# **Procedural Justice in Policing\***

Justin Nix, Ph.D.
School of Criminology and Criminal Justice
University of Nebraska Omaha

Academic studies of policing in the United States date back to the 1940s, when William Westley (1953) observed and interviewed officers in Gary, Indiana. In the decades since, research has taught us a great deal about policing styles, strategies, and innovations that are effective and those that are not (Kelling et al., 1974; Sherman, 1986; Weisburd & Braga, 2006). Unfortunately, criminologists have largely struggled to communicate findings beyond their ivory towers to police officers—who may not even be receptive to them (Telep, 2017). Yet from time to time, research has managed to "catch on," so to speak, and influence police practices and policies. Examples include community and problem-oriented policing (Goldstein, 1979, 1987), patrolling hot spots (Sherman et al., 1989), arresting individuals suspected of domestic violence as a means of reducing recidivism (Sherman & Cohn, 1989), and restricting when officers can engage in vehicular pursuits (Alpert, 1997). A more contemporary example is "procedural justice," a phrase that has become wildly popular among police reformers, academics, and the police themselves. President Obama's Task Force on 21st Century Policing (2015, p. 9) used the phrase 43 times in its final report, arguing it was key to the first pillar of reform: "Building Trust and Legitimacy." Between January 2015 and March 2019, Google Scholar returned over 9,000 results for the keywords [procedural justice] AND [police]. Both in the United States and abroad, agencies have begun implementing and evaluating procedural justice training for their officers (Owens et al., 2018; Skogan et al., 2015; Wheller et al., 2013).

In this chapter, I review procedural justice theory in the context of policing. I discuss, at a high level, what it means and why it is so important in democratic societies. I then summarize the extant literature regarding the effects of procedural justice on a variety of citizen behaviors and attitudes, including legal compliance, cooperation, and empowerment. Next, I highlight key concerns that have been raised about much of this

<sup>\*</sup> Justin Nix (2021). "Procedural justice in policing." In R. Dunham, G. Alpert, & K. McLean (Eds.), *Critical Issues in Policing: Contemporary Readings* (8<sup>th</sup> Ed., pp. 140-155). Waveland Press.

evidence. Finally, I close with a discussion of what I believe are important next steps for research on the topic.

# **Procedural Justice Theory**

The US criminal justice system is guided predominantly by deterrence theory—the view that crime is best controlled by instilling in citizens a fear of being caught and punished for violating the law (Beccaria, 1963[1764]; Pickett et al., 2018). This is a tall order for police—the gatekeepers of the criminal justice system—as their authority is constrained by due process and they simply cannot be everywhere at once. Psychologist Tom Tyler (1990) challenged this paradigm in his seminal book *Why People Obey the Law*. He posited that citizens' normative concerns about the legitimacy of legal institutions outweigh their instrumental concerns about the risks of being caught and punished for criminal behaviors. In other words, most people abide by the law not because they fear being punished for breaking it, but because they feel morally obligated to do so. Using two waves of phone interviews with Chicago residents, Tyler demonstrated that police legitimacy (which he conceptualized as *perceived obligation to obey the police* and *institutional trust/support for the police*) had an independent effect on legal compliance while controlling for age, gender, race, income, and education. <sup>1</sup>

Such findings suggest that a key objective of the police should be to cultivate and sustain legitimacy in the eyes of the public. Much of Tyler's work indicates that citizens evaluate police legitimacy primarily on the basis of *procedural justice*, or how fairly they believe officers treat people during interactions (Sunshine & Tyler, 2003; Tyler, 1990, 2005; Tyler & Huo, 2002; Tyler & Wakslak, 2004). The reason is that most people are unfamiliar with legal processes. They do not know what would constitute a fair outcome, so they instead look for cues that the procedures used by authorities to arrive at the outcome were fair when evaluating the legitimacy of said authorities. Perceived fairness of procedures serves to reaffirm people's social identity and sense of belonging in society (Lind, 2001; Tyler & Blader, 2003), thereby increasing the likelihood they will believe the law *ought* to be obeyed.

<sup>&</sup>lt;sup>1</sup> There is some debate about the proper conceptualization—and operationalization—of "legitimacy," but it warrants its own separate discussion. Interested readers should consult, for starters, Weber (1978), Beetham (1991), Reisig et al. (2007), Jackson et al. (2012), and Tankebe (2013).

What then, constitutes "fairness?" Long before Tyler's work, Thibaut and Walker (1975) discovered that during disputes, litigants were not directly concerned with receiving favorable decisions, but rather their ability to influence the decisions (i.e., being given a voice in the process). During police-citizen interactions, Tyler (1990, p. 137) found that citizens focused on perceived quality of interpersonal treatment and decision making; specifically, officers' "motivation, honesty, bias, and ethicality; their opportunities for representation; the quality of the decisions; and the opportunity for correcting errors." Procedurally just policing ultimately comprises four dimensions: treating citizens with dignity and respect, making decisions in a neutral and unbiased manner, allowing citizens to participate in the process by letting them speak and listening to them, and otherwise demonstrating genuine concern for the wellbeing of citizens and society at large (Tyler, 2004, 2011).

The appeal of procedurally just policing is that it can enhance police legitimacy, thereby increasing the likelihood that citizens will accept police decisions (i.e., immediate compliance; see Tyler and Huo [2002]) and self-regulate their behavior (i.e., long-term compliance), among other things. Figure 1 illustrates the basic theoretical framework. Since police officers have far more control over how they treat people than they do over crime rates (which fluctuate for a variety of reasons apart from whatever the police are doing [Blumstein & Wallman, 2006; Levitt, 2004]), "process-based regulation" (Tyler & Huo, 2002, p. 204) indeed appears to be a promising approach to policing in the 21st century. Procedural justice can also promote other favorable attitudes and behaviors among citizens, as we shall see in the next section.

### [Figure 1 about here]

## A Review of the Empirical Evidence

Tyler et al. (1997, p. 239) argue that the desire to be treated with procedural justice is "at least widespread, if not universal." Indeed, a lengthy roster of studies provide empirical support for Tyler's process-based model of policing. Importantly, the evidence is not confined to the United States. Studies conducted elsewhere—including but not limited

<sup>&</sup>lt;sup>2</sup> For more on how citizens judge the fairness of decision-making procedures, see Leventhal (1980), Lind and Tyler (1988), and Lind et al. (1990).

to Australia (Hinds & Murphy, 2007), China (Sun et al., 2017), England (Jackson et al., 2012), Israel (Jonathan-Zamir & Weisburd, 2013), Slovenia (Reisig et al., 2014), and South Korea (Woo et al., 2018)—have yielded similar results.<sup>3</sup> And while most studies involve cross-sectional community (Gau et al., 2012; Nix et al., 2015), college student (Tankebe et al., 2016; Wolfe, 2011), or convenience sample surveys (Hamm et al., 2017; Metcalfe et al., 2016; Tyler et al., 2007), the evidence is not restricted to this specific research methodology. A handful of studies have used systematic social observation to measure the effect of officers' *actual* use of procedural justice (as opposed to citizens' subjective *perceptions*) on citizen compliance during interactions (Dai et al., 2011; Mastrofski et al., 1996; McCluskey, 2003). More recently, a surge of experimentally designed studies—wherein researchers can ensure causal ordering of effects—have been added to the mix (Maguire et al., 2017; Mazerolle et al., 2013; Reisig et al., 2018; Sahin et al., 2017). Results routinely shed light on the value that citizens place on procedurally just treatment.<sup>4</sup> Thus, Tyler's theory has largely withstood empirical scrutiny across time, space, and various research methodologies.

The sheer number of studies concerned with procedural justice in policing—and the various research questions asked—make it easy for readers to get lost down a rabbit hole. As such, I have organized my review of the literature according to the dependent variables explored by studies. This is not meant to be an exhaustive review, but instead a primer on procedural justice in policing.

## **Compliance**

Researchers examining the relationship between procedural justice and compliance, whether directly or indirectly (i.e., where the relationship is mediated by perceived legitimacy or some other intervening attitude), often measure compliance with a series of questions about criminal behavior in the past year (e.g., Reisig et al., 2014) or the likelihood

<sup>&</sup>lt;sup>3</sup> For an exception, see Tankebe's (2009) survey of a random sample of Ghanaian households.

<sup>&</sup>lt;sup>4</sup> The effects of procedural justice on citizens furthermore appear to be invariant across many demographic differences (Tyler & Wakslak, 2004; Wolfe et al., 2016), although additional research is needed in this regard (see Madon et al., 2017; Murphy, 2017; Sargeant et al., 2014).

of future offending (e.g., Bradford et al., 2015). Criminal behaviors that have been considered range in seriousness from traffic violations (Bradford et al., 2015) to misdemeanors (Jackson et al., 2012) to violent offenses (Liu & Liu, 2018). For example, Sunshine and Tyler (2003) conducted two separate surveys of New Yorkers and found that in both samples, procedural justice perceptions were strongly correlated with perceived legitimacy of the police, which in turn shaped self-reported legal compliance (a seven-item index containing items that asked how often they engaged in traffic offenses, petty crimes, and drug use). These relationships were observed net of variation in respondents' age, ethnicity, gender, income, and education. Reisig et al. (2014) surveyed 683 young adults in Slovenia, and found that perceived procedural justice was significantly correlated with perceptions of police legitimacy, which in turn explained self-reported legal compliance (frequency of committing six petty offenses in the past 6 months). And in Scotland, Bradford et al. (2015) surveyed 816 drivers who had been stopped by officers as part of a randomized controlled trial, and uncovered a significant indirect effect of procedural justice on compliance (future likelihood of speeding or running a red light) through its direct effect on social identity.

Researchers have also discovered that procedural justice can influence citizens' encounter-specific decision acceptance and compliance. Tyler and Huo (2002) interviewed 1,656 residents of Oakland and Los Angeles who had recently had personal interactions with police officers, and found that perceived procedural justice influenced their willingness to accept decisions. The authors also showed that Whites, Hispanics, and African Americans placed fairly equal importance on being treated with procedural justice. In a separate study, Dai et al. (2011) analyzed systematic social observation data from 2,671 police-citizen interactions in Cincinnati and showed that some, but not all, of the dimensions of procedural justice were significant predictors of citizen noncompliance. Specifically, when given a voice during the interaction, citizens were less likely to exhibit noncompliance. This effect was observed independent of the age, race, gender, or class of the citizen, the race or gender of the officer, and the nature of the contact. Using yet another

<sup>&</sup>lt;sup>5</sup> Obviously, this method assumes respondents can accurately predict how they will behave in the future, but the available evidence suggests this is not an unreasonable assumption (Kim & Hunter, 1993; Pogarsky, 2004).

methodology, Reisig et al. (2018) surveyed 594 college students using factorial vignettes, whereby they were randomly assigned to imagine themselves in either a traffic stop or a noise complaint scenario. Within scenarios, the police officer's behavior was also randomized so that approximately half of the students were treated with procedural injustice (e.g., the officer shouted, cursed at, and demeaned the student). Students who had been randomly assigned to the procedural injustice condition expressed less willingness to accept the officer's decisions and reported being less likely to follow the officer's orders.

In a recent meta-analysis, Walters and Bolger (2018) identified 70 studies conducted between January 1990 and February 2018 that were concerned with the relationship between procedural justice/legitimacy and compliance. Across these studies, both perceived procedural justice and legitimacy were significantly correlated with legal compliance. Yet, the authors (p. 1) called attention to "a high degree of heterogeneity in the results" as well as evidence of publication bias (i.e., the fact that significant findings are more likely to be published than nonsignificant findings, which can skew our understanding of the relationships between variables of interest). The authors concluded that "legitimacy beliefs are instrumental in promoting compliance" and "while procedural justice perceptions also appear to predict compliance, the effect was relatively weak...and could not be readily established in longitudinal datasets" (p. 1). One of many takeaways from this analysis is that more longitudinal research is needed in order to continue fleshing out how normative beliefs—and other factors—shape legal compliance.

# Cooperation

In addition to immediate and long-term compliance, procedurally just treatment encourages citizens to cooperate with police in the form of reporting crimes or suspicious behaviors, testifying at trials, and participating in neighborhood watch groups. Such cooperation is absolutely necessary if the police are to be effective in their efforts to suppress crime and disorder. Consider that according to estimates from the 2017 National Crime Victimization Survey, more than half of all violent crime victimizations, 60 percent of all sexual assault victimizations, and nearly two-thirds of all property victimizations in the United States were *not* reported to the police (Morgan & Truman, 2018). Simply put, an enormous amount of criminal activity goes undetected by the police. Even among those

crimes that are reported, only a small percentage of the offenders are actually detected and subsequently prosecuted in court (see Ratcliffe, 2016, pp. 34-35). It thus behooves the police to seek out ways to increase citizens' willingness to report crimes, provide information to assist with cases, and otherwise cooperate with them.

As with compliance, a sizable body of research suggests that when citizens feel they are treated fairly, they tend to be more willing to cooperate with the police. Sunshine and Tyler (2003), for example, found a significant indirect effect of procedural justice on the likelihood citizens would cooperate (e.g., report crimes or accidents, attend community meetings, participate in neighborhood watch) through its direct effect on legitimacy. In a separate study that involved a phone survey of a diverse sample of New Yorkers, Tyler (2005) found a significant link between procedural justice and cooperation in the form of volunteering time to help the police, participate in neighborhood watch, and attend community meetings. And in Australia, Murphy et al. (2008) conducted two surveys—one cross sectional, and one administered in two waves—which demonstrated that perceived procedural justice was associated with legitimacy perceptions, which in turn were significantly correlated with cooperative intentions (i.e., willingness to call the police).

Lorraine Mazerolle and colleagues (2013) significantly advanced the evidence base regarding the relationship between procedural justice and cooperation with data from the Queensland Community Engagement Trial—the world's first randomized field trial of police use of procedural justice. For this study, researchers randomly assigned police behavior at traffic checkpoints: treatment checkpoints involved the use of procedural justice by officers, and control checkpoints were "business-as-usual encounter(s)," which were "very systematic and often devoid of anything but compulsory communication" (p. 40). The beauty of this research design is that because police behavior was randomized, the researchers could be certain that observed attitudinal differences between drivers stopped at the treatment and control checkpoints were the direct result of the randomization. Mazerolle and her colleagues surveyed the drivers and found that procedurally just treatment increased general willingness to cooperate with the police (e.g., report crimes or suspicious activities, willingly assist police if asked) as a result of its large effect on perceived police legitimacy. Here again, the weight of the evidence suggests process-based

policing can increase citizens' willingness to cooperate, which bodes well for crime detection and prevention in the long haul.

# **Empowerment**

A third potential outcome of the exercise of procedural justice by officers is public empowerment, or willingness to grant the police discretion in performing their duties. In both of Sunshine and Tyler's (2003) New York studies, procedural justice was indirectly associated with public empowerment through its relationship with perceived legitimacy (in Study 2, there was also a direct effect). For example, citizens who felt the police treated people fairly were more likely to agree that the police should have the discretion to stop and question people on the street, decide which areas of the city should get the most police protection, decide how best to deal with neighborhood crime, and search people's homes without a warrant if they believe drugs or stolen property are inside. Findings from two additional studies accord with those of Sunshine and Tyler. In Israel, Metcalfe and Hodge (2018) discovered an indirect effect of procedural justice on citizens' empowerment of the police to fight terrorism through its effect on perceived legitimacy of the police. And among a sample of Ghanaian immigrants living in the United States, Pryce (2019) found that perceived procedural justice was associated with greater empowerment of the police (measured via the same survey items as Sunshine and Tyler). Yet, beyond these three studies, research exploring the effects of procedural justice on empowerment is scant. In a recent study, Moule et al. (2018) analyzed survey data from a national sample of 702 Americans and found that perceived legitimacy influenced support for police use of surplus military equipment, but the authors did not test whether legitimacy stemmed from perceived procedural justice.

The lack of empirical attention given to whether process-based policing is associated with greater public empowerment is shocking. We badly need more studies focused on this outcome—especially given the recent state of affairs in the United States, where portions of society are increasingly protesting various police discretionary activities (Weitzer, 2015). For example, police militarization (e.g., wearing camouflage uniforms and using high-caliber weapons, grenade launchers, and armored vehicles) has been hotly debated (American Civil Liberties Union, 2014; President's Task Force on 21st Century

Policing, 2015). In 2015, President Obama issued Executive Order 13688, which placed restrictions on the 1033 program—an equipment exchange program between the military and police that had been created and signed into law two decades earlier by President Clinton. In 2017, President Trump overturned Executive Order 13688, citing concerns over officer safety. Discretionary traffic stops (Epp et al., 2014) and police use of deadly force (Nix et al., 2017) have also figured prominently in the national discourse in recent years. Tyler's theory suggests widespread use of procedural justice by the police would foster greater public empowerment of activities such as these, but the reality is that empirical evidence is lacking. To be clear, this is not meant to suggest Tyler's theory is wrong regarding empowerment (indeed, the three studies I identified all support Tyler's theory). Rather, empowerment has not been subjected to the same level of empirical scrutiny as compliance and cooperation.

# **Key Concerns**

Having reviewed key findings from the literature pertaining to procedural justice in policing, it is necessary to acknowledge concerns that have recently been raised about this body of work. Apart from a handful of experimentally-designed studies, much of the evidence regarding the effects of procedurally just policing is based on citizen surveys conducted at one point in time. Nagin and Telep (2017) were critical of the extant literature specifically concerned with legal compliance, pointing out that this methodology precludes researchers' ability to rule out third common causes or reverse causality. Third common causes, or spuriousness of effects, refers to when a relationship between two variables (e.g., procedural justice and compliance) appears significant, but is in fact the result of some other unmeasured variable. For example, individuals who are more highly invested in conventional social bonds (Hirschi, 1969) tend to be more legally compliant and also more likely to perceive the police as fair and legitimate. For these individuals, it is likely their social bonds that explain their compliance rather than their perceptions of police procedural justice. A recent study suggests yet another possibility. Pickett et al. (2018) used data from two national samples to show that perceptions of the police are anchored within individuals' broader sense of how fairly people in society generally treat one another, and are also influenced by neighborhood context. The resulting "relational justice

schema" (p. 98) could very well be a third common cause of procedural justice, legitimacy, and compliance.

In fairness, researchers often include a variety of control variables in their statistical models to minimize concern about third common causes, but it is impossible to control for every potentially relevant variable. And even if they could, reverse causality could still be responsible for observed effects if the data were gathered at a single point in time. Reverse causality, as the name suggests, refers to when the presumed ordering of effects is backward. As Nagin and Telep (2017) submit, it is possible that within interactions, citizen noncompliance could reduce the likelihood that police officers use procedural justice. In fact, a recent experimental study supports this proposition. Nix et al. (2017) presented officers from two separate agencies with written vignettes about a routine police-citizen interaction, wherein the citizen's race and demeanor were randomized. Officers whose vignette involved a noncompliant and disrespectful citizen were significantly less likely to indicate it would be important to treat the citizen with procedural justice (the citizen's race was inconsequential). Nagin and Telep (2017) propose studies are needed that test the effects of a randomized treatment or policy change, wherein actual changes could be detected in the behavior of criminal justice authorities such as the police, which might subsequently influence perceptions of fairness, legitimacy, and individuals' willingness to comply (or other attitudes and behaviors). In his response to their critique, Tyler (2017) agreed that more randomized controlled trials are needed, but cautioned against a rush to judgment because: (1) the benefits of procedural justice extend beyond legal compliance to other outcomes not considered by Nagin and Telep, and (2) experimental studies from other fields (e.g., psychology, business management) provide a great deal of support for the importance of procedural justice.

Another concern about the process-based model of policing is the heretofore implicit assumption that if officers exercise procedural justice, citizens will in fact perceive fair treatment. Or similarly, that if officers increase their use of procedural justice, citizens will notice. Consider the theoretical process depicted in Figure 1. Does perceived

<sup>&</sup>lt;sup>6</sup> As but two examples, McLean & Wolfe (2016) controlled for techniques of neutralization, and Nix et al. (2015) controlled for perceived collective efficacy. Both studies found support for the importance of procedural justice even after controlling for these potential third common causes.

procedural justice necessarily follow from officers' objective use of procedural justice? Worden and McLean's (2017) study of police-citizen interactions in Schenectady and Syracuse (New York) casts doubt on such an assumption. They analyzed data from community surveys, interviews with officers, and independent evaluations of police-citizen interactions captured by video and audio recordings, and discovered that the agencies' attempts to inject procedural justice into their practices did not successfully improve citizens' attitudes. One of four possible explanations for this finding, according to the authors, was that "citizens' subjective experience is very weakly related to officers' procedural justice and only moderately related to officers' procedural injustice" (p. 12).7 Worden and McLean concluded that reform strategies centered on procedural justice are a mirage, though others have interpreted these findings much more cautiously (Jackson & Bradford, 2018; Wolfe, 2019).

## **Necessary Next Steps**

In addition to addressing the aforementioned concerns, there are several ways in which future studies can meaningfully advance the literature on police procedural justice. Before closing, I propose three such promising avenues.

First, we need studies that consider the antecedents and outcomes of each dimension of procedural justice separately (Solomon, 2018). Researchers often combine the dimensions into a single index, but emerging evidence suggests variation in the extent that officers "use" each dimension. In a recent analysis of body camera footage from 100 randomly selected stop-and-search encounters in Greater Manchester, Nawaz and Tankebe (2018) discovered that officers did not equally emphasize the four elements of procedural justice (i.e., voice/participation, neutrality, respect, and trustworthy motives). In particular, officers failed to exhibit trustworthy motives: "not one officer linked the purpose of the stop and search to the wider organizational purpose of protecting society and helping to keep people safe" (p. 139). These results are strikingly similar to those attained in Jonathan-Zamir et al.'s (2015) systematic social observation of 233 police-citizen interactions in a small suburban US city, as well as some of my own (as of yet) unpublished

<sup>&</sup>lt;sup>7</sup> Others included a "ceiling effect," failure of management to emphasize accountability, and that officers and supervisors struggled with the concept of procedural justice.

findings. When I have asked on surveys how important each dimension of procedural justice is, police officers have consistently indicated that behaviors signaling trustworthy motives to citizens (e.g., displaying care and concern or offering advice on how to handle the situation or problem) are less important than allowing citizens a voice, treating them respectfully, and making unbiased decisions. Such findings suggest a need for deeper investigation into why this is the case. It may be that certain elements of procedural justice are simply not as conducive in certain types of police-citizen interactions. For example, officers may have no trouble appearing unbiased, but find it challenging to demonstrate care and concern when dealing with rude and hostile suspects (Nix et al., 2017; Pickett & Nix, 2019). It is also possible that the dimensionality of procedural justice has been lost in translation from academia to practice, such that the importance of being respectful and unbiased has been successfully communicated to the police, but less so the importance of signaling trustworthy motives. Whatever the explanation(s), we will only arrive at them through rigorous research.

Second, researchers must continue exploring the dynamics of procedural justice within police departments. A growing body of research suggests officers respond favorably to organizational justice, which includes the use of procedural justice by supervisors and command staff (Wolfe & Nix, 2016; Wolfe, this issue). When supervisors treat their subordinate officers with procedural justice, the subordinate officers express a greater sense of self-legitimacy (Nix & Wolfe, 2017; Tankebe, 2014), and in turn appear more apt to treat citizens with procedural justice and less reliant on their coercive authority (Owens et al., 2018; Trinkner et al., 2016). Given such findings, can agencies train their mid-level supervisors to use managerial tactics consistent with the principles of organizational justice, or identify officers for promotion into these positions who are most capable of doing so? Wolfe et al. (2018), for example, uncovered a strong, positive relationship between police managers' level of self-control and perceived importance of organizational justice. Additional studies that could help answer such questions would be a welcomed addition to the literature.

The third avenue for future research is related to the second. In addition to the desire for procedurally just treatment from their supervisors, police officers also want such treatment from citizens during interactions (Pickett & Ryon, 2017; Pickett & Nix, 2019).

Scholars have long recognized the importance of citizen respect to police officers (Westley, 1953; Wilson, 1967), but respect is only one aspect of interpersonal treatment (Tyler, 1990, 2011). There is reason to believe that officers also prefer when citizens exhibit neutrality and trustworthy motives, and allow them to speak without jumping to conclusions or shouting over them. Pickett and Ryon (2017) surveyed a national convenience sample of criminal justice professionals (including police officers) about their general perceptions of the extent that young people exercise "procedurally just cooperation" (e.g., politeness, treating officers no worse than other government employees, listening to officers before jumping to conclusions). Respondents who perceived greater procedurally just cooperation expressed significantly more support for due process reforms in the criminal justice system. Pickett and Nix (2019) extended this study with a survey of police officers, finding that those who perceived greater levels of procedurally just cooperation from citizens in general (i.e., not just young people) felt less threatened by citizens and were less fearful about false allegations being lodged against them. They were also significantly more supportive of exercising procedural justice when interacting with citizens. These studies provide additional evidence for the generality of procedural justice: it is not a behavior that can only be exhibited by authority figures. The desire for procedurally just treatment reflects "a general human response to social decision-making procedures" (Lind & Tyler, 1988, p. 129). As such, researchers should continue to explore the nuances of perceived procedurally just cooperation. What factors predict greater perceived procedurally just cooperation? Do officers value one of the dimensions (e.g., respect) more so than the others? These are just a couple research questions that could be addressed empirically.

### Conclusion

There is no denying that procedural justice has made its mark on policing in recent years. Much of the published literature finds significant relationships between procedural justice and citizen compliance, cooperation, and empowerment (though comparatively few studies have examined empowerment). However, these findings mostly stem from cross-sectional surveys, and concerns linger about whether the push for more process-based policing can meaningfully impact citizen attitudes and behaviors (Nagin & Telep, 2017;

Pickett et al., 2018; Worden & McLean, 2017). Additional research—particularly using experimental designs—can and should address these concerns. Moreover, studies are needed that consider separately the causes and effects of each dimension of procedural justice. Finally, officers' perceptions of procedurally just treatment (from supervisors as well as citizens) should not be glossed over in favor of studying citizens' perceptions.

#### References

- Alpert, G. P. (1997). *Police pursuit: policies and training*. Washington, DC: US Department of Justice, Office of Justice Programs, National Institute of Justice.
- American Civil Liberties Union. (2014). *War comes home: The excessive militarization of American police.* Retrieved from https://www.aclu.org/report/war-comes-home-excessive-militarization-american-police.
- Beccaria, C. (1963[1764]). On crimes and punishments. Indianapolis, IN: Bobbs-Merrill.
- Beetham, D. (1991). *The legitimation of power*. London: Macmillan.
- Blumstein, A., & Wallman, J. (2006). *The crime drop in America*. New York, NY: Cambridge University Press.
- Bradford, B., Hohl, K., Jackson, J., & MacQueen, S. (2015). Obeying the rules of the road:

  Procedural justice, social identity, and normative compliance. *Journal of Contemporary Criminal Justice*, *31*, 171-91.
- Braga, A. A., & Weisburd, D. (2006). *Police innovation: Contrasting perspectives*. New York, NY: Cambridge University Press.
- Dai, M., Frank, J., & Sun, I. (2011). Procedural justice during police-citizen encounters: The effects of process-based policing on citizen compliance and demeanor. *Journal of Criminal Justice*, *39*, 159-68.
- Epp, C. R., Maynard-Moody, S., & Haider-Markel, D. P. (2014). *Pulled over: How police stops define race and citizenship*. Chicago, IL: University of Chicago Press.
- Gau, J. M., Corsaro, N., Stewart, E. A., & Brunson, R. K. (2012). Examining macro-level impacts on procedural justice and police legitimacy. *Journal of Criminal Justice*, 40, 333-43.
- Goldstein, H. (1979). Improving policing: A problem-oriented approach. *Crime & Delinquency*, *25*, 236-58.
- Goldstein, H. (1987). Toward community-oriented policing: Potential, basic requirements, and threshold questions. *Crime & Delinquency*, *33*, 6-30.
- Hamm, J. A., Trinkner, R., & Carr, J. D. (2017). Fair process, trust, and cooperation: moving toward an integrated framework of police legitimacy. *Criminal Justice and Behavior*, *44*, 1183-1212.

- Hinds, L., & Murphy, K. (2007). Public satisfaction with police: Using procedural justice to improve police legitimacy. *Australian & New Zealand Journal of Criminology*, 40, 27-42.
- Hirschi, T. (1969). Causes of delinquency. New York, NY: Routledge.
- Jackson, J., & Bradford, B. (2018). Mirage of police reform. *Police Practice and Research*, 19, 204-06.
- Jackson, J., Bradford, B., Stanko, B., & Hohl, K. (2012). *Just authority? Trust in the police in England and Wales*. London: Routledge.
- Jonathan-Zamir, T., & Weisburd, D. (2013). The effects of security threats on antecedents of police legitimacy: Findings from a quasi-experiment in Israel. *Journal of Research in Crime and Delinquency*, *50*, 3-32.
- Jonathan-Zamir, T., Mastrofski, S. D., & Moyal, S. (2015). Measuring procedural justice in police-citizen encounters. *Justice Quarterly*, 32, 845-71.
- Kelling, G. L., Pate, T., Dieckman, D., & Brown, C. E. (1974). *The Kansas City preventive patrol experiment.* Washington, DC: Police Foundation.
- Kim, M., & Hunter, J. E. (1993). Relationships among attitudes, behavioral intentions, and behavior: A meta-analysis of past research, part 2. *Communication Research*, 20, 331-64.
- Leventhal, G. S. (1980). What should be done with equity theory? In K. Gergen, M. Greenberg & R. Weiss (Eds.), *Social exchange: Advances in theory and research* (pp. 27-55). New York, NY: Academic.
- Levitt, S. D. (2004). Understanding why crime fell in the 1990s: Four factors that explain the decline and six that do not. *Journal of Economic Perspectives*, 18, 163-90.
- Lind, E. A. (2001). Fairness heuristic theory: Justice judgments as pivotal cognitions in organizational relations. In J. Greenberg and R. Cropanzano (Eds.), *Advances in organizational justice* (pp. 56-88). Stanford, CA: University Press.
- Lind, E. A., & Tyler, T. R. (1988). *The social psychology of procedural justice*. New York, NY: Plenum Press.
- Lind, E. A., Kanfer, R., & Earley, P. C. (1990). Voice, control, and procedural justice:

  Instrumental and noninstrumental concerns in fairness judgments. *Journal of Personality and Social Psychology*, *59*, 952-59.

- Liu, S., & Liu, J. (2018). Police legitimacy and compliance with the law among Chinese youth. *International Journal of Offender Therapy and Comparative Criminology*, 62, 3536-61.
- Madon, N. S., Murphy, K., & Sargeant, E. (2017). Promoting police legitimacy among disengaged minority groups: Does procedural justice matter more? *Criminology & Criminal Justice*, 17, 624-42.
- Maguire, E. R., Lowrey, B. V., & Johnson, D. (2017). Evaluating the relative impact of positive and negative encounters with police: A randomized experiment. *Journal of Experimental Criminology*, *13*, 367-91.
- Mastrofski, S. D., Snipes, J. B., & Supina, A. E. (1996). Compliance on demand: the public's response to specific police requests. *Journal of Research in Crime and Delinquency*, 33, 269–305.
- Mazerolle, L., Antrobus, E., Bennett, S., & Tyler, T. R. (2013). Shaping citizen perceptions of police legitimacy: A randomized field trial of procedural justice. *Criminology*, *51*, 33-63.
- McCluskey, J. D. (2003). *Police requests for compliance: Coercive and procedurally just tactics*. New York, NY: LFB Scholarly Publishing.
- McLean, K., & Wolfe, S. E. (2016). A sense of injustice loosens the moral bind of law: Specifying the links between procedural injustice, neutralizations, and offending. *Criminal Justice and Behavior*, 43, 27-44.
- Metcalfe, C., & Hodge, O. Empowering the police to fight terrorism in Israel. *Criminology & Criminal Justice,* 18, 585-603.
- Metcalfe, C., Wolfe, S. E., Gertz, E., & Gertz, M. (2016). They protect our homeland but neglect our community: Homeland security overemphasis, legitimacy, and public cooperation in Israel. *Journal of Research in Crime and Delinquency*, *53*, 814-39.
- Morgan, R. E., & Truman, J. L. (2018, December). *Criminal victimization, 2017* (No. NCJ 252472). Washington, DC: US Department of Justice, Office of Justice Programs, Bureau of Justice Statistics. Retrieved from https://www.bjs.gov/content/pub/pdf/cv17.pdf.

- Moule Jr., R. K., Burruss, G. W., Parry, M. M., & Fox, B. (2018). Assessing the direct and indirect effects of legitimacy on public empowerment of police: A study of public support for militarization in America. *Law & Society Review*, 53, 77-107.
- Murphy, K. (2017). Challenging the 'invariance' thesis: Procedural justice policing and the moderating influence of trust on citizens' obligation to obey police. *Journal of Experimental Criminology*, *13*, 429-37.
- Murphy, K., Hinds, L., & Fleming, J. (2008). Encouraging public cooperation and support for police. *Policing & Society*, 18, 136-55.
- Nagin, D. S., & Telep, C. W. (2017). Procedural justice and legal compliance. *Annual Review of Law and Social Science*, 13, 5-28.
- Nawaz, A., & Tankebe, J. (2018). Tracking procedural justice in stop and search encounters: Coding evidence from body-worn video cameras. *Cambridge Journal of Evidence-Based Policing*, 2, 139-63.
- Nix, J., & Wolfe, S. E. (2017). The impact of negative publicity on police self-legitimacy. *Justice Quarterly*, *34*, 84-108.
- Nix, J., Campbell, B. A., Byers, E. H., & Alpert, G. P. (2017). A bird's eye view of civilians killed by police in 2015: Further evidence of implicit bias. *Criminology & Public Policy*, 16, 309-40.
- Nix, J., Pickett, J. T., Wolfe, S. E., & Campbell, B. A. (2017). Demeanor, race, and police perceptions of procedural justice: Evidence from two randomized experiments. *Justice Quarterly*, 34, 1154-83.
- Nix, J., Wolfe, S. E., Rojek, J., & Kaminski, R. J. (2015). Trust in the police: The influence of procedural justice and perceived collective efficacy. *Crime & Delinquency*, *61*, 610-40.
- Owens, E., Weisburd, D., Amendola, K. L., & Alpert, G. P. (2018). Can you build a better cop? Experimental evidence on supervision, training, and policing in the community. *Criminology & Public Policy*, 17, 41-87.
- Pickett, J. T., & Nix, J. (2019). Demeanor and police culture: Theorizing how civilian cooperation influences police officers. *Policing: An International Journal.* Advance online publication. doi: 10.1108/PIJPSM-09-2018-0133.

- Pickett, J. T., & Ryon, S. B. (2017). Procedurally just cooperation: Explaining support for due process reforms in policing. *Journal of Criminal Justice*, 48, 9-20.
- Pickett, J. T., Nix, J., & Roche, S. P. (2018). Testing a social schematic model of police procedural justice. *Social Psychology Quarterly*, 81, 97-125.
- Pickett, J. T., Roche, S. P., & Pogarsky, G. (2018). Toward a bifurcated theory of emotional deterrence. *Criminology*, *56*(1), 27-58.
- Pogarsky, G. (2004). Projected offending and contemporaneous rule-violation: Implications for heterotypic continuity. *Criminology*, 42, 111-35.
- President's Task Force on 21<sup>st</sup> Century Policing. (2015). *Final Report of the President's Task Force on 21<sup>st</sup> Century Policing.* Washington, DC: Office of Community Oriented

  Policing Services.
- Pryce, D. K. (2019). The relative effects of normative and instrumental models of policing on police empowerment: Evidence from a sample of sub-Saharan African immigrants. *Criminal Justice Policy Review*, 30, 428-50.
- Ratcliffe, J. H. (2016). *Intelligence-led policing* (2<sup>nd</sup> Ed.). New York, NY: Routledge.
- Reisig, M. D., Bratton, J., & Gertz, M. G. (2007). The construct validity and refinement of process-based policing measures. *Criminal Justice and Behavior*, 34, 1005-1028.
- Reisig, M. D., Mays, R. D., & Telep, C. W. (2018). The effects of procedural injustice during police–citizen encounters: a factorial vignette study. *Journal of Experimental Criminology*, *14*, 49-58.
- Reisig, M. D., Tankebe, J., & Mesko, G. (2014). Compliance with the law in Slovenia: The role of procedural justice and police legitimacy. *European Journal on Criminal Policy and Research*, *20*, 259-76.
- Sahin, N., Braga, A. A., Apel, R., & Brunson, R. K. (2017). The impact of procedurally-just policing on citizen perceptions of police during traffic stops: The Adana randomized controlled trial. *Journal of Quantitative Criminology*, 33, 701-26.
- Sargeant, E., Murphy, K., & Cherney, A. (2014). Ethnicity, trust and cooperation with police: Testing the dominance of the process-based model. *European Journal of Criminology*, 11, 500-24.
- Sherman, L. W. (1986). Policing communities: What works? *Crime and Justice*, 8, 343-86.

- Sherman, L. W., & Cohn, E. G. (1989). The impact of research on legal policy: The Minneapolis domestic violence experiment. *Law & Society Review*, *23*, 117-44.
- Sherman, L. W., Gartin, P. R., & Buerger, M. E. (1989). Hot spots of predatory crime: Routine activities and the criminology of place. *Criminology*, *27*(1), 27-56.
- Skogan, W. G., Van Craen, M., & Hennessy, C. (2015). Training police for procedural justice. *Journal of Experimental Criminology*, 11, 319-34.
- Solomon, S. J. (2018). *Examining the role of treatment quality, decision-making quality, and driver race during traffic stops* (Doctoral dissertation, University of Nebraska Omaha).
- Sun, I. Y., Wu, Y., Hu, R., & Farmer, A. K. (2017). Procedural justice, legitimacy, and public cooperation with police: Does Western wisdom hold in China? *Journal of Research in Crime and Delinquency*, *54*, 454-78.
- Sunshine, J. & Tyler, T. R. (2003). The role of procedural justice and legitimacy in shaping public support for policing. *Law and Society Review*, 37, 513-548.
- Sykes, G. M., & Matza, D. (1957). Techniques of neutralization: A theory of delinquency. *American Sociological Review*, *22*, 664-70.
- Tankebe, J. (2009). Public cooperation with the police in Ghana: Does procedural fairness matter? *Criminology*, 47, 1265-93.
- Tankebe, J. (2013). Viewing things differently: The dimensions of public perceptions of police legitimacy. *Criminology*, 51, 103-135.
- Tankebe, J. (2014). Rightful authority: Exploring the structure of police self-legitimacy. Available at SSRN: <a href="http://dx.doi.org/10.2139/ssrn.2499717">http://dx.doi.org/10.2139/ssrn.2499717</a>.
- Tankebe, J., Reisig, M. D., & Wang, X. (2016). A multidimensional model of police legitimacy: A cross-cultural assessment. *Law and Human Behavior*, 40, 11-22.
- Telep, C. W. (2017). Police officer receptivity to research and evidence-based policing: Examining variability within and across agencies. *Crime & Delinquency*, 63, 976-99.
- Thibaut, J. & Walker, L. (1975). *Procedural justice: A psychological analysis*. Hillsdale, NJ: Erlbaum.
- Trinkner, R., Tyler, T. R., & Goff, P. A. (2016). Justice from within: The relations between a procedurally just organizational climate and police organizational efficiency,

- endorsement of democratic policing, and officer well-being. *Psychology, Public Policy, and Law*, 22, 158-72.
- Tyler, T. R. (1990). Why people obey the law. Princeton, NJ: University Press.
- Tyler, T. R. (2004). Enhancing police legitimacy. *The Annals of the American Academy of Political and Social Science*, 593, 84-99.
- Tyler, T. R. (2005). Policing in black and white: Ethnic group differences in trust and confidence in the police. *Police Quarterly*, 8, 322-342.
- Tyler, T. R. (2011). Why people cooperate. Princeton, NJ: University Press.
- Tyler, T. R. (2017). Procedural justice and policing: A rush to judgment? *Annual Review of Law and Social Science*, 13, 29-53.
- Tyler, T. R., & Blader, S. L. (2003). The group engagement model: Procedural justice, social identity, and cooperative behavior. *Personality and Social Psychology Review*, 7, 349-61.
- Tyler, T. R., & Huo, Y. J. (2002). *Trust in the law: Encouraging public cooperation with the police and courts.* New York, NY: Russell Sage Foundation.
- Tyler, T. R., & Wakslak, C. J. (2004). Profiling and police legitimacy: Procedural justice, attributions of motive, and acceptance of authority. *Criminology*, 42, 253-281.
- Tyler, T. R., Boeckmann, R. J., Smith, H. J., & Huo, Y. J. (1997). *Social justice in a diverse society*. Boulder, CO: Westview Press.
- Tyler, T. R., Callahan, P. E., & Frost, J. (2007). Armed, and dangerous(?): Motivating rule adherence among agents of social control. *Law & Society Review*, 41, 457-92.
- Walters, G. D., & Bolger, P. C. (2018). Procedural justice perceptions, legitimacy beliefs, and compliance with the law: A meta-analysis. *Journal of Experimental Criminology*. Advance online publication. doi: 10.1007/s11292-018-9338-2.
- Weber, M. (1978). *Economy and society: An outline of interpretive sociology* (Vol. 1). Berkeley, CA: University of California Press.
- Weitzer, R. (2015). American policing under fire: Misconduct and reform. *Society*, 52, 475-80.
- Westley, W. (1953). Violence and the police. *American Journal of Sociology*, 59, 34-41.
- Wheller, L., Quinton, P., Fildes, A., & Mills, A. (2013). *The Greater Manchester Police* procedural justice training experiment: Technical report. Coventry: College of Policing.

- Wilson, J. Q. (1967). Police morale, reform, and citizen respect: The Chicago case. In D. J. Bordua (Ed.), *The Police: Six Sociological Essays* (pp. 137-62). New York, NY: John Wiley & Sons.
- Wolfe, S. E. (2011). The effect of low self-control on perceived police legitimacy. *Journal of Criminal Justice*, *39*, 67-74.
- Wolfe, S. E. (2019). Mirage of police reform: Procedural justice and police legitimacy. *Contemporary Sociology*, 48, 227-29.
- Wolfe, S. E., & Nix, J. (2016). Managing police departments post-Ferguson: Officers want fairness and transparency from their bosses. *Harvard Business Review*. Retrieved from https://hbr.org/2016/09/managing-police-departments-post-ferguson.
- Wolfe, S. E., Nix, J., & Campbell, B. A. (2018). Police managers' self-control and support for organizational justice. *Law and Human Behavior*, 42, 71-82.
- Wolfe, S. E., Nix, J., Kaminski, R., & Rojek, J. (2016). Is the effect of procedural justice on police legitimacy invariant? Testing the generality of procedural justice and competing antecedents of legitimacy. *Journal of Quantitative Criminology*, 32, 253-82.
- Worden, R. E., & McLean, S. J. (2017). *Mirage of police reform: Procedural justice and police legitimacy*. Berkeley, CA: University of California Press.
- Woo, Y., Maguire, E. R., & Gau, J. M. (2018). Direct and indirect effects of procedural justice on cooperation and compliance: evidence from South Korea. *Police Practice and Research*, 19, 168-85.

Figure 1. The Process-Based Model of Policing.

