures, rewards for rule-breakers, cynical and insincere practices, waste, duplication, and inefficiency, and being taken for granted.

On the basis of our data, we hypothesize that the institutional conditions for macroallocation do not support the care of medical participants in deliberations. Evaluating our findings against the ‘accountability for reasonableness’ framework of Daniels and Sabin, we expose as incompatible with the conditions for procedural justice processes that treat participants in macroallocation unfairly or cause them to have moral unease about the justice of the enterprise. We suggest a supplementary procedure that positions commitment to the care and just treatment of participants as a foundation of any macroallocation procedure.

New Thinking and Interpretations

Paul Bowles, Fiona MacPhail & Darcy Tetreault, *Social Licence Versus Procedural Justice: Competing Narratives of (Il)Legitimacy at the San Xavier Mine, Mexico*, 61 RESOURCES POL’Y 157 (2019),

<https://www.sciencedirect.com/science/article/abs/pii/S0301420718303337>.

Abstract

Mining activities have met with opposition and resistance in many countries. As a way to defuse and overcome such opposition, many mining companies have adopted various strategies designed to obtain a ‘Social Licence to Operate’. However, while mining companies have sometimes embraced this approach they have nevertheless met with continuing opposition. We argue that this is because the corporate-framed Social Licence to Operate does not take into account some of the factors to which civil society groups object. As a result, competing narratives arise with the social license narrative facing one based on procedural justice and advanced by civil society opponents. We illustrate this by examining the prominent San Xavier gold and silver mine in Cerro de San Pedro, Mexico. We show how the two narratives differ in defining who should be consulted, what should be the object of investigation (the company or the mine), and the nature of corporate-state relations. We point to the policy implications of this.

In the News/On the Web

Listening in a New Way: Our Visit to Stockton, POLICING PROJECT, March 8, 2019, <https://www.policingproject.org/news-main/2019/3/7/listening-in-a-new-way-our-visit-to-stockton>.

David Cowan, *The ‘Kindness’ Judges Turning Courts Inside Out*, BBC NEWS, March 12, 2019, <https://www.bbc.com/news/uk-scotland-47528102>.