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New Developments in Procedural Fairness: A Quarterly Report
Summer 2016

General Research

Cathryn Johnson et al., *Legitimacy Processes and Emotional Responses to Injustice*, 79 SOC. PSYCHOL. Q. 95 (2016),

<http://spq.sagepub.com/content/early/2016/05/06/0190272516645317.abstract>.

Abstract

People typically respond with negative emotions when they perceive an authority's outcome distribution to be unjust. We argue, however, that legitimacy of the authority—“what others think” in terms of support co-workers and superiors extend to an individual occupying an authority position—acts as an opposing force, attenuating negative emotions and thus helping to sustain stratified orders. Likewise, legitimacy may stymie intentional displays of felt emotions. Our experiment examines the effects of perceived distributive injustice, legitimacy of the authority, and authority's procedural fairness on members' self-reported emotions and likelihood of intended emotional displays toward that authority, a superordinate authority, and co-workers in a work group context. Findings demonstrate that while perceived injustice arouses expected self-reported negative emotions, legitimacy (authorization as support by a superordinate authority and endorsement as support by co-workers) reduces such feelings. Also, strong authorization and endorsement indirectly affect intended emotional displays through self-reported negative emotions.

Megan Bears Augustyn & James V. Ray, *Psychopathy and Perceptions of Procedural Justice*, 46 J. CRIM. JUST. 170 (2016),

<http://www.sciencedirect.com/science/article/pii/S0047235216300459>.

Abstract

Objectives: Recognizing that individuals with psychopathic traits are more likely to interact with legal authorities, interact with legal authorities in unique ways, and evaluate these interactions differently from

other individuals, we posit that psychopathic personality traits affect the formation of perceptions of procedural justice.

Methods: Using a sample of adolescent offenders, we use multilevel models to investigate how psychopathy and its various dimensions (i.e., callous-unemotional, grandiose-manipulative, and impulsive-irresponsible) identified through the Youth Psychopathic Traits Inventory (YPI) are related to changes in perceptions of procedural justice. Then, we use within-level interaction terms to analyze how psychopathy and its dimensions condition the effect of involuntary interactions with police and courts on subsequent perceptions of procedural justice.

Results: Results suggest that psychopathic individuals hold lower perceptions of procedural justice, but they experience greater increases in their perceptions after involuntary contacts with legal authorities. Specifically, individuals who display more psychopathic traits on the impulsive-irresponsible dimension experience a greater increase in perceptions of procedural justice after involuntary encounters with police.

Conclusion: Future research should continue to acknowledge the importance of personality in formation of perceptions of procedural justice, and legal authorities should use available instruments to identify psychopathic personality traits to inform citizen-justice agent encounters.

Erika K. Penner, Catherine S. Shaffer & Jodi L. Viljoen, *Questioning Fairness: The Relationship of Mental Health and Psychopathic Characteristics with Young Offenders' Perceptions of Procedural Justice and Legitimacy*, CRIM. BEHAV. & MENTAL HEALTH (published online June 2016), <http://onlinelibrary.wiley.com/doi/10.1002/cbm.2004/abstract;jsessionid=68E43832EBD7472A0884133CBEA145A7.f01t01?userIsAuthenticated=false&deniedAccessCustomisedMessage=>.

Abstract

Aims: Our aim was to establish the extent to which demographic characteristics, legal history and clinical features, including personality characteristics, systematically influenced the degree to which young people experience the justice system as fair and legitimate.

Method: Self-report, file and interview data were collected from ninety-two 12 to 17-year-olds on probation in Western Canada.

Results: Substance use and traumatic experiences were inversely correlated with perceptions of procedural justice and legal legitimacy. Young people with higher scores on interpersonal, lifestyle and antisocial facets of the psychopathy checklist: youth version believed less strongly in the legitimacy of the law, but regression analyses confirmed that only history of trauma was independently associated with perceived procedural justice and legitimacy. Those in the youngest age group were more likely to have

positive perceptions of justice than older youths, but demographics and legal history otherwise did not relate to outcomes.

Conclusions: Our findings suggest that examining the relationship between procedural justice, legitimacy and offending without taking intra-individual variables into account may neglect important influences on those relationships. Other research has begun to show that young people who do not accept the law as legitimate or the criminal justice system as fair are more likely to offend.

Kimberly A. Kaiser, *Procedural Justice and Legal Socialization Among Serious Adolescent Offenders: A Longitudinal Examination* (2016) (unpublished Ph.D. dissertation, Arizona State University), <http://gradworks.umi.com/10/10/10107547.html>.

Abstract

The purpose of this study is twofold. First, this study will build upon recent trends in the literature to examine what factors influence changes in perceptions of procedural justice and legal socialization attitudes over time. In order to do so, the effects of a number of time-stable and time-varying covariates will be assessed. Second, this study will evaluate the effects of four possible mediating measures—legitimacy, legal cynicism, anger, and prosocial motivation—underlying the relationship between procedural justice and criminal offending. . . . Data from the Pathways to Desistance Study—a longitudinal study of 1,354 adolescents adjudicated of a serious offense followed-up for seven years—are used to address this research agenda. Results from this study offer three general conclusions. First, results show that perceptions of procedural justice are malleable, that is, they can change over time and are influenced by a number of factors. Legal socialization beliefs, however, demonstrate only marginal change over time, suggesting these beliefs to be more stable. Second, analyses indicate differing pathways and effects for direct and vicarious experiences of procedural justice. Finally, the multilevel mediation analyses reveal that within-individual changes in direct experiences of procedural justice remains a robust predictor of offending, regardless of the presence of mediating variables. Legitimacy was found to have the strongest mediation effect on between-individual differences in direct procedural justice, whereas anger partially mediated the effects of between-individual differences in vicarious procedural justice. This study concludes with a discussion of policy implications and avenues for future research.

New Thinking and Interpretations

David B. Wexler & Manuel Pérez Muñiz, *La Importancia Del 'Viñedo' De La Justicia Terapéutica Va Más Allá De La Justicia Procesal (The Importance of the Therapeutic Jurisprudence 'Vineyard' Goes Beyond Procedural Justice)* (Arizona Legal Studies

Discussion Paper No. 16-15, 2016),
http://papers.ssrn.com/sol3/papers.cfm?abstract_id=2783878.

Abstract

A recent thoughtful criminology paper urges the use of procedural justice (PJ) and therapeutic jurisprudence (TJ) to form an integrated theory of specialized court programs. The present essay explores the important TJ/PJ conceptual relationship, fully supports their integration, and highlights how, to enhance compliance and rehabilitation, some TJ judicial conversations need to explore topics beyond the important PJ ones of voice, validation, and respectful treatment.

Mike Hough et al., *Does Legitimacy Necessarily Tame Power? Some Ethical Issues in Translating Procedural Justice Principles into Justice Policy* (May 24, 2016) (unpublished manuscript), http://papers.ssrn.com/sol3/papers.cfm?abstract_id=2783799.

Abstract

This article examines some of the ethical dilemmas associated with research on procedural justice. Most of this research has involved surveys of the public, involving attitude measurement amongst random samples of adults. These tend not to give rise to the more common ethical dilemmas that criminological researchers encounter, to do with coerced consent and the preservation of anonymity and confidentiality. However, there are significant ethical issues in the application of this research to policy and practice. They relate largely to the risks in providing utilitarian justifications for the adoption of values, and in the use of low-visibility behavioral techniques to nudge people into compliance with the law. These ethical dilemmas offers ‘knowledge tools’ that could be misused in the pursuit of consent to authority – even if individual research subjects are not exposed to any harm in the research process. These – resolvable – dilemmas need to be surfaced and discussed.

Compliance and Cooperation

Courts

Sanja Kutnjak Ivković & John Hagan, *The Legitimacy of International Courts: Victims' Evaluations of the ICTY and Local Courts in Bosnia and Herzegovina*, EURO. J. CRIMINOLOGY (published online May 2016),
<http://euc.sagepub.com/content/early/2016/05/18/1477370816649625.abstract>.

Abstract

This paper presents the results of a 2007 survey of victims of war crimes and crimes against humanity from Bosnia and Herzegovina. We study the level of diffuse and specific support for the International Criminal Tribunal for the former Yugoslavia (ICTY) among its constituency by exploring the respondents' views about the ICTY and the local courts in Bosnia and Herzegovina, Croatia, and Serbia. Our results show that, whereas the ICTY was the preferred decision-maker for war crimes and crimes

against humanity for the majority of the respondents, ethnicity plays a strong role in the perceptions of the ICTY's legitimacy. Compared with Croat and Serb respondents, who typically expressed little confidence in the ICTY, the Bosniak/Muslim respondents seemed to show the greatest degree of support for the ICTY. Although the majority of the respondents evaluated the ICTY as fair, the level of support for the ICTY was sharply divided across ethnic lines as well and was related to evaluations of the ICTY's distributive fairness and procedural fairness, and to perceptions about the judges' (lack of) political independence. The majority of the respondents evaluated only one domestic court – the Court of Bosnia and Herzegovina – as fair.

James D. Livingston et al., *Forensic Mental Health Tribunals: A Qualitative Study of Participants' Experiences and Views*, 22 PSYCHOL. PUB. POL'Y & L. 173 (2016), <http://psycnet.apa.org/journals/law/22/2/173/>.

Abstract

Decisions pertaining to the liberty of people adjudicated “not criminally responsible on account of mental disorder” (NCRMD) principally rest with forensic mental health tribunals, called Criminal Code Review Boards (RBs) in Canada. Using qualitative description, individual interviews examined how RB processes were perceived by 26 people found NCRMD, 13 family members, and 16 professionals in 3 provinces. Thematic analysis produced 5 themes: involvement of people in RB hearings (constrained voice), treatment of people during RB hearings (respectful process), diverse interests and agendas (balancing interests), RB decision-making ([un]expected outcomes), and time spent under the RBs' jurisdiction (feeling stuck). Although people found NCRMD and others were generally perceived to be treated respectfully and fairly during RB hearings, the participants also identified opportunities for strengthening procedural justice. Further work is needed to understand the influence that RB hearings and perceived procedural justice exert on the recovery and reentry of persons found NCRMD.

Roger J. Heideman et al., *Giving Parents a Voice: A Case Study of a Family Treatment Drug Court Track in Lancaster County, Nebraska*, 52 CT. REV. 36 (2016), <http://aja.ncsc.dni.us/publications/courtrv/cr52-1/CR52-1Heideman.pdf>.

Excerpt from introduction

This article will first discuss the goals and tools of problem-solving courts, specifically the role of the judge in implementing therapeutic jurisprudence through the use of procedural-justice principles. Next, it will discuss the development of family drug courts and how the FTDC [Family Treatment Drug Court] Track was started and developed in Lancaster County [, Nebraska]. The goals and methods of the FTDC Track will be presented, along with the results of an ongoing evaluation of the FTDC Track. Finally, the article will conclude with an in-depth discussion of the evolution of the FTDC Track, emphasizing the issues faced, solutions implemented, and lessons learned. Though problem-solving courts are usually voluntary, the experience in the FTDC Track demonstrates that there are alternative ways to give participants voice in a mandatory program.

Amanda Konradi, *Can Justice Be Served on Campus? An Examination of Due Process and Victim Protection Policies in the Campus Adjudication of Sexual Assault in Maryland*, HUMANITY & SOC'Y (published online June 2016), <http://has.sagepub.com/content/early/2016/06/13/0160597616651657.abstract>.

Abstract

Campus disciplinary systems are positioned to provide a modicum of justice for victims of sexual violence and deter predatory assaults. Yet, this will occur only if victims find them worthy of use and the broader campus community believes them to be fair to accused and accusing students. This investigation reviews the legal status of various due process and victim protection practices and determines their presence in the student disciplinary policies of four-year residential colleges and universities in Maryland. Findings establish that compliance with the Clery Act is relatively high, while due process and victim protections vary widely. Findings also show that public institutions and those adopting “trial”-like adjudication procedures promise greater due process and victim protections compared to private institutions and those following an inquisitorial model. Policies are recommended to achieve procedural fairness while encouraging victims to report abuse and use campus systems, along with further avenues for investigation.

Logan Somers, *Gender and Mental Health: An Examination of Procedural Justice in a Specialized and Comparison Court Context* (2016) (unpublished M.S. thesis, Arizona State University), <http://gradworks.umi.com/10/10/10107938.html>.

Abstract

Procedural justice has become a widely researched topic in the criminological field with applicability to multiple arenas, including policing, corrections, and courts. Its main tenants suggest that through fair treatment, respectful dialogue and being given a proper voice, citizens will view their experiences with authority more justly. However, though the literature regarding procedural justice has grown immensely, it is still unclear whether certain characteristics of individuals, such as gender and mental health, play a role in their perceptions of procedural justice. Using secondary data originally collected for Rossman, Roman, Zweig, Rempel and Lindquist’s Multi-Adult Drug Court Evaluation (MADCE), an attempt is made to address the previously neglected association between procedural justice, gender, mental health and the added aspect of specialized drug court participation. Results suggest that both gender and mental health, namely depression, play a significant role in predicting procedural justice. Additionally, being a drug court participant was significantly related to higher levels of perceived procedural justice. Implications for theory, research, and policy are discussed.

New Thinking and Interpretations

Stephanos Bibas, *Designing Plea Bargaining from the Ground Up: Accuracy and Fairness Without Trials as Backstops*, 57 WM. & MARY L. REV. 1055 (2016), http://papers.ssrn.com/sol3/papers.cfm?abstract_id=2776664.

Abstract

American criminal procedure developed on the assumption that grand juries and petit jury trials were the ultimate safeguards of fair procedures and accurate outcomes. But now that plea bargaining has all but supplanted juries, we need to think through what safeguards our plea-bargaining system should be built around. This Symposium Article sketches out principles for redesigning our plea-bargaining system from the ground up around safeguards. Part I explores the causes of factual, moral, and legal inaccuracies in guilty pleas. To prevent and remedy these inaccuracies, it proposes a combination of quasi-inquisitorial safeguards, more vigorous criminal defense, and better normative evaluation of charges, pleas, and sentences. Part II then diagnoses unfair repercussions caused by defendants' lack of information and understanding, laymen's lack of voice, and the public's lack of information and participation. To prevent and fix these sources of unfairness, it proposes ways to better inform pleas and to make plea procedures more procedurally just.

Brian MacKenzie, *The Judge Is the Key Component: The Importance of Procedural Fairness in Drug-Treatment Courts*, 52 CT. REV. 8 (2016), <http://aja.ncsc.dni.us/publications/courtrv/cr52-1/CR52-1WhitePaper.pdf>.

Excerpt from introduction

While the AJA on behalf of its 2,000 member judges in the United States and Canada has consistently recognized and supported the achievements of DTCs [drug treatment courts], the purpose of this white paper is to identify and advocate for continued chance that will improve the daily work of these courts and the judges who preside over them. We believe that the baseline social-science research underlying this paper is applicable not only in the U.S. and Canada, but in any country using the DTC model.

Sharyn Roach Anleu, David Rottman & Kathy Mack, *The Emotional Dimension of Judging: Issues, Evidence, and Insights*, 52 CT. REV. 60 (2016), <http://aja.ncsc.dni.us/publications/courtrv/cr52-2/Anleu.pdf>.

Excerpt from introduction

Judicial emotions—their display in the courtroom, influence on judicial behaviour, and ultimately, their impact on public trust in the judiciary—are under scrutiny as neuroscientists and social scientists take a fresh look at judicial work and conduct. Emotions and their regulation raise important issues for the exercise of judicial authority, a role in which emotion is formally excised. What has been called "emotional labor" is one of several key concepts guiding empirical research and offering insights into how judges undertake their work. Other related or overlapping concepts include implicit bias, mindfulness, and procedural fairness. . . . This article seeks to enhance understanding of the role of

emotions in judging and how emotions interrelate with other factors that influence judicial conduct, especially in court. It does so by introducing a four-year program of research, "Changing Judicial Performance: Emotions and Legitimacy," that is empirical in focus and comparative in perspective.

Jennifer L. Wollard, Kristin Henning & Erika Fountain, *Power, Process, and Protection: Juveniles as Defendants in the Justice System*, *ADVANCES CHILD DEV. & BEHAV.* (published online June 2016),

<http://www.sciencedirect.com/science/article/pii/S0065240716300167>.

Abstract

The juvenile court was created in 1899 in part to remedy the unfairness of trying youth in the adult criminal justice system, but its success at rectifying those problems is unclear. One concern is that the vast majority of youth who are adjudicated delinquent are adjudicated after waiving their right to trial and entering a guilty plea. Fairness and equity in the plea bargaining process are premised on the assumption that youth have the capacity to understand and elect between available options and will be given a meaningful opportunity to choose without coercion and deception. In legal terms, the Constitution will only sanction a plea when the defendant makes a knowing, voluntary, and intelligent waiver of her right to trial. In this chapter, we briefly describe the juvenile court process and explain the circumstances of a plea bargain, which constitutes both a waiver of Constitutional rights and an agreement to certain conditions. Then we evaluate the research and practice knowledge regarding the legal components of a valid waiver—that it must be knowing and voluntary. We consider how information, capacity, and circumstance contribute to a knowing waiver. Then we examine how procedural justice, paternalism, and coercion may affect a voluntary waiver. Throughout, we consider whether the people, policies, and practices meant to assess and safeguard that waiver decision fulfill their intended purpose.

Policing

Melissa Pepper & Marisa Silvestri, *'It's Like Another Family Innit': Building Police–Youth Relations through the Metropolitan Police Service Volunteer Police Cadet Programme*, *POLICING* (published online April 2016),

<http://policing.oxfordjournals.org/content/early/2016/03/31/police.paw007.abstract>.

Abstract

Attempts to improve the relationship between police and young people are at the forefront of contemporary discourses on how best to secure greater confidence, consent, and compliance with the police. Underpinned by the work of procedural justice theorists, the assertion here is that if the public perceive the police to be fair in their actions and decision making, they are more likely to judge them worthy of respect, deference, and cooperation, and reflect positively on their encounter, regardless of the outcome. Drawing on research carried out with 210 young people, this article considers the work of the Volunteer Police Cadets within the Metropolitan Police Service. We argue that engagement with the programme provides young people with a number of important opportunities to experience positive

'personal encounters' with the police, resulting in a greater feeling of belonging and an increased stake in conformity.

Belén V. Lowrey, Edward R. Maguire & Richard R. Bennett, *Testing the Effects of Procedural Justice and Overaccommodation in Traffic Stops: A Randomized Experiment*, CRIM. JUST. & BEHAV. (published online May 2016), <http://cjb.sagepub.com/content/early/2016/05/03/0093854816639330.abstract>.

Abstract

Research shows that perceptions of procedural justice influence people's trust, confidence, and obligation to obey law and legal authorities as well as their willingness to cooperate with and support legal authorities. Interpersonal interaction styles that are central to procedural justice theory also play a key role in communication accommodation theory (CAT). Based on video clips depicting a police traffic stop, we use a randomized experiment to test the effects of procedural justice and over accommodation on trust in police, willingness to cooperate with police, and obligation to obey police and the law. The results demonstrate that procedural justice has more powerful effects than over accommodation on reported trust and confidence in the officer, as well as respondents' obligation to obey and willingness to cooperate with the officer. Moreover, although procedural justice generated strong effects on encounter-specific attitudes, it did not exert any effect on more general attitudes toward police.

BRIAN SCHAEFER & THOMAS HUGHES, HONING INTERPERSONAL NECESSARY TACTICS (H.I.N.T.): AN EVALUATION OF PROCEDURAL JUSTICE TRAINING, REPORT TO LOUISVILLE METRO POLICE DEPARTMENT TRAINING DIVISION (2016), <http://www.spiaa.com/pdfdoc/LMPD%20Honing%20Interpersonal%20Necessary%20Tactics%20Training%20Evaluation.pdf>.

Summary

The goal of the [Louisville Metro Police Department] training was to enhance the legitimacy of the Department within the communities of Louisville. This report presents the findings of the short-term effectiveness of the procedural justice and legitimacy training. . . .

The training was evaluated using a pre- and post-test design; the analysis focuses on simple before-after differences in officers' views of the procedural justice dimensions. The data came from a survey administered before and after the courses gauging personnel support of the four procedural justice dimensions, as well as several demographic characteristics. . . . The analysis focused on class-based scores that compare the average score for each of the 32 sessions before training and after training. The class-based analysis found procedural justice training led to an increase in sworn personnel's support for all four measures of procedural justice and this increase was statistically significant. Individual-level analysis of responses indicate the majority of respondents agreed or strongly agreed that officers should be consistent and even-handed in decision-making across persons and across time (neutral); should provide community members an opportunity to describe their situation and express their opinion about a

problem (participation); and officers should treat citizens with dignity and respect (respect). However, individual-level analysis found the majority of respondents disagreed or strongly disagreed that officers treat citizens as if they can be trusted to do the right thing. In sum, the findings indicate short-term training did have an impact on support for procedural justice.

Tammy Rinehart Kochel, *Police Legitimacy and Resident Cooperation in Crime Hotspots: Effects of Victimization Risk and Collective Efficacy*, POLICING & SOC'Y (published online April 2016),
<http://www.tandfonline.com/doi/abs/10.1080/10439463.2016.1174235>.

Abstract

This study focuses on police legitimacy and cooperation in high-crime neighbourhoods. Residents' perceptions of victimisation risk and reduced collective efficacy are investigated as potential threats that may promote police legitimacy and cooperation. An integrated model applying systems justification theory, along with the instrumental and process models, provides potential mechanisms for understanding legitimacy and cooperation in crime hot spots. The multi-level regression analysis uses 947 surveys conducted in 71 crime hot spots. Results demonstrate the value of diffuse support for police and uphold the procedural justice and instrumental models of legitimacy in high-crime contexts. Results also support that risk and collective efficacy affect views. Findings point to the importance of how perceptions about context may foster a perceived dependence on police and, through this mechanism, promote cooperation. Results point to the value of further investigating risk, parochialism, and other aspects of context on police legitimacy and cooperation in future research.

Anjuli Van Damme & Lieven Pauwels, *Why Are Young Adults Willing to Cooperate with the Police and Comply with Traffic Laws? Examining the Role of Attitudes Toward the Police and Law, Perceived Deterrence and Personal Morality*, INT'L J. L. CRIME & JUST. (published online April 2016),
<http://www.sciencedirect.com/science/article/pii/S1756061616300131>.

Abstract

The question why people are willing to comply with the law and to cooperate with the police has received more attention the past several years. According to the procedural justice model this is caused by the fact that when civilians trust the police to treat them honestly and fairly, they will perceive the police as a legitimate institution that deserves respect and obedience. The perception that the police is legitimate is necessary so the police can enforce authority and civilians will be willing to comply with the law and to cooperate with the police. This study attempts to test an expanded version of the procedural justice model. The added value of this study is, firstly, that it takes into account several intermediary mechanisms that might influence the relations between perceptions about the procedural justice and effectiveness of the

police, and the compliance with the law and the willingness to cooperate with the police. More specifically, the perceived legitimacy of the law and legal cynicism are added as intermediary variables to the model. Secondly the model is adapted for compliance with traffic laws. Two alternative paths are examined more closely as well, this way we verify what role perceived deterrence and personal morality play in the explanation of the willingness of young adults to comply with traffic laws and cooperate with the police. The test was executed according to path models with the aid of a large-scale student survey (N = 1659). On the one hand, the results show that procedural justice has an effect on the result variables through several pathways, i.e. through the perceived legitimacy of the police, the perceived legitimacy of the law and legal cynicism. On the other hand, the explanatory power of the model is limited. We wish to nuance the results by formulating several critical remarks.

Rick Trinkner & Phillip Atiba Goff, *The Color of Safety: The Psychology of Race & Policing*, in THE SAGE HANDBOOK OF GLOBAL POLICING (forthcoming 2016), https://www.researchgate.net/profile/Rick_Trinkner/publication/301492464_The_Color_of_Safety_The_Psychology_of_Race_Policing/links/5716580c08ae985e9b7cc036.pdf.

Abstract

Discussions of issues confronting law enforcement can be enhanced by using a social psychological perspective that emphasizes the importance of contexts' influence on internal capacities and characteristics to the understanding of human behavior. This chapter shows the utility of such an approach within the context of racial disparities in policing. We focus on judgments of fairness, especially as it pertains to how officers treat people and make decisions, and outline how racial disparities drive the perception that law enforcement is procedurally unfair and serve to erode public trust and support for the law. Attention is then turned to how normal mental functioning that is essential to social behavior can promote such disparities in even the most egalitarian individuals. In particular, we describe (1) the role of implicit racial bias and how automatic associations between racial groups and criminality can motivate differential behavior and (2) the importance of social identity and how threats to that identity can evoke responses that facilitate racial disparities.

Mahesh K. Nalla & Gorazd Meško, *What Shapes Security Guards' Trust in Police? The Role of Perceived Obligation to Obey, Procedural Fairness, Distributive Justice, and Legal Cynicism*, 66 REVIJA ZA KRIMINALISTIKO IN KRIMINOLOGIJO (J. CRIM. INVESTIGATION & CRIMINOLOGY) 307 (2015), https://www.researchgate.net/profile/Gorazd_Mesko/publication/290567029_What_Shapes_Security_Guards'_Trust_in_Police_The_Role_of_Perceived_Obligation_to_Obey_Procedural_Fairness_Distributive_Justice_and_Legal_Cynicism/links/569a042608ae6169e5530997.pdf.

Abstract

There have been studies about citizens' perceptions of trust in the police in both developed and undeveloped economies relative to security guards, who for the most part are private citizens but whose job responsibilities and duties sometimes resemble some functions of the public police. In this paper, we examine security guards' attitudes regarding their trust and confidence in police officers in Slovenia. The data for the study come from a sample of security officers who were required by law to undergo professional development courses on a periodic basis as delineated by the Private Security Act (Zakon o zasebnem varovanju, 2011) of Slovenia. The findings suggest that distributive fairness, procedural justice, and legal cynicism are strong predictors of security guards' trust in police.

Mahesh K. Nalla, Gorazd Meško & Maja Modic, *Assesing Police-Community Relationships: Is There a Gap in Perceptions Between Police Officers and Residents?*, POLICING & SOC. (published online February 2016), <http://www.tandfonline.com/doi/full/10.1080/10439463.2016.1147564>.

Abstract

The notion that community residents are key players responsible for the well-being of the larger society has become a cornerstone of approaches to modern policing in democratic societies. That is, residents partner with police to help maintain social order. An essential element of successful implementation of any programme is communication and understanding between various parties in the partnership. In this paper, we examine whether there is congruence between police officers and residents in how they perceive their relationships on various dimensions of police–community relations. These dimensions include residents' respect for police and their willingness to cooperate in various community-policing activities. Using survey data collected in 2011 from a larger project with a national sample of 581 Slovenian police officers and 959 residents, we analyse both groups' perceptions of community support of and willingness to partner with police officers. Results show that, on the one hand, residents appeared to have respect and confidence in police and were willing to cooperate with police officers in various crime prevention and community-policing activities. On the other hand, we find police officers' perceptions of residents' willingness to cooperate with the police ranked lower than residents' reflections on these matters. On many of the dimensions of police–community partnerships, residents appeared more willing to cooperate and support the police compared to what officers perceived of residents' willingness. This research identifies a gap in perceptions of citizen support of the police between Slovenian residents and police officers, which has to be bridged to make community policing more effective.

EMILY G. OWENS ET AL., PROMOTING OFFICER INTEGRITY THROUGH EARLY ENGAGEMENTS AND PROCEDURAL JUSTICE IN THE SEATTLE POLICE DEPARTMENT (2016), <https://www.ncjrs.gov/pdffiles1/nij/grants/249881.pdf>.

Excerpt from abstract

Academics have long argued that the use of procedural justice is a necessary component of effective policing; yet, there is scant evidence on how the goals of procedural justice can be implemented in a

practical way and on whether training officers to “listen and explain with equity and dignity” (LEED) actually translates into quantifiable improvements in field outcomes that policy makers care about. The purpose of this study was to conduct an experimental evaluation of an innovative training program aimed at promoting the use of procedural justice by officers in the Seattle Police Department (SPD).

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The officers who participated in supervisory meetings appeared to engage in encounters with citizens with equal frequency as their colleagues. However, those who participated in the meetings were roughly 26% less likely to resolve an incident with an arrest one week after having a meeting when compared to their colleagues who did not participate. This effect is reasonably persistent, and the results suggest that officers who participated in the LEED debriefs were 12% less likely overall to resolve incidents via an arrest over the six-week period after the supervisory meetings. The results also suggest that in the longer run, officers who participated in the meetings were over 50% less likely to be involved in a use of force incident.

....

We conclude that non-disciplinary LEED based supervisory meetings are a promising strategy for improving police legitimacy. Officers who had at least one meeting over a six month period in which they reviewed how they approached relatively standard citizen encounters appeared to be less likely to engage in behaviors that, while central to policing, have the potential to reduce legitimacy when abused (e.g. making arrests and use of force).

Kevin Robert Carriere, *The Militarization of Police's Eyes, Ears, and Hands: The 1033 Department of Defense Program and Police Safety Outcomes* (2016) (unpublished M.P.P. thesis, Georgetown University),

<https://repository.library.georgetown.edu/handle/10822/1040783>.

Abstract

The current state of race relations in Baltimore, Ferguson, and New York have brought to light the issues of police legitimacy and trust with police officers and the citizens they serve to protect. The results of these conflicts have brought to light the militarization of local police, where officers are being provided with unused equipment from the government’s war chest. But why are these police being heavily armed? Is there truly a threat? Using data on police equipment purchases provided by NPR and assaults on police officers provided by the FBI, this investigation analyzes the effects of purchases on the count of assaults on police officers. Negative binomial regressions on state-month level data shows that the compounded summation of surveillance purchases have a negative, but substantively insignificant, effect on assaults across both linear and quadratic models, while military grade weapons purchases exhibit a significantly positive increase on the risk ratio of assaults under a quadratic model. Results are discussed in light of psychology research on procedural justice and trust of law enforcement, and implications for the policy arena are developed, recommending a decrease in the program’s use in regards to weapon-based purchases. Future work continuing this analysis with stronger controls, more data points, and other datasets are considered.

Sarah Vidal et al., *Adolescents' Legal Socialization: Effects of Interrogation and Miranda Knowledge on Legitimacy, Cynicism, and Procedural Justice*, *YOUTH VIOLENCE & JUV. JUST.* (published online May 2016),
<http://yvj.sagepub.com/content/early/2016/05/27/1541204016651479.abstract>.

Abstract

This study examined how detained youths' (N = 98) actual experiences with the law, including frequency of contact with the police and knowledge about the Miranda warning and interrogation practices, relate to their perceptions of support, fairness, and trust toward the police. Results show that more police contacts were associated with lower perceived obligation to obey the law and higher cynicism toward the law and also moderated the relationships between age and police legitimacy and race/ethnicity and police legitimacy and procedural justice. Comprehension of the Miranda warning was associated with lower perceived obligation to obey the law and procedural justice, and knowledge about police interrogation practices was associated with lower perceived police legitimacy. These findings suggest the potential of legal socialization as a mechanism for intervention among offending adolescents; programs that promote positive youth–police interactions may help minimize negative attitudes and foster perceptions of trust and fairness toward the police.

Nusret Sahin et al., *The Impact of Procedurally-Just Policing on Citizen Perceptions of Police During Traffic Stops: The Adana Randomized Controlled Trial*, *J. QUANTITATIVE CRIMINOLOGY* (published online May 2016),
<http://link.springer.com/article/10.1007/s10940-016-9308-7>.

Abstract

Objectives: The process-based model of police legitimacy suggests, when police are perceived to make fair decisions and treat people with respect, they will be viewed as legitimate authorities. A randomized controlled trial was used to test the impact of a procedural justice policing intervention, relative to routine police behavior, during traffic stops for excessive speeding in Adana, Turkey.

Methods: Drivers stopped by traffic officers for speeding violations were randomly assigned to treatment and control groups. Subjects in the treatment group received the procedural justice policing intervention during traffic stops, while subjects in the control group experienced business-as-usual traffic stops. Treatment officer behavior was guided by a script that helped to ensure that key components of a procedurally-just encounter were delivered. After completion of the traffic stop, drivers were interviewed on the encounter and general perceptions of traffic police.

Results: The experimental analyses show that the infusion of procedural justice principles into police traffic stops does improve citizens' perceptions of the specific encounter relative to routine police traffic stops. However, the procedural justice treatment did not generate a robust improvement in citizens' general perceptions of traffic officers.

Conclusion: These results indicate it might be overly optimistic to suggest a single positive encounter can exert a strong influence on durable citizen perceptions of confidence and trust in the police. In addition to

ensuring procedurally-just encounters, police executives and police makers should also pay attention to other relevant performance dimensions such as crime control effectiveness, distributive fairness, and lawfulness to change global perceptions of the police.

Ben Bradford, Jenna Milani & Jonathan Jackson, Identity, Legitimacy and “Making Sense” of Police Violence (June 2016) (unpublished manuscript),

https://www.researchgate.net/publication/303894714_Identity_Legitimacy_and_%27Making_Sense%27_of_Police_Violence.

Abstract

This paper examines the extent to which police legitimacy and social identity predict public acceptance of police use of force. The study draws upon cross-sectional data from a 2015 survey of a representative sample of adults in England & Wales. Structural equation modeling is used to model conditional correlations between latent constructs. There are two main results. First, identifying more strongly with a social group that the police plausibly represent to people was consistently associated with greater acceptance of police use of force, whether or not that force seemed to be legally justified. Second, beliefs about the legitimacy of the police were associated with acceptance, but primarily in relation only to the use of force in situations where it appeared prima facie justifiable. Results suggest one possible set of reasons explaining why police retain public support in the face of scandals concerning excessive use of force. In terms of originality, this is one of only a very few investigations into (a) the association between legitimacy and public acceptance of apparently illegal or unethical police action and (b) the extent to which identification with a particular social group predicts judgments of police behavior. It is also one of the few papers that has explored the possibility of perverse outcomes arising from procedurally just policing.

Madeleine R. Friga, Shifting the Understanding of Youth Public Order Crime: An Opportunity for Diversion (May 2016) (unpublished M.A. thesis, Clark University),

http://commons.clarku.edu/idce_masters_papers/55/.

Abstract

Youth, particularly young men of color, exist in a vulnerable position in relation to law-enforcement in the Worcester community. Poor relationships between youth and police officers have an impact on the quality of their interactions, and contribute to the disproportionate number of young people arrested as a result of police contact. There were 313 incidents analyzed from the 2014 Worcester Police reports of juvenile arrests in order to better understand the quality and outcomes of the interactions. The data indicates that youths’ negative perceptions of officers’ procedural justice affects the demeanor of the youth towards the officer. Additionally, the demeanor of the youth affects the officers’ arrest decisions. It is found that the result of these two interrelated phenomenons is the incurrence of public order charges, which can be better understood as crimes of order against the police. Interventions such as police training should work to increase developmental competence in order to disrupt the cycle of escalation that drives the high level of ‘low-level’ crime in Worcester.

Michael Francis Aiello, *Calling Campus Police: A Test of Procedural Justice and Unresponsive Bystander Models* (June 2016) (unpublished Ph.D. dissertation, City University of New York), http://academicworks.cuny.edu/gc_etds/1392/.

Abstract

This dissertation focuses on the phenomenon of campus crime reporting, specifically students' self-reported likelihood of reporting a petty theft, aggravated assault, indecent exposure, or gun possession incident to the college public safety department, municipal police, and a member of the library staff. This project tests two different social psychology models that predict indirect bystander intervention, or a third party relying on another third party to assist someone in need. The survey vignette design involves experimental manipulation of several situational variables in line with the 'unresponsive bystander' model (Latané & Darley, 1970) and subsequent scholarship. The procedural justice model (Tyler & Blader, 2003) focuses on how the process rather than the outcome of law enforcement-citizen encounters influences future cooperation. I extend this theory and empirical scholarship to the institution of campus policing. Undergraduate respondents (n = 554) indicated that the most powerful influences on their hypothetical reporting behaviors were situational factors, specifically the severity of the witnessed crime scenario, with anonymity and bystander group size non-significant. In addition, the procedural justice model receives strong support from this empirical evaluation. General procedural justice ratings serve as a significant predictor of evaluations of campus police legitimacy. In turn, legitimacy ratings are a significant predictor of reporting willingness, controlling for distributive justice. Extension of the procedural justice model to the campus police context indicates that in addition to procedural justice ratings, undergraduates view the crime-fighting effectiveness of the campus police as a key influence on their evaluation of campus police legitimacy. As several prior procedural justice studies controlled for instrumental variables such as police effectiveness or performance, this represents an area for future exploration and theorization.

Daniel K. Pryce, *Does Procedural Justice Influence General Satisfaction with Police? A Study from a Hard-to-Reach Population of Immigrants in the United States*, *J. CRIME & JUST.* (published online June 2016), <http://www.tandfonline.com/doi/abs/10.1080/0735648X.2016.1193820>.

Abstract

This study is the first to examine the impact of procedural justice on general satisfaction with the police in a sample of Ghanaian immigrants in the United States. After refining the legitimacy variable used in prior research, trust was found to load disparately from obligation to obey. Obligation to obey was thus employed as an independent variable in the regression analyses. Procedural justice was found to be the strongest predictor of satisfaction with police, although effectiveness and personal experiences also significantly predicted satisfaction. These results establish the importance of procedural justice in gaining satisfaction with the police, and show that obligation may be a discrete variable from legitimacy. Overall, this study's findings show that the police should weave together normative and instrumental models of policing for increased satisfaction with the police in the Ghanaian immigrant community.

TAMMY RINEHART KOCHER, GEORGE BURRUSS & DAVID WEISBURG, ST. LOUIS COUNTY HOT SPOTS IN RESIDENTIAL AREAS (SCHIRA) FINAL REPORT: ASSESSING THE EFFECTS OF HOT SPOTS POLICING STRATEGIES ON POLICE LEGITIMACY, CRIME, AND COLLECTIVE EFFICACY (2015).

Abstract

This study of policing strategies in St. Louis County (Missouri) compared the impact of a police collaborative problem-solving approach (PS), directed patrol (DP), and standard policing practices (SPP, the control group) on crime hot spots in the county and residents' opinions of police, their neighborhoods, and their willingness to exert collective efficacy to improve public safety. Under PS, 22 officers were assigned to the 20 PS sites. These officers were trained in the SARA method of PS in an initial 2-day session and a 1-day booster. Officers were required to partner with at least one stakeholder in addressing at least one problem, using the response strategies designed to counter identified problems (namely, burglary, theft of or from vehicles, domestic violence, assault, drug and gang problems, and quality of life concerns). DP sites involved doubling the time spent by officers at assigned hot spot locations, using automated vehicle location data to document officer time spent at baseline and weekly during the treatment period. Data indicate that both PS and DP policing strategies were superior to SPP (the control condition) in reducing crime in hot spots over the short term without lasting adverse effects on public attitudes toward police. The adverse effects of the two hot spots policing strategies were limited to initial feelings of mistrust and concerns about procedural justice among residents where DP was used. Over the long term, none of these detrimental effects persisted, and collective efficacy improved, along with residents' cooperation with the police.

Ryan D. Mays, *The Effect of Procedural Justice During Police-Citizen Encounters: A Factorial Vignette-Based Study* (2016) (unpublished Ph.D. dissertation, Arizona State University), <http://gradworks.umi.com/10/10/10107695.html>.

Abstract

Many studies testing the effects of procedural justice judgments rely on cross-sectional data. The shortcomings of such a strategy are clear and alternative methodologies are needed. Using a factorial vignette design, this study tests a variety of hypotheses derived from the process-based model of regulation, most of which involve the posited outcomes of procedural justice judgments during police-citizen encounters. This technique allows the researcher to manipulate police process during citizen encounters via hypothetical scenarios. Experimental stimuli are used as independent variables in the regression models. The results show that participants who were administered vignettes characterized by procedural injustice had lower levels of encounter satisfaction, decision acceptance, immediate compliance and greater expectations that police handle similar situations in the future differently relative to individuals who did not receive the negative stimulus. These effects are statistically significant across encounters involving traffic stops and noise complaints. As anticipated, the effect of procedural injustice often proved more salient regardless of whether participants were administered vignettes where they

received a citation. Given the utility of the vignette design, future researchers are encouraged to apply the design to additional causal questions derived from the process-based model.

Sally Galovic et al., *Procedural Justice and Frontline Policing: The Effects of the Police Complaints System*, 18 J. FORENSIC PRACTICE (published online June 2016), <http://www.emeraldinsight.com/doi/abs/10.1108/JFP-11-2015-0051>.

Abstract

Purpose: This paper presents results from a qualitative study exploring the complaints system within New South Wales Police Force (NSWPF) in Australia. The stories shared illustrate the impact of the complaints system on officers currently serving in this force. The study reveals how the complaints system impacts on both the working conditions and workplace environment of police officers, as well as impacting on the professional relationships amongst each other.

Design/methodology/approach: The study is qualitative in design, in which in-depth interviews were conducted with a sample of 14 rank and file police officers. The qualitative analysis draws upon a thematic approach and a direct reference to police officer comments and perspectives are illustrated and used to inform the framework of the discussion and implications for further research in this area.

Findings: The findings yield three central themes - 1. 'Police perceptions of accountability', 2. 'The complaints tool – a question of intra institutional justice' and 3. 'Performance impact'. These are discussed in direct relation to what police officers revealed about their experiences and thoughts on the current complaints process in New South Wales (NSW).

Robert E. Worden & Sarah J. McLean, *Measuring, Managing, and Enhancing Procedural Justice in Policing: Promise and Pitfalls*, prepared for presentation at the 2016 NACOLE Academic Symposium (April 22, 2016), <http://www.jjay.cuny.edu/sites/default/files/contentgroups/p2ph/Worden%20%26%20McLean%20Measuring%20%26%20Managing%20Procedural%20Justice.pdf>.

Abstract

The primary objective of this NIJ-funded project was to learn whether and how the measurement of procedural justice would lead to its better management. Information on the quality of police-citizen encounters was drawn from surveys of citizens who had contact with the police in each of two cities, Schenectady and Syracuse, NY. Following the accumulation of baseline survey data, survey results on citizens' satisfaction and judgments about procedural justice in their police contacts were summarized and reported to command staffs on a monthly basis through the departments' respective Compstat meetings. . . .

We examined the impacts of measuring performance in this way, analyzing citizens' assessments of procedural justice over time, before and after the initiation of monthly reporting. We also developed a second indicator of procedural justice that was independent of citizens' judgment, taking advantage of

Schenectady's dash-mounted cameras and procedures for routine video and audio recording of police-citizen encounters. . . . Neither indicator of police performance – the survey-based indicator nor an observation-based indicator – revealed consistent changes that ensued from the measurement of performance. Overall, the month-to-month changes in measures of citizens' subjective experience were by and large within a range of sampling fluctuation in both sites However, in Schenectady, we found a modest improvement in officers' performance on one platoon, whose supervisors gave regular attention during line-ups to the quality of police-citizen interaction, and in that context shared survey results that had been delivered at the monthly Compstat meeting.

New Thinking and Interpretations

Cody W. Telep & David Weisburd, *Policing, in* WHAT WORKS IN CRIME PREVENTION AND REHABILITATION (David Weisburg, David P. Farrington & Charlotte Gill, eds., 2016), http://link.springer.com/chapter/10.1007/978-1-4939-3477-5_5.

Abstract

While just a decade ago, there were almost no systematic reviews on policing, we now have 17 completed systematic reviews of police practices. We examined these reviews to assess what we have learned, questions that remain unanswered, and how we can best move forward. Our findings suggest the effectiveness of a number of policing strategies for addressing crime Information-gathering interrogation methods seem promising for reducing false confessions, and programs to increase procedural justice show promise for increasing citizen satisfaction, compliance, and perceptions of police legitimacy. Community policing programs have an overall impact on improving citizen satisfaction and perceptions of legitimacy.

Mike Hough, Jonathan Jackson & Ben Bradford, *Policing, Procedural Justice and Prevention, in* ROUTLEDGE HANDBOOK OF CRIME PREVENTION AND COMMUNITY SAFETY (2nd ed., forthcoming),

http://papers.ssrn.com/sol3/papers.cfm?abstract_id=2788037.

Abstract

Procedural justice is receiving increasing global attention both as a way of improving the legitimacy of policing and because styles of policing associated with procedural justice seem to be associated with improvements in community-police relations and reductions in crime. This chapter locates procedural justice theory within a broader framework of compliance theories, and summarises the main features of the theory. The authors have developed, refined and tested procedural justice theory in Europe and elsewhere, using the 2010 European Social Survey, and the chapter presents some key findings. The chapter concludes with a discussion of the practical and ethical issues in embedding principles of procedural justice in policing.

Ben Bradford, *The Dog That Never Quite Barked: Social Identity and the Persistence of Police Legitimacy*, in *CHANGING CONTOURS OF CRIMINAL JUSTICE: RESEARCH, POLITICS AND POLICY* (M. Bosworth, C. Hoyle & L. Zedner eds., forthcoming), <https://www.researchgate.net/publication/303894363> [The dog that never quite barked](https://www.researchgate.net/publication/303894363) [Social identity and the persistence of police legitimacy](https://www.researchgate.net/publication/303894363).

Excerpt

The idea that the police have lost legitimacy, the 'trust and confidence' of the policed and/or 'public support' (terms used more or less interchangeably by many commentators) has become something of an organizing concept, an explicit or tacit understanding that underscores many academic, policy and organizational debates. . . . Yet there is a danger in overstating the extent to which police legitimacy has declined. An alternative account might emphasise that public attitudes toward the police remain stubbornly positive. [D]espite 50 years of scandals, often concerning, precisely, unfair policing, the collapse in police legitimacy remains the dog that never quite barked. Naturally, there are likely to be many answers to this puzzle. For Harkin (2014) the police fulfil atavistic urges to punish among at least some sections of the population, and garner legitimacy from the extent to which they are perceived to be acting against (punishing) denigrated outgroups. . . . I want to concentrate on another potential explanation, however, that derives directly from procedural justice theory. In this view, the police embody a social identity salient to many people's sense of self. When people feel they share an identity (Tajfel 1978), *with* police they are more likely to grant legitimacy *to* police (Hogg 2001). The police draw legitimacy from their association with a particular social identity (or set of identities), and from the motivations of individuals to act in ways that support groups to which they feel they belong. Developing this idea provides insight, I argue, into why police legitimacy has not collapsed in the face of the kinds of scandals adumbrated above.

William Terrill, Eugene A. Paoline III & Jacinta M. Gau, *Three Pillars of Police Legitimacy: Procedural Justice, Use of Force, and Occupational Culture*, in *THE POLITICS OF POLICING: BETWEEN FORCE AND LEGITIMACY* 59 (Mathieu Deflem ed., 2016), <http://www.emeraldinsight.com/doi/pdfplus/10.1108/S1521-613620160000021004#>.

Abstract

Purpose: This chapter seeks to illuminate the interconnectedness of procedural justice, use of force, and occupational culture in relation to police legitimacy.

Methodology/approach: The authors review the existing literature and offer an integrated methodological approach that would better assist researchers in their quest to enhance police legitimacy.

Findings: Using a systematic design that assesses police legitimacy from a variety of sources has the potential to help answer critical questions with regard to improving police practice.

Originality/value: This is a novel study approach, which has yet to be implemented but which may offer great insight with respect to improving police legitimacy.

Business and Management

Sonja Schinkel, Annelies E. M. van Vianen & Ann Marie Ryan, *Applicant Reactions to Selection Events: Four Studies into the Role of Attributional Style and Fairness Perceptions*, 24 INT'L J. SELECTION & ASSESSMENT 107 (2016), <http://onlinelibrary.wiley.com/doi/10.1111/ijsa.12134/abstract;jsessionid=0C283650A4626A3A8AF2AFF2DEE2C8D.f04t04?userIsAuthenticated=false&deniedAccessCustomisedMessage=>.

Abstract

In four studies, applicants' (N = 478) organizational attractiveness perceptions and recommendation intentions following selection outcomes were measured. In three field studies, actual applicants' perceptions were measured in authentic, high-stakes application contexts, both pre-procedure and post outcome. A fourth, hypothetical, study was added to increase internal validity. Consistent positive relationships between procedural fairness and reactions were found. Further, attributional style moderated the distributive fairness–attractiveness relationship in the field studies, but not in the laboratory study. In general, optimistically attributing applicants reported higher organization attraction than less optimistic individuals when the outcome was perceived as fair, but lower attraction when the outcome was perceived as unfair. For recommendation intentions, results were less consistent. Implications for future research and practice are discussed.

Andrew B. Speer, Brandon S. King & Michael Grossenbacher, *Applicant Reactions as a Function of Test Length: Is There Reason to Fret Over Using Longer Tests?*, 15 J. PERSONNEL PSYCHOL. 15 (2016), <http://econtent.hogrefe.com/doi/abs/10.1027/1866-5888/a000145?journalCode=pps>.

Abstract

This study investigated how the length of pre-employment assessments affects applicant reactions to the testing process and organization. Using a between-subjects design, participants took one of four assessments (short personality, long personality, short cognitive, long cognitive) where they were incentivized to perform well, followed by a survey assessing perceptions of procedural justice, organizational attractiveness, and likelihood of accepting a job offer. Longer tests did not worsen applicant reactions for either personality or cognitive tests, and in fact individuals taking a longer cognitive assessment reported more favorable applicant reactions. Implications are discussed.

Chris Paul Long, *Promoting Fairness in the Face of Conflict: The Moderating Effect of Social Control*, 37 LEADERSHIP & ORG. DEVELOPMENT J. 593 (2016),
<http://www.emeraldinsight.com/doi/abs/10.1108/LODJ-09-2014-0175>.

Abstract

This paper describes how superior-subordinate conflicts stimulate managers to promote fairness. . . . These ideas are tested in two studies: 1. a survey of managers and their subordinates; 2. a scenario-based experiment. The results obtained from these studies demonstrate that when managers who apply social controls [i.e., training and socialization activities that promote emotional connection and value congruence] encounter superior-subordinate conflicts, they more actively work to fairly allocate rewards and responsibilities (i.e., promote distributive fairness) and accurately and consistently apply organizational procedures (i.e., promote procedural fairness). This paper demonstrates how managers who are engaged in important sets of behaviors use fairness to address conflicts with their subordinates. By identifying when superior-subordinate conflicts stimulate managers to promote fairness, this paper contributes to research on how individuals use fairness and controls together to maintain their positions of authority within social contexts (e.g., groups, units, organizations).

Antoinette Weibel et al., *How Do Controls Impact Employee Trust in the Employer?*, 55 HUM. RES. MGMT. 437 (2016),
<http://onlinelibrary.wiley.com/doi/10.1002/hrm.21733/abstract;jsessionid=4312358C2BCD3AF8FA736727C30ABC00.f02t02?userIsAuthenticated=false&deniedAccessCustomisedMessage=>.

Abstract

Do organizational controls facilitate or hinder employees' trust in their organization? We addressed this question through a mixed-methods design using three studies. Based on a literature review and an open-response survey study (Study 1), we developed a theoretical model proposing that organizational control is positively related to employees' trust in their organization, and that this relationship is mediated by procedural fairness and organizational prestige. This mediated model was tested and supported in a quantitative survey of 582 European managers and professional employees from a range of organizations (Study 2). A complementary, qualitative interview-based study (Study 3) confirmed that well-implemented controls facilitate trust in the organization; however, poorly implemented control systems that are inconsistent, overly rigid, or incentivize untrustworthy behavior can undermine trust in the organization.

Shu-Yuan Chen, Jin Feng Uen & Chih-Chan Chen, *Implementing High Performance HR Practices in Asia: HR Practice Consistency, Employee Roles, and Performance*, ASIA PACIFIC J. MGMT. (published online April 2016),
<http://link.springer.com/article/10.1007/s10490-016-9466-z>.

Abstract

High performance HR (human resources) practices are well understood to positively impact employee behavior and performance. However, much is still not known about the implementation of effective HR practices and their specific impact on employee behaviors. In this regard, this study identifies the significance of HR practice consistency, develops direct measures of that consistency, and examines the impact on employee role performance. This study also explores how consistency affects shared perceptions of procedural justice and employees' role performance by employing a cross-level research design. The data in the study were collected from 355 employees of 42 companies within the manufacturing and service industries in Taiwan. This study makes theoretical and methodological contributions by identifying the significance of HR practice consistency, and provides empirical evidences for its potential influences. It also offers practical suggestions that can be used as important reference points by organizations, particularly those in Asia seeking to implement high performance HR practices.

Halil Nadiri, *Diagnosing the Impact of Retail Bank Customers' Perceived Justice on Their Service Recovery Satisfaction and Post-Purchase Behaviours: An Empirical Study in Financial Centre of Middle East*, 29 *ECON. RES.* 193 (2016), <http://www.tandfonline.com/doi/abs/10.1080/1331677X.2016.1164925>.

Abstract

The banking sector ranks among the top three sectors in terms of frequency of complaints. The purpose of this study is to assess the effects of perceived justice on recovery satisfaction and to examine the relationships between recovery satisfaction and customer relationship variables in the banking sector where there are lack of empirical studies. Empirical observations were made through questionnaires conducted with 178 retail bank customers in Dubai. The data are analysed through partial least squares (PLS) approach to path modelling to estimate the measurement and structural parameters. The results revealed that distributive justice (DJ), procedural justice (PJ) and interactional justice (IJ) had significant positive effects on service recovery satisfaction, while IJ has the strongest effect with respect to others. Also, service recovery satisfaction had a significant positive effect on trust. The structural model results also revealed that customers' perceptions of trust had a significant positive effect on their WOM communication and repurchase intentions. The results of the study show that the service recovery satisfaction is a vital mediating variable between perceived justice of customers and customer relationship variables. Furthermore, the mediational role of trust between service recovery satisfaction and future intentions is extensive.

Brandon William Kreider, *The Impact of Age: Do Younger Workers Need More Support, Justice, and Trust to Stay with an Organization* (March 2016) (unpublished M.S. thesis, Pennsylvania State University), <https://etda.libraries.psu.edu/catalog/28729>.

Abstract

The purpose of this study is to determine if perceived supervisor support, procedural justice, distributive justice, and trust in senior management impacts an employee's affective commitment and their intention to quit. This study then analyzed further the moderating effect of age on these relationships.

Understanding how age impacts these relationships is important for organizations to understand because it will impact how their leaders create policies and manage their employees. A questionnaire asking for the employee's perspective on the independent and dependent variables was distributed to a large, United Kingdom government agency in 2008. The moderated regression analysis showed that older workers had less affective commitment and a greater intention to quit the organization regardless of the level of perceived supervisor support, procedural justice, distributive justice, or trust in senior management.

Juhani Sulander et al., *Does Organizational Justice Modify the Association Between Job Involvement and Retirement Intentions of Nurses in Finland?*, NURSING & HEALTH (published online June 2016),

[http://onlinelibrary.wiley.com/doi/10.1002/nur.21740/abstract?userIsAuthenticated=false&deniedAccessCustomisedMessage=.](http://onlinelibrary.wiley.com/doi/10.1002/nur.21740/abstract?userIsAuthenticated=false&deniedAccessCustomisedMessage=)

Abstract

Given the growing aging population in Finland, retaining health staff to care for them is important. In an exploration of predictors of quitting before the typical retirement age, which ranges from 63 to 68 years in Finland, we examined whether organizational justice moderated the association between job involvement and retirement intentions among nurses 50 years and over. The sample was 446 nurses (70% practical nurses) working in 134 assisted living facilities providing 24-hour care for older residents in Finland. Job involvement was measured with the Job Involvement Questionnaire, and organizational justice with a scale that tapped its three dimensions: distributive justice, procedural justice, and interactional justice. In covariance analyses, low organizational justice and low job involvement were associated with a higher likelihood of retirement intention. Both interactional justice and procedural justice moderated the association of job involvement with retirement intentions. Among nurses with low job involvement, those who experienced unjust treatment, that is, low interactional justice, and evaluated organizational procedures as unjust had significantly stronger retirement intentions than nurses with high levels of interactional and procedural justice. Distributive justice was associated with retirement intentions in both high and low job-involved respondents. Organizational justice may act as a buffer against retirement intention as one consequence of nurses' low job involvement.

Miscellaneous

Brendan R. McDonald, Robert D. Morgan & Patrick S. Metze, *The Attorney-Client Working Relationship: A Comparison of In-Person Versus Videoconferencing Modalities*, 22 PSYCHOL. PUB. POL'Y & L. 200 (2016), <http://psycnet.apa.org/journals/law/22/2/200/>.

Abstract

The current study compared criminal defendants' perceptions of attorney-client working relationship variables across in-person and videoconferencing consultation modalities. Defendants participated in pre-trial consultations with their defense attorneys either in person (n = 22) or via videoconference (n = 21) and then completed a series of measures assessing their perceptions of working alliance, trust, procedural fairness, and satisfaction with attorney services. Results of a series of multivariate analyses of variance (MANOVA) procedures, independent samples t-tests, and Mann-Whitney U tests revealed no significant between-group differences in defendants' ratings of each of these variables. . . . These findings are considered to be preliminary given the methodological limitations of this study; however, results suggested that core components of the attorney-client working relationship were not significantly altered with the use of videoconferencing.

Todd Lucas et al., *A Preliminary Experimental Examination of Worldview Verification, Perceived Racism, and Stress Reactivity in African Americans*, 35 HEALTH PSYCHOL. 366 (2016), <http://psycnet.apa.org/journals/hea/35/4/366/>.

Abstract

Objective: According to worldview verification theory, inconsistencies between lived experiences and worldviews are psychologically threatening. These inconsistencies may be key determinants of stress processes that influence cardiovascular health disparities. This preliminary examination considers how experiencing injustice can affect perceived racism and biological stress reactivity among African Americans. Guided by worldview verification theory, it was hypothesized that responses to receiving an unfair outcome would be moderated by fairness of the accompanying decision process, and that this effect would further depend on the consistency of the decision process with pre-existing justice beliefs.

Method: A sample of 118 healthy African American adults completed baseline measures of justice beliefs, followed by a laboratory-based social-evaluative stressor task. Two randomized fairness manipulations were implemented during the task: participants were given either high or low levels of distributive (outcome) and procedural (decision process) justice. Glucocorticoid (cortisol) and inflammatory (C-reactive protein) biological responses were measured in oral fluids, and attributions of racism were also measured.

Results: The hypothesized 3-way interaction was generally obtained. Among African Americans with a strong belief in justice, perceived racism, cortisol, and C-reactive protein responses to low distributive justice were higher when procedural justice was low. Among African Americans with a weak belief in justice however, these responses were higher when a low level of distributive justice was coupled with high procedural justice.

Conclusions: Biological and psychological processes that contribute to cardiovascular health disparities are affected by consistency between individual-level and contextual justice factors.

E. ALLAN LIND & CHRISTIANE ARNDT, *PERCEIVED FAIRNESS AND REGULATORY POLICY: A BEHAVIORAL SCIENCE PERSPECTIVE ON GOVERNMENT–CITIZEN INTERACTIONS* (2015),

https://www.researchgate.net/profile/E_Lind/publication/272415285_Perceived_Fairness_and_Regulatory_Policy_A_behavioral_science_perspective_on_government_-_citizen_interactions/links/570959c208aed09e916f959f.pdf.

Excerpt from summary

This report describes a number of policy studies that demonstrate how careful design of procedures and targeted training of officials and authorities can enhance perceived fairness and produce greater decision acceptance and compliance. In each of these studies, procedural elements and behaviors shown in academic research to improve perceived fairness were built into the processes used to administer laws and regulations and into the way that decisions were made. The improvements intended to enhance perceived fairness were designed to avoid any compromise of the objective fairness and legal accuracy of regulatory procedures and decisions. Across a number of policy settings, and in a number of different nations, these studies have confirmed that changes designed to enhance perceived procedural justice do indeed improve greater perceived fairness and promote better acceptance of laws, regulations, and judicial and administrative decisions.

Constanze Leineweber et al., *The Influence of and Change in Procedural Justice on Self-Rated Health Trajectories: Swedish Longitudinal Occupational Survey of Health Results*, 42 SCAND. J. WORK ENV'T & HEALTH 320 (2016),

http://www.sjweh.fi/download.php?abstract_id=3565&file_nro=1.

Abstract

Objectives: Procedural justice perceptions are shown to be associated with minor psychiatric disorders, long sickness absence spells, and poor self-rated health, but previous studies have rarely considered how changes in procedural justice influence changes in health.

Methods: Data from four consecutive biennial waves of the Swedish Longitudinal Survey of Health (SLOSH) (N=5854) were used to examine trajectories of self-rated health. Adjusting for age, sex, socioeconomic position, and marital status, we studied the predictive power of change in procedural justice perceptions using individual growth curve models within a multilevel framework.

Results: The results show that self-rated health trajectories slowly decline over time. The rate of change was influenced by age and sex, with older people and women showing a slower rate. After adjusting for age, sex, socioeconomic position, and marital status, procedural justice was significantly associated with self-rated health. Also, improvements in procedural justice were associated with improvements in self-rated health. Additionally, a reverse relationship with and change in self-rated health predicting procedural justice was found.

Conclusions: Our findings support the idea that procedural justice at work is a crucial aspect of the psychosocial work environment and that changes towards more procedural justice could influence self-rated health.

Pedro C. Magalhães, *Economic Evaluations, Procedural Fairness, and Satisfaction with Democracy*, POL. RES. Q. (published online May 2016),
https://www.researchgate.net/profile/Pedro_Magalhaes3/publication/301688601_Economic_evaluations_procedural_fairness_and_satisfaction_with_democracy/links/572233f008aef9c00b7c626b.pdf.

Abstract

Although political support for political authorities, institutions, and even regimes is affected by the delivery of positive economic outcomes, we know that judgments on authorities are also made on the basis of several other aspects that fall into the general theme of “procedural fairness.” So far, most of the literature examining satisfaction with democracy has, from this point of view, focused on the direct effects of both economic and procedural fairness indicators or evaluations. This study takes as its starting point a large number of studies in social psychology showing that procedural fairness moderates the effects of outcome favorability in the explanation of citizens’ reactions to authorities. It expands those findings to the macro-political level, using representative samples of European populations in 29 countries. It reveals that the general depiction of satisfaction with the way democracies work in practice as a fundamentally “performance-driven attitude” needs to be qualified: economic evaluations matter, but they do not matter in the same way in all contexts and for all people, with procedural fairness playing a relevant moderating role in this respect.

Colleen George & Maureen G. Reed, *Revealing Inadvertent Elitism in Stakeholder Models of Environmental Governance: Assessing Procedural Justice in Sustainability Organizations*, J. ENVTL. PLANNING & MGMT. (published online May 2016),
<http://www.tandfonline.com/doi/abs/10.1080/09640568.2016.1146576>.

Abstract

Consensus-based multi-stakeholder forms of environmental governance involving government, private and civil society actors, have become popular for advancing sustainability, but have been criticized for failing to achieve procedural justice objectives including recognition, participation and strengthening capabilities. Yet, how such models have functioned within non-governmental organizations dedicated to advancing sustainability has been underexplored. This paper assesses the procedural elements of consensus-based multi-stakeholder models used within Canadian biosphere reserves and model forests, two organizations working to address environment and sustainability issues. We draw on strategic documents and semi-structured interviews from five organizations in Canada to analyze their governance structures and processes against a framework for procedural justice. We find the organizational structure reproduces elitism and professionalism associated with stakeholder models more generally and reproduces challenges associated with recognition, participation and building capabilities found in other stakeholder approaches. Meeting broader sustainability challenges requires organizations to address procedural justice issues in addition to their traditional environmental concerns.

Kylie Fisk & Adrian Cherney, *Pathways to Institutional Legitimacy in Postconflict Societies: Perceptions of Process and Performance in Nepal*, GOVERNANCE (published online May 2016),

<http://onlinelibrary.wiley.com/doi/10.1111/gove.12208/abstract?userIsAuthenticated=false&deniedAccessCustomisedMessage=>.

Abstract

Rebuilding institutional legitimacy is considered essential for stability in post conflict societies, yet the factors that influence citizen perceptions of legitimacy in this context remain under researched. In this article, we examine citizen evaluations of government legitimacy in terms of instrumental antecedents (service delivery, distributive justice) and procedural antecedents (procedural justice, voice), using data collected in the context of a nationwide study of post conflict governance in Nepal. We find that procedural justice is more strongly associated with citizen perceptions of institutional legitimacy than instrumental outcomes such as service delivery, distributive justice, and outcome favorability. Results indicate that the relationship between service delivery and legitimacy is not as simple as previously assumed. We conclude that procedural justice is crucial for building perceptions of government legitimacy in post conflict societies and discuss implications for policy and practice relating to post conflict governance and institutional trust building.

W. Neil Adger, Tara Quinn, Irene Lorenzoni & Conor Murphy, *Sharing the Pain: Perceptions of Fairness Affect Private and Public Response to Hazards*, NATURE & SOC. (published online June 2016),

<http://www.tandfonline.com/doi/abs/10.1080/24694452.2016.1182005>.

Abstract

Structural causes of vulnerability to hazards are well established in geographical research. But what facilitates individual adaptive behavior? How does the performance of government intervention affect such behavior? Drawing on political economy, environmental psychology, and climate justice perspectives, we explore how perceived fairness of responses to weather-related extreme events affects the public and private distribution of responsibility and action. We focus on flood risk and examine how perceptions of fairness of response by residents in flood-affected areas, along with their prior experience of flooding and perceptions of scope of government responsibility and capacity, affect willingness to take individual adaptive action. We use data from surveys of 356 households affected by a flood event in November 2009 in Cumbria, UK, and Galway, Ireland, to compare perceptions of fairness of responses and private intentions across two political jurisdictions. We find that aspects of fairness are related to willingness to take adaptive action but vary with context, experience, and knowledge of flooding. In Cumbria, where there is greater experience of flooding, willingness to act correlates with procedural justice, risk knowledge, and capacity. Capacity for flood management in Galway is firmly associated with state agencies, whereas in Cumbria it is perceived to result from responsibilities of public and private action. These findings highlight the central role of government action and its perceived fairness in

structuring private responses to environmental risks and point to the crucial role of climate justice perspectives in navigating adaptation.

New Thinking and Interpretations

JUSTICE AND FAIRNESS IN THE CITY: A MULTI-DISCIPLINARY APPROACH TO "ORDINARY" CITIES (Simin Davoudi & Derek Bell, eds., 2016).

This book includes a section titled "Participation, Procedural Fairness and Local Decision Making," with two chapters: one on public perceptions of unfairness in urban planning and the other on the relationship between reality and practice with regard to city governments' commitments to fairness.

In the News/On the Web

Legal Theory Lexicon: Procedural Justice, LEGAL THEORY BLOG (May 8, 2016), <http://lsolum.typepad.com/legaltheory/2016/05/legal-theory-lexicon-procedural-justice.html>.

Mariano Delle Donne, *Procedural Justice: How a Simple Concept Can Help Cops Make a Big Impact*, POLICEONE.COM (May 6, 2016), <https://www.policeone.com/patrol-issues/articles/178689006-Procedural-justice-How-a-simple-concept-can-help-cops-make-a-big-impact/>.

Maurice Chammah, *Do Public Defenders Spend Less Time on Black Clients?*, THE MARSHALL PROJECT (May 2, 2016), <https://www.themarshallproject.org/2016/05/02/do-public-defenders-spend-less-time-on-black-clients#.CFMhNW092>.