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Recent Research on Procedural Fairness: A Quarterly Report

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This publication highlights notable procedural fairness scholarship released over the past quarter by topic. Each quarterly issue will also include a listing of other articles that are of particular relevance to procedural fairness the courts. Recent news and events, if available, complete the report. Articles that are not yet in print, but available on the publisher's website are identified with 'published online,' and articles available via open source are denoted by a double asterisk.

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## **General Research**

Caitlin Cavanaugh & Elizabeth Cauffman, [\*Viewing Law and Order: Mothers' and Sons' Justice System Legitimacy Attitudes and Juvenile Recidivism\*](#), PSYCH. PUB. POL'Y & L. (published online July 2015).

Negative attitudes toward the justice system are associated with higher rates of reoffending, but there is little information about how these negative attitudes are formed among youth. Despite the well-documented link between parents' and children's attitudes in other domains, no research has explored how parents' attitudes toward the justice system may be associated with youth attitudes. The relation between youth and mother justice system legitimacy attitudes, and the effect these attitudes have on juvenile offenders' reoffending behavior, was examined using structural equation modeling. Mothers and their sons (N = 315 pairs, 630 total) were interviewed after the son's first arrest and again 12 months later. Results indicate that sons' attitudes (directly) and mothers' attitudes (indirectly) predicted increased youth self-reported reoffending 12 months after the first offense. Furthermore, mothers' attitudes indirectly predicted youth official rearrests 12 months after the first offense. No racial differences were found. These findings provide evidence that mothers socialize youth attitudes toward the justice system, and suggest that family context may influence youth probationary success. When designing both legislation and interventions, practitioners and policymakers must keep in mind the broader family context in which youth offenders are embedded.

Kristina Murphy, Ben Bradford & Jonathan Jackson, [\*Motivating Compliance Behavior Among Offenders: Procedural Justice or Deterrence?\*](#) CRIM. JUST. & BEHAV. (published online August 2015).

Research shows that procedural justice can motivate compliance behavior through the mediating influence of either legitimacy or social identity. Yet few studies examine the relative importance of these two mediators in the same analysis. Using three waves of longitudinal survey data collected from 359 tax offenders we examine: (a) whether procedural justice is important to offenders' decisions to comply with their future tax obligations over and above fear of sanctions; and (b) whether legitimacy and social identity processes mediate the relationship between procedural justice and compliance. Our results reveal that: (1) legitimacy mediates the effect of procedural justice on compliance; (2) social identity mediates the procedural justice/compliance relationship; (3) identity seems to matter slightly more than perceptions of legitimacy when predicting tax compliance; (4) perceived risk of sanction plays a small but counterproductive role in predicting tax compliance. We conclude that normative concerns dominate taxpayers' compliance decisions. Our findings have implications for understanding compliance behavior, but also for conceptualizing why and how procedural justice can motivate such behavior.

Victor D. Quintanilla, [Procedural Injustice and Emotions: An Experimental Investigation of the Role of Emotions in the Fair Process Effect](#) (unpublished paper, September 3, 2015).

In investigating how the public experiences legal procedures, this Article draws on a robust body of psychological science on procedural justice and reports the results of an experiment conducted on a nationally representative sample of the American public. The experiment seeks to answer whether the fair process effect is driven chiefly by people's instrumental concerns about the accuracy of legal procedures or whether the public's emotions experienced when encountering different legal procedures contribute to the fair process effect. In short, are people's experiences of procedural fairness shaped solely by instrumental concerns about legal accuracy or do emotions play an important role in explaining experiences of procedural injustice? While foundational to theories of legal process and procedure, these questions have yet to be answered with psychological experiments in the legal domain. By drawing on theory in the field of psychological science and conducting an experiment with the American public, we begin to illuminate answers to these questions and discuss implications for theorizing about process values, implications for judges and court administrators, and how this knowledge can be incorporated into teaching civil procedure.

Jennifer E. Cobbina & Merry Morash, [Women Offenders' Perception of Treatment by Police and Courts](#), in *LIVES OF INCARCERATED WOMEN: AN INTERNATIONAL PERSPECTIVE* (Candace Kruttschnitt & Catrien Bijleveld eds., 2016).

The present study contributes to the literature on procedural justice by examining the experiences and perceptions of a neglected population of individuals: drug-involved female parolees. Approximately two-thirds of incarcerated women have committed a drug offense, and most are placed on parole (Morash 2010; Mumola and Karberg 2006). Consideration of female parolee's accounts of their encounters with police and judges can show whether the perceptions of offenders is similar to, or distinct from, the public's perceptions. Using in-depth interviews, we focus on women offenders who experienced involuntary police contacts and court proceedings. We draw from the literature on procedural justice, substantive justice and offending to guide examination of how female parolees assess the treatment that they received from both police and courts.

Wing Hong Chui & Kevin Kwok-Yin Cheng, [Perceptions of Fairness and Satisfaction in Lawyer-Client Interactions Among Young Offenders in Hong Kong](#), *J. MIXED METHODS RES.* (published online August 2015).

This study used a mixed methods approach to examine the perceptions of fairness and satisfaction young offenders have toward their lawyers in the Hong Kong criminal justice system, drawing on procedural justice theory. A sample of 168 young offenders aged between 14 and 21 years old was surveyed. Regression analyses indicated that participants who had private lawyers were more satisfied compared to those who had duty lawyers. Two elements of procedural justice, participation, and trustworthiness, demonstrated the strongest influence on



youths' satisfaction with their lawyers. Supplementary interviews with 30 young defendants further explained the discrepancy, revealing that the limited amount of time spent by duty lawyers in meetings and their detached focus contributed to clients' low perceptions of participation and trustworthiness.

Natalie Kroovand Hipple, Jeff Gruenewald & Edmund F. McGarrell, [\*Restorativeness, Procedural Justice, and Defiance as Long-Term Predictors of Reoffending of Participants in Family Group Conferences\*](#), CRIM. JUST. & BEHAV. (published online August 2015).

Prior research has suggested that family group conferences (FGCs), a particular form of restorative justice, hold promise in reducing reoffending among youths, at least for some types of offenses. Most prior research, however, has simply assessed whether participation in a FGC resulted in reduced rates of reoffending compared with control or comparison groups in court or diversion programs. These prior recidivism studies have largely left unaddressed the characteristics of the FGCs that may produce differences in reoffending. The exceptions are two studies, from New Zealand and Australia, respectively, that relied on variation analyses to assess whether differences in the FGC processes affected future offending. This research builds on these two studies and tests as to whether FGC characteristics derived from reintegrative shaming, procedural justice, and defiance theory account for variations in reoffending. The data have been obtained from a sample of youths (N = 215) who participated in a FGC as part of the Indianapolis Juvenile Restorative Justice Experiment (IJRJE). The findings suggest that the more the FGC appeared to follow principles of restorativeness and procedural fairness and avoided defiance, the less reoffending occurred. Specifically, offense type and conference restorativeness influenced the probability of recidivism at 6 months, whereas offense type and race influenced the probability of recidivism at 24 months.

James H. Dulebohn, Robert B. Davison, Seungcheol Austin Lee, Donald E. Conlon, Gerry McNamara & Issidoros C. Sarinopoulos, [\*Gender Differences in Justice Evaluations: Evidence from fMRI\*](#), J. APPLIED PSYCH. (published online September 2015).

Justice research examining gender differences has yielded contrasting findings. This study enlists advanced techniques in cognitive neuroscience (fMRI) to examine gender differences in brain activation patterns in response to procedural and distributive justice manipulations. We integrate social role, information processing, justice, and neuroscience literature to posit and test for gender differences in 2 neural subsystems known to be involved in the appraisal of self-relevant events. Results indicate that the relationship between justice information processing and neural activity in areas representing these subsystems is significantly influenced by gender, with greater activation for females than males during consideration of both procedural and distributive justice information. In addition, we find evidence that gender and distributive injustice interact to influence bargaining behavior, with females rejecting ultimatum game offers more frequently than males. Results also demonstrate activation in the ventromedial prefrontal cortex (vmPFC) and ventral striatum brain regions during procedural justice evaluation is associated with offer

rejection in females, but not in males. Managerial implications based on the study's support for gender differences in justice perceptions are discussed.

Kevin Kwok-yin Cheng, [\*Prosecutorial Procedural Justice and Public Legitimacy in Hong Kong\*](#), BRIT. J. CRIMINOLOGY (published online September 2015).

Prosecutors are said to be ministers of justice and protectors of the public interest. Drawing on procedural justice and the re-conceptualization of legitimacy, this study argues that for prosecutors to be seen to act in the public interest, they should be perceived to exercise their powers legitimately, and, more specifically, for the public to feel that prosecutors make decisions that are morally aligned with their own. Using a random survey of the Hong Kong general population, it is found that when prosecutors are perceived to act in procedurally just ways, the legitimacy of the justice system, as well as the moral alignment with prosecutors and the courts, are enhanced in the minds of the public. Legitimacy and moral alignment are also associated with cooperation with the legal authorities and compliance with the law.

## **Compliance and Cooperation**

### ***Courts***

Jenna M. Calton, Jessica L. Grossmann & Lauren Bennett Cattaneo, [\*The Subjective Court Experiences of Intimate Partner Violence Victims: Does Motherhood Matter?\*](#) J. INTERPERSONAL VIOLENCE (published online August 2015).

Many women with children experience intimate partner violence (IPV). These survivors are particularly important to assist, because countless have complex safety concerns related to their children. Mothers' concerns about their children have been shown to impact their decision making related to abuse, but researchers have not closely explored what happens during mothers' interactions with help sources. This study examined whether women with (n = 98) and without (n = 44) children differ in a) their court experiences through their perceptions of procedural and distributive justice, and b) the context of their lives surrounding the court experience. We also explored the relationship between contextual factors and procedural and distributive justice. Results indicate participants were relatively satisfied with their court experiences, despite experiencing reabuse, danger, and fear throughout court processes. Mothers reported significantly higher levels of distributive justice and contact with the abusive partner than non-mothers. However, mothers did not differ significantly from non-mothers with regard to procedural justice, fear, danger, reabuse or reliance on the abusive partner. Results of multiple regression analyses indicated the interaction between fear and motherhood significantly predicted participants' perceptions of distributive justice, as did the interaction between danger and motherhood. In these interactions, mothers' fear and perceptions of danger were not related to their perception of distributive justice. However, non-mothers who reported higher levels of fear and danger perceived less distributive justice. Results suggest mothers and non-mothers



enter the system with similar life contexts, and that these contextual factors impact their perceptions of court outcomes differently.

Margaret H. Lloyd, [\*Relationship-Based Justice for Gender Responsive Specialty Courts\*](#), 42 J. SOCIOLOGY & SOC. WELFARE 113 (2015).

Family drug courts (FDCs) have existed in the U.S. since 1994. Since that time, dozens of studies have found evidence that FDCs improve child welfare outcomes compared to traditional dependency courts. The level of sophistication of this research has stalled, however, arguably because the theoretical foundations of the approach are underdeveloped. The social psychological theory of procedural justice can predict and explain outcomes in treatment courts better than therapeutic jurisprudence. However, in light of evidence suggesting that gender impacts treatment courts outcomes, procedural justice alone falls short as the mechanism of change in family drug courts, because women constitute the majority of FDC participants. To reconcile the empirical with the conceptual, concepts from Lind and Tyler's relational model of procedural justice are examined through the lens of the feminist relational cultural theory. Suggestions for continuing social work research into family drug courts are offered.

Malini Laxminarayan, [\*Enhancing Trust in the Legal System Through Victims' Rights Mechanisms\*](#), INT'L REV. VICTIMOLOGY (published online July 2015).

Understanding trust in the legal system has been an important step in comprehending compliance with judicial authorities. Trust results from both procedural aspects such as perceptions of procedural fairness and outcome elements, such as a just verdict. These procedural elements meet the criteria of the relational model of authority, asserting a need for interpersonal treatment and neutrality when assessing justice judgments. While a plethora of research exists, there generally remains less empirical evidence from the crime victim's perspective. The current study identifies six victim rights mechanisms and examines the association between these variables and the impact of the process on the victim's trust in the legal system. Results indicate that for Dutch victims of serious crime, victim impact statements are significantly associated with trust. Incarceration as a control variable was also strongly associated with the dependent variable. Assistance from victim support reached marginal significance, though the latter displayed an inverse relationship. Implications for policy are discussed.

## ***Policing***

Tammy R. Kochel, [\*Ferguson's Long Term Impact on Public Views about Police\*](#), Southern Illinois University Carbondale, Department of Criminology and Criminal Justice Reports, August 6, 2015.

Following the police shooting of Michael Brown last August and the civil unrest that followed in and around Ferguson, MO, interviews with residents of St. Louis County . . . in September and October, 2014 revealed that residents of high crime, disadvantaged areas of the County perceived



that aggressive policing tactics were more frequent and trust in police and procedural justice declined relative to interviews conducted with the same residents prior to August 2014. . . . Now that nearly a year has passed . . . we have reassessed St. Louis County residents' views, re-interviewing over 230 residents in May, June and July 2015. Analyses including all residents that we have interviewed between 2012 and 2015 revealed that overall, views about legitimacy, procedural justice and trust in police, and police effectiveness significantly improved in recent months relative to last fall, while overall, perceptions of aggressive policing tactics declined. . . . Examining the effects by race shows the greatest improvements among African Americans, whose opinions were most dramatically affected by the events in Ferguson last fall.

Justice Tankebe, Michael D. Reisig & Xia Wang, [A Multidimensional Model of Police Legitimacy: A Cross-Cultural Assessment](#) (July 15, 2015) (unpublished article, available online).

This study used survey data from cross-sectional, university-based samples of young adults in different cultural settings (i.e., the United States and Ghana) to accomplish two main objectives: (1) construct a 4-dimensional police legitimacy scale, and (2) assess the relationship that police legitimacy and feelings of obligation to obey the police have with two outcome measures. The fit statistics for the second-order confirmatory factor models indicated that the 4-dimensional police legitimacy model is reasonably consistent with the data in both samples. Results from the linear regression analyses showed that the police legitimacy scale is related to cooperation with the police, and that the observed association is attenuated when the obligation to obey scale is included in the model specification in both the US and Ghana data. A similar pattern emerged in the US sample when estimating compliance with the law models. However, although police legitimacy was associated with compliance in the Ghana sample, this relationship along with the test statistic for the sense of obligation to obey estimate were both null in the fully saturated equation. The findings provide support for the Bottoms and Tankebe's (2012) argument legitimacy is a multi-dimensional, comprising police lawfulness, distributive fairness, procedural fairness, and effectiveness. However, the link between police legitimacy and social order appears to be culturally variable.

Kristina Murphy, Elise Sargeant & Adrian Cherney, [The Importance of Procedural Justice and Police Performance in Shaping Intentions to Cooperate with the Police: Does Social Identity Matter?](#) EUR. J. CRIMINOLOGY (published online July 2015).

Research consistently reveals that public perceptions of procedural justice and police performance are important for fostering citizens' willingness to cooperate with police, with procedural justice being more important than police performance. Identifying factors that motivate people's intentions to cooperate with police is the focus of the present study. Of particular interest will be how people's affiliations with different groups in society moderate their responses to questions about their willingness to cooperate with police. The study utilizes survey data from 10,148 Australian residents and demonstrates that procedural justice, police performance, and identity each predict people's intentions to cooperate with police. The findings

also reveal that identity can moderate citizens' concerns about procedural justice and police performance when predicting cooperation.

Zsolt Boda & Gergö Medve-Bálint, [\*How Perceptions and Personal Contact Matter: The Individual-Level Determinants of Trust in Police in Hungary\*](#), POLICING & SOCIETY (published online August 2015).

In established democracies perceptions about police effectiveness and procedural fairness are the main individual-level determinants of trust in police. However, very little is known about whether this is also the case in different circumstances. By analysing trust in police in Hungary, in an East Central European context, the paper finds that the same micro-level factors have a similar relationship with trust in police there as in established democracies. Both the perceptions of police performance and fairness are significant contributors to trust as well as individual judgements about the country's current affairs. However, people attribute different salience to distinct aspects of procedural fairness: Hungarians are sensitive to police corruption, but less so to discriminative police behaviour. Finally, the overall effect of personal contact with the police on trust is negative, but distinguishing those who reported negative personal experiences from those who were satisfied with how the police treated them shows that only bad contacts have a detrimental effect on trust. Our findings suggest that while positive personal experiences with the police do not improve trust judgements, negative ones damage people's perceptions about the police in virtually every dimension.

Oluwagbenga Michael Akinlabi, [\*Young People, Procedural Justice and Police Legitimacy in Nigeria\*](#), POLICING & SOC'Y (published online September 2015).

Most findings from developed western societies – particularly USA and UK – have consistently found that young people's judgement about police legitimacy is built predominantly on procedural justice. Empirical investigations to test this assertion among youth from developing and less cohesive societies remain scarce. This article explores the possibility of closing this gap in literature. It assesses the strength of procedural justice effect in comparison with other police behaviour and inherent characteristics of young people in Nigeria. Using data collected from six secondary schools in Nigeria, the results substantiate the procedural justice hypothesis in the West; confirming that procedural justice is a more important predictor of police legitimacy than police effectiveness. The study also confirm that police legitimacy is further associated with other variables included in the analysis. The implications of these current findings are discussed.

Michael D. White, Philip Mulvey & Lisa M. Dario, [\*Arrestees' Perceptions of the Police: Exploring Procedural Justice, Legitimacy, and Willingness to Cooperate with Police Across Offender Types\*](#), CRIM. JUST. & BEHAV. (published online September 2015).

Only a handful of studies have sought to explore the robustness of the relationship between procedural justice, police legitimacy, and willingness to cooperate with police among adults who have recently been arrested. The findings from those studies have raised questions about the

durability of the framework for offenders, as well as whether there may be variation in perceptions of police across offender types. The current study explores these issues using data from interviews with a large, criminally diverse sample of recently booked arrestees in Maricopa County, AZ, from 2010 to 2012 ( $N = 2,262$ ). Findings indicate that procedural justice is strongly associated with views of police legitimacy, and perceptions of police legitimacy do not vary by offender type. Procedural justice and legitimacy perceptions are powerful predictors of willingness to cooperate with the police. Results provide strong support for the extension of the normative, process-based framework to the arrestee population.

Madeleine Novich, [\*Perceptions of Police Legitimacy Among Female Sex Workers in Sri Lanka\*](#), in *LIVES OF INCARCERATED WOMEN: AN INTERNATIONAL PERSPECTIVE* (Candace Kruttschnitt & Catrien Bijleveld eds., 2016).

Feminist scholarship suggests that gender shapes social organizations, structures opportunities, and institutionalizes gendered differences and inequalities. This would include institutionalized gendered practices within criminal justice organizations and during police-citizen points of contact. Given that gender influences police practices, it is necessary to explore how it specifically impacts perceptions of procedural justice and legitimacy. . . . In this study, I analyse in-depth interviews with female sex workers in Colombo, Sri Lanka. I examine how gender is navigated during interactions between sex workers and police and how sex workers perceive their interactions with the police in terms of the theory's four tenants: fairness, respect, trust, and participation. . . . Finally, I investigate if and how the concepts of procedural justice apply in a non-Western context, where the nature of policing and state authority differs, and there is evidence of systemic corruption.

Scott E. Wolfe, Justin Nix, Robert Kaminski & Jeff Rojek, [\*Is the Effect of Procedural Justice on Police Legitimacy Invariant? Testing the Generality of Procedural Justice and Competing Antecedents of Legitimacy\*](#), *J. QUANTITATIVE CRIMINOLOGY* (published online July 2015).

*Objectives:* This study tests the generality of Tyler's process-based model of policing by examining whether the effect of procedural justice and competing variables (i.e., distributive justice and police effectiveness) on police legitimacy evaluations operate in the same manner across individual and situational differences.

*Methods:* Data from a random sample of mail survey respondents are used to test the "invariance thesis" ( $N = 1681$ ). Multiplicative interaction effects between the key antecedents of legitimacy (measured separately for obligation to obey and trust in the police) and various demographic categories, prior experiences, and perceived neighborhood conditions are estimated in a series of multivariate regression equations.

*Results:* The effect of procedural justice on police legitimacy is largely invariant. However, regression and marginal results show that procedural justice has a larger effect on trust in law enforcement among people with prior victimization experience compared to their counterparts.



Additionally, the distributive justice effect on trust in the police is more pronounced for people who have greater fear of crime and perceive higher levels of disorder in their neighborhood.

*Conclusion:* The results suggest that Tyler's process-based model is a "general" theory of individual police legitimacy evaluations. The police can enhance their legitimacy by ensuring procedural fairness during citizen interactions. The role of procedural justice also appears to be particularly important when the police interact with crime victims.

Silvia Staubli, [Trust in and Attitudes Towards the Police: Empirical Analyses for Europe with a Special Focus on Switzerland](#) (2014) (unpublished Ph.D. dissertation, University of Zurich).

The question underlying this thesis is what shapes people's perception of the police. It aims to contribute to the field of trust and attitudinal research in several ways. Firstly, institutional approaches will be considered, perceiving the police as part of wider governmental institutions. Secondly, theories of procedural justice will be looked at. . . . These approaches enter into the analyses in the way that the global notion of trust in the police will be linked to global statements about police's procedural fairness and effectiveness. Moreover, the level of satisfaction in concrete interactions with the police will be taken into account. . . .

Studies within the field of attitudes towards the police are often based on local surveys. Cross-country analyses with data from large opinion polls are rather seldom. More than just global and concrete attitudes towards the police will be linked here. Another aim is to link cross-national analyses with a concrete in-depth country study. A country study of Switzerland will follow the search for correlations at a cross-country level. It will be tested whether the links can be proven in a single country marked by high levels of trust in the police. In addition to the European level, not only police stops but also victim-initiated contact will be analyzed.

Lindsey M. Cole, [Comparing Police Eyewitness and Lay Eyewitnesses: The Effect of Eyewitness Reputation and Procedural Justice on Juror Verdict Decisions](#) (2015) (unpublished Ph.D. dissertation, University of New Hampshire).

Verdict decisions can have potentially severe consequences for defendants including incarceration or even capital punishment. Previous researchers have identified many factors that can influence these decisions. One of the most influential aspects of juror decisions identified by researchers is witness testimony; however, there has been little empirical research on police officers as witnesses. Jurors may have pre-existing attitudes about the police that may influence how they view police officer witnesses on the stand. Furthermore, special rules govern the admission of credibility evidence against a police officer witness in the state of New Hampshire. The purpose of the study was threefold: the first purpose was to determine if there was an effect of witness type (lay, police officer) on juror decisions; the second purpose was to determine if there was an effect of police officer eyewitness reputation manipulation (good, bad, control) on evaluations of the eyewitness and juror decisions; and the third purpose was to examine the role of the procedural justice model of legal socialization on juror decisions. Results indicated that



participants presented with a lay eyewitness were significantly more likely to render a guilty verdict than participants presented with a police officer eyewitness. Furthermore, participants presented with a police officer eyewitness with a good reputation or a police officer eyewitness with no reputation information provided were significantly more likely to acquit the defendant than participants presented with a police officer eyewitness with a bad reputation. These effects only emerged following group deliberation suggesting an effect of group discussion of the case. Results also provided partial support for the procedural justice model of legal socialization in predicting juror decisions. The findings from the current study advance the existing eyewitness research to include police officers as eyewitnesses and have policy implications for the rules governing police officer witnesses in the state of New Hampshire.

Megan Eileen Collins & Tom Loughran, [Do Offenders Beliefs About Risk and Procedural Justice Reflect Policing Policy Changes? Evidence from Panel Data](#), paper prepared for The Golden Age of Evidence-Based Policy conference (November 14, 2015).

Deterrence-oriented crime and policing policies are predicated on the assumption that individuals' beliefs regarding the certainty and severity of punishment can influence their decision to engage in criminal behavior. Yet, there are likely disparities between objective levels of policing and sanctioning in a certain region and individuals' subjective beliefs about these potential risks to offending in their region. Moreover, policy shifts such as changes in policing tactics are potentially inefficient if individuals' perceptions are not updated to reflect additional information from macro-level policies changes, and could potentially contribute to disparities in community beliefs about procedural justice and legitimacy.

This paper considers the impact of a large scale policy change—a new crime fighting strategy initiated by the Philadelphia, PA Police Department—on both offending behavior and subjective perceptions of individual offenders across different police precincts over a seven year period from 2003-2010. Specifically, we analyze panel data on 700 serious adolescent offenders, in which we observe both self-reported offending as well as self-reported beliefs regarding perceived risk of detection and procedural justice. We explore how these outcomes change in response to shifting policies at the police district level, measured as the Philadelphia Police Department shift staffing and overtime resources to nine particularly violent police districts, during the observational period. We also link these individuals to precinct-level data on expenditures, policing and other control-related factors which also vary both within and across precinct over the time span. We analyze these data in relation to geographic boundaries accounting for individual and precinct-level fixed effects, to study whether individual perceptions of risks and procedural justice vary across different police precincts, and if these changes related to changes in policing, spending and other policy shifts.

Preliminary results suggest that there is important variability in individual perceptions that can be explained by police district, and there are important within-individual changes across the time period. We consider multiple implications for criminal justice policy.

Gabor Hera, [\*The Relationship Between the Roma and the Police: A Roma Perspective\*](#), POLICING & SOC. (published online July 2015).

This paper presents a social science research addressing the relationship between police and the largest minority in Hungary, the Roma. This qualitative study reveals that most of Roma experienced police misconduct and held negative attitudes towards police. Such a relationship weakens overall trust in police and hinders effective policing within and with Roma communities. Therefore, this paper addresses the importance of procedural justice in minority policing but at the same time difficulties of its implementation are highlighted.

Justin Nix, [\*Do the Police Believe That Legitimacy Promotes Cooperation from the Public?\*](#) CRIME & DELINQUENCY (published online July 2015).

Tyler's process-based model of regulation suggests that when citizens perceive the police as a legitimate authority, they are more likely to cooperate in the form of reporting crimes and providing information to the police. Yet most studies have considered citizens' perceptions of police legitimacy—few studies have asked the police what they feel makes them legitimate in the eyes of the public. Likewise, no studies have considered whether the police believe legitimacy is associated with cooperation from the public. The present study addresses this gap using data from a stratified sample of U.S. police executives. Findings suggest police believe performance, rather than procedural justice, is the key to generating cooperation from the public.

Elsa Saarikkomäki, [\*Perceptions of Procedural Justice Among Young People: Narratives of Fair Treatment in Young People's Stories of Police and Security Guard Interventions\*](#), BRIT. J. CRIMINOLOGY (published online September 2015).

This article examines how young people conceptualize typical narratives of fair and unfair treatment by police and security guards. It offers new insights for procedural justice research of how to constitute trust between citizens and authorities by including private security and by using qualitative methods. 31 youths in 9 focus groups continued stories towards (1) fair and (2) unfair encounters. The key difference in these stories was related to how authorities treat people. Fair narratives consisted of peaceful and predictable interactions and mutual respect. Intervening did not challenge trust when young people perceived that the control agents' work task legitimated the intervention. Unfair narratives consisted of impolite and aggressive treatment. Narratives about the police were closer to fair treatment than narratives about security guards. The article also suggests that prior procedural justice research has neglected the importance of the emotional state of the control agent: ideal control agents had an ability to be empathetic and to control their negative emotions. The findings support the procedural justice in highlighting the importance of fair treatment.

## **Business and Management**

Subhas Jha & M.S. Balaji, [\*Perceived Justice and Recovery Satisfaction: The Moderating Role of Customer-Perceived Quality\*](#), 10 MGMT. & MARKETING 132 (2015).

Recovery strategies are critical to service providers in their efforts to maintain satisfied and loyal customers. While the existing research shows that recovery satisfaction is a function of customer perception of distributive, procedural and interactional justice, the present study considers an important contextual factor - customer-perceived quality of the service provider in the evaluation of justice dimensions and satisfaction. To test the hypotheses proposed, a survey was carried out in the mobile services context. The findings reveal that customer-perceived quality affects the evaluation of justice dimensions and its outcomes. The findings reveal that while distributive justice enhances recovery satisfaction for low perceived quality services, the procedural justice resulted in greater satisfaction in high perceived quality services. Thus, by understanding the role of customer-perceived quality, service managers can deliver effective recovery strategies thereby enhancing satisfaction and loyalty.

Sapna Taneja, Ravikesh Srivastava & N. Ravichandran, [\*Consequences of Performance Appraisal Justice Perception: A Study of Indian Banks\*](#), 15 J. ORGANIZATIONAL BEHAV. 33 (2015).

The paper examines the impact of employees' fairness perception on their attitude and behavior. The study used data from 219 employees belonging to two public sector banks and two private sector banks in India, and factor analysis was applied to confirm the structure of justice and outcome measures. Multiple hierarchical regression analysis was applied to establish the underlying relationship between appraisal fairness perception and employees' reactions. The results reported that informational and distributive justice predicted performance appraisal system satisfaction and satisfaction with feedback. All types of justice perception influence employees' satisfaction with rater; distributive justice is a key determinant of rater satisfaction, followed by interpersonal, procedural and informational justice. Intention to quit is negatively influenced by procedural fairness and distributive fairness. None of the justice perception predicted pay satisfaction and work performance. Integrating previous justice researches, this study has attempted to examine the importance of employees' fairness perception. The results suggest that justice should be of prime importance for organizations in order to generate positive outcomes for performance appraisal systems. The findings supported the current theories of appraisal justice to cross-cultural boundaries.

Yong Zhang, Lirong Long & Junwei Zhang, [\*Pay for Performance and Employee Creativity: The Importance of Procedural Justice and Willingness to Take Risks\*](#), 53 MGMT. DECISION (published online July 2015).



**Purpose:** In this study, drawing on social cognitive theory, we aim to clarify how pay for performance (PFP), a specific type of extrinsic reward awarded in field settings, impacts employees' creative self-efficacy and their creativity under varying levels of procedural justice as well as willingness to take risks.

**Design/methodology/approach:** This study used a survey method to investigate nine enterprises in China. A total of 236 matched subordinate-supervisor questionnaires were returned (a 94.4 percent response rate). Because of missing data, the final usable sample comprised 213 subordinate-supervisor matched questionnaires.

**Findings:** The results suggest that for employees with low procedural justice perception or low willingness to take risks, pay for performance was negatively related to creative self-efficacy and creativity; where procedural justice or willingness to take risks was high, those relationships were positive. In addition, moderated path analysis revealed that when procedural justice or willingness to take risks was high, pay for performance had a positive indirect effect on creativity via creative self-efficacy, whereas when procedural justice or willingness to take risks was low, the indirect effects of pay for performance on creativity via creative self-efficacy were negative.

Dong Chul Shim & Sue Faerman, *Government Employee's Organizational Citizenship Behavior: The Impacts of Public Service Motivation, Organizational Identification, and Subjective OCB Norms*, INT'L PUB. MGMT. J. (published online July 2015).

This study attempts to provide an increased understanding of the antecedents of public employees' organizational citizenship behavior (OCB). Using a field survey involving public employees working for Korean local government organizations, the data analyses reveal that public service motivation (PSM), organizational identification, subjective OCB norms, task interdependence and procedural justice are important antecedents of government employees' OCB, even after partialling out the common method variance, whereas job satisfaction and distributive justice are not.

Kathryn Sarah Roloff, [The Perceived Authenticity of Fairness at Work](#) (2015) (unpublished Ph.D. dissertation, Columbia University).

The purpose of this study is to understand how individuals form perceptions of authenticity about their leaders and the subsequent organizational outcomes associated with these perceptions. To date, studies on leader authenticity have primarily focused on how a leader can become more authentic by first getting in touch with his or her internal values and then by choosing behaviors to enact these values. As such, the literature has clarified leader authenticity on an individual level, but does not explain how others come to perceive a leader as authentic. To this end, an experiment will be completed to investigate leader authenticity from the point-of-view of the "recipients" of a leader's behavior. In particular, the focus will be on individuals' perceptions of a leader's enactment of procedural fairness by inviting voice during a promotion decision. A new model of perceived authenticity will be tested by determining how two types of interpersonal

perceptions—volitionality and intentionality—influence perceptions of authenticity and related outcomes.

Mohammad Haybatollahi & Seth Ayim Gyekye, [\*Organizational Justice: A Cross-National Comparative Study of Ghanaian Industrial Workers and Their Finnish Counterparts\*](#), 18 INT'L J. ORGANIZATION THEORY & BEHAV. 231 (2015).

The increased globalization in organizations has created the challenge to investigate and understand the organizational behaviours of employees from different cultural backgrounds. The current study investigated organizational justice from a cross-national perspective. Participants were Ghanaian (N = 320) and Finnish (N = 520) industrial workers. Data was collected with Blader and Tyler's (2003) scale. The Ghanaian participants responded to the English version, and the Finnish participants, a Finnish version. The analyses investigated differences on the three justice components (distributive, procedural and interactional). Further analyses examined which of the three best predicts job satisfaction, the relationships between demographic variables and justice perceptions. T-test, correlations, and regression analyses were used to test the hypotheses. Contrary to our expectations, Ghanaian respondents evaluated higher distributive and procedural justice. As predicted, they indicated more sensitivity to interactional justice than their Finnish counterparts. Significant links between all three justice components and job satisfaction were recorded in both samples. Interactional justice indicated the strongest influence. Demographic variables showed more impact on justice perceptions among Ghanaian workers than their Finnish counterparts. The study's theoretical and practical implications are discussed.

Daniel Kimori Nyantika, Simon Kibet Kipchumba, Daniel O. Auka & Benard Odero Asienyo, [\*Effect of Selected Motivational Factors on the Job Satisfaction of Civil Servants within Government Devolved Functions in Nakuru County\*](#), 12 INT'L J. INNOVATION & APPLIED STUDIES 287 (2015).

Employees' job satisfaction is an old concept in industrial relations and is influenced by a number of factors. Since the promulgation of the Constitution of Kenya 2010, some of the government functions which used to be under the central government have since been devolved to the county governments. These functions include the Ministry of Health, Ministry of Water, Ministry of Agriculture and Ministry of Public works and roads among others. Employees working in these ministries, among others, had their functions devolved to the county governments. The deployment to the counties had adverse effects among employees as exemplified by strikes of the employees of the Ministry of Health. The main objective of this study was to assess the effect of selected job motivational factors on civil servants' job satisfaction within government devolved functions in Nakuru County. The target population was 1912 employees working in the devolved functions. The sample size of the study was 320 systematically picked across the devolved functions. The study used a close ended questionnaire as the main data collection tool. Both Pearson's correlation and regression analyses were used to establish whether the selected motivational factors were related to the exiting level of employees' job satisfaction. The study



established that procedural justice and interactional justice contributed significantly to employees job satisfaction compared to communication and supervision.

### ***New Thinking and Interpretations***

AARON COHEN, [FAIRNESS IN THE WORKPLACE: A GLOBAL PERSPECTIVE](#) (2015).

*Fairness in the Workplace* takes a multi-dimensional approach to the concept of organizational fairness, one that views organizational fairness as being comprised of procedural justice, organizational politics, organizational trust, and psychological contract breach, all of which are indicators of the global evaluation of the (un)fairness of the organization. This evaluation, in turn, predicts the employees' attitudes and behaviors. Such an approach moves from a simplified view of the focal constructs as unique perceptions to a more nuanced understanding of each construct as representing one aspect of the overall assessment of the organization as fair or unfair. By combining them into a concept that represents a higher level of abstraction, we can develop a robust scale with which to measure organizational (un)fairness that has the potential to improve our predictions about employees' attitudes and behaviors. This approach expands existing motivation theories. Furthermore, the book covers the relationship between organizational fairness and organizational outcomes.

### **Miscellaneous**

Heather L. Scheuerman & Shelley Keith, [Supporters and Restorative Justice: How Does the Intersection Between Offenders, Victims and the Community Influence Perceptions of Procedural Justice and Shaming?](#) 3 RESTORATIVE J. 75 (2015).

Restorative justice programmes seek to repair the harm an offence has caused by engaging the offender, the victim and the community in a discussion of the effects the incident had on others and to reach an agreement about proper restitution. Through this process perceptions of procedural justice and reintegrative shaming can be fostered as the offender can participate in this dialogue and is subject to increased social control. Although the presence of others can be beneficial to the restorative justice process, this may not always be the case. Using data from the Australian Reintegrative Shaming Experiments (RISE), we test the influence that others present have on offender perceptions of procedural justice and shaming. We find that the quality of the relationship between offenders and these others, and their mere presence, differentially influence these outcomes. We conclude with a discussion of the implications of these findings.

Janis Warner & Aneika Simmons, [Giving Voice to Students: A Preliminary Analysis of Informal Mid-Term Evaluations & Procedural Justice](#), 19 ACAD. EDUC. LEADERSHIP J. 71 (2015).

Evidence demonstrates that unofficial standardized mid-term evaluations increase end of semester evaluations and student satisfaction. However, standardized evaluations are often too costly to process twice in one semester and lack an acceptable turnaround time to be used effectively. We assert that informal mid-term evaluations, conducted as an opportunity to express

voice (i.e., procedural justice), will produce positive results for both students and instructors, thus significantly enhancing the learning environment, without the cost and turnaround time required by standardized evaluations. Results from a quantitative analysis of instructor evaluations, as well as student grades are reviewed and provide support for our assertions.

Tania Sourdin, [\*Dealing with Disputes About Taxation in a 'Fair' Way\*](#) (unpublished article, July 6, 2015).

Alternative Dispute Resolution (ADR) processes are increasingly being used to deal with a wide range of disputes that can include regulatory disputes involving government. This article explores the use of ADR in disputes relating to taxation and involves a consideration of effectiveness, procedural justice indicators and potential issues with the use of ADR in these disputes. In particular, perceptions of fairness and outcome are contrasted as well as indicia relating to participatory features. The article is based on a study that involved a selected sample of 118 Australian tax disputes that progressed to conciliation, mediation and evaluation over a 12 month period in 2013 and 2014. The study examined the results of 340 surveys of those involved in the sample disputes. It is suggested that procedural justice factors can impact on effectiveness of an ADR process and whether a dispute will be 'finalised' however other factors that are related to the time taken and costs expended can also be relevant in shaping perceptions with different participant groups and may impact on the outcome reached.

Youngho Cho & Yong Cheol Kim, [\*Procedural Justice and Perceived Electoral Integrity: The Case of Korea's 2012 Presidential Election\*](#), DEMOCRATIZATION (published online September 2015).

Recently, there has been an increase in the number of scholars focusing on why voters around the world differ in their evaluations of electoral integrity. One group of scholars contends that perceived electoral integrity is determined by partisan status according to election results. Another group claims that individual perception of election quality is influenced by such political cues as institutional support for election management bodies. Although the two groups have developed this subject differently, they both underestimate the degree to which the election process affects electoral integrity. Based on the theory of procedural justice, this study argues that the more problems citizens see in the electoral process, the more negatively they tend to rate elections. An analysis of a public opinion survey conducted immediately after the December 2012 presidential election in South Korea provides credible evidence for our theoretical expectations and presents an important implication for elections of new democracies in a comparative perspective.

Anna Che Azmi & Nurul Fatma Aziz, [\*Trust, Justice and the Continued Use of E-Filing\*](#), 11 ELECTRONIC GOV'T 207 (2015).

This exploratory study examines the influence of trust and justice dimensions towards the government and the continued usage of the e-filing system. Partial least squares were used for



the data analysis. The results provide evidence that trust and distributive justice are important factors in the continued use of e-filing systems. However, distributive and procedural justice does not have any influence on the perceptions of trust of users of the e-filing systems. Thus, to establish a high level of trust and distributive justice with the citizens who use their e-filing systems, government authorities need to establish good communication with them, and offer honest justifications and explanations to them. The government also needs to tailor their online services such as e-filing to accommodate the needs of different user groups.

Simon Birnbaum, Örjan Bodin & Annica Sandström, [\*Tracing the Sources of Legitimacy: The Impact of Deliberation in Participatory Natural Resource Management\*](#), POL'Y SCI. (published online September 2015).

It is widely assumed that stakeholder participation has great potential to improve the perceived legitimacy of natural resource management (NRM) and that the deliberative-democratic qualities of participatory procedures are central to the prospects of success. However, attempts to measure the actual effects of deliberation on the perceived legitimacy of participatory NRM are rare. This article examines the links between deliberation and legitimacy in participatory NRM empirically by tracing the determinants of stakeholders' level of policy support and their views about procedural fairness. The study uses statistical methods to analyse survey data from a state-led initiative to develop new plans for ecosystem-based coastal and marine management through a participatory approach in five coastal areas in Sweden. We find that the perceived quality of deliberation had a positive impact on these aspects of legitimacy. However, both policy support and perceived procedural fairness were mainly driven by instrumental-substantive considerations rather than deliberative-democratic qualities of the process.

### **In the News/On the Web**

Peter Callaghan, [\*The Professors and the Police: How a Minneapolis Project May Change the Way Cops Everywhere Relate to the Public\*](#), MINNPOST, August 27, 2015.

[\*Meet the Judge Who Assigns Essays in Court\*](#), interview by Melissa Harris-Perry with Victoria Pratt, Chief Judge, Newark Municipal Court (July 11, 2015).

National Network for Safe Communities Conference 2015: [\*Applying Procedural Justice and Police Legitimacy\*](#), YOUTUBE (August 17, 2015).

National Network for Safe Communities Conference 2015: [\*Police and Communities in Motion\*](#), YOUTUBE (August 5, 2015).

Julia Alsop & Gabriela Sierra Alonso, *A Different Kind of Court*, LATINUSA, July 17, 2015, <http://latinousa.org/2015/07/17/a-different-kind-of-court/>.

**Now in Print**

Jacinta M. Gau, [\*Procedural Justice, Police Legitimacy, and Legal Cynicism: A Test for Mediation Effects\*](#), 16 POLICE PRAC. & RES. 402 (2015).

Megan Bears Augustyn, [\*The \(Ir\)relevance of Procedural Justice in the Pathways to Crime\*](#), 39 LAW & HUM. BEHAV. 388 (2015).

Emma Antrobus, Ben Bradford, Kristina Murphy & Elise Sargeant, [\*Community Norms, Procedural Justice, and the Public's Perceptions of Police Legitimacy\*](#), 31 J. CONTEMP. CRIM. JUST. 151 (2015).

Jacinta M. Gau & Rod K. Brunson, [\*Procedural Injustice, Lost Legitimacy, and Self-Help: Young Males' Adaptations to Perceived Unfairness in Urban Policing Tactics\*](#), 31 J. CONTEMP. CRIM. JUST. 132 (2015).

Hiroshi Nonami, Yukio Hirose, Susumu Ohnuma, Cees Midden & Shoji Ohtomo, [\*Effects of Voice and Similarity on Procedural Fairness and Trust: A Dual Process Model of Public Acceptance Based on Representatives' Participation\*](#), 18 ASIAN J. SOC. PSYCH. 216 (2015).

Wesley G. Skogan, Maarten Van Craen & Cari Hennessy, [\*Training Police for Procedural Justice\*](#), 11 J. EXPERIMENTAL CRIMINOLOGY 319 (2015).

Liana Pennington, [\*A Case Study Approach to Procedural Justice: Parents' Views in Two Juvenile Delinquency Courts in the United States\*](#), 55 BRIT. J. CRIMINOLOGY 901 (2015).

Daniel J. Kruger, Joseph L. Nedelec, Thomas M. Reischl & Marc A. Zimmerman, [\*Life History Predicts Perceptions of Procedural Justice and Crime Reporting Intentions\*](#), 1 EVOLUTIONARY PSYCH. SCI. 183 (2015).

Stacy Hoskins Haynes, Alison C. Cares & R. Barry Ruback, [\*Reducing the Harm of Criminal Victimization: The Role of Restitution\*](#), 30 VIOLENCE & VICTIMS 450 (2015).

Nicole E. Haas, Maarten Van Craen, Wesley G. Skogan & Diego M. Fleitas, [\*Explaining Officer Compliance: The Importance of Procedural Justice and Trust Inside a Police Organization\*](#), 15 CRIMINOLOGY & PENOLOGY 442 (2015).

Dennis P. Rosenbaum, Daniel S. Lawrence, Susan M. Hartnett, Jack McDevitt & Chad Posick, [\*Measuring Procedural Justice and Legitimacy at the Local Level: The Police–Community Interaction Survey\*](#), 11 J. EXPERIMENTAL CRIMINOLOGY 335 (2015).



**Procedural Fairness**  
FOR JUDGES AND COURTS

Sarah MacQueen & Ben Bradford, [\*Enhancing Public Trust and Police Legitimacy During Road Traffic Encounters: Results from a Randomised Controlled Trial in Scotland\*](#), 11 J. EXPERIMENTAL CRIMINOLOGY 3 (2015).