New Developments in Procedural Fairness: A Quarterly Report
Summer 2018

General Research

Jingkang Gao & Jinhua Zhao, *Legitimacy versus Morality: Why Do the Chinese Obey the Law?* 42 LAW & HUM. BEHAV. 167 (2018), http://psycnet.apa.org/record/2018-15703-005.

Abstract

This study explored two aspects of the rule of law in China: (1) motivations for compliance with 4 groups of everyday laws and regulations and (2) determinants of the legitimacy of legal authorities. We applied a structural equations model, constructed from Tyler's conceptual process-based self-regulation model with morality added as a motivation, to online questionnaire responses from 1,000 Shanghai drivers. We explored the compliance with four particular groups of laws: public disturbance; conventional traffic laws; illegal downloading; and distracted driving. The results were threefold. First, for all four groups of laws, the perceived morality influenced compliance consistently and more strongly than the perceived legitimacy of the authorities and all other motivations. The influence of perceived legitimacy of authorities was inconsistent across the four groups of laws tested. Second, the influence of perceived severity of punishment was consistent and significant across all four groups of laws, whereas perceived risk of apprehension had no significant impact on compliance. Third, evaluations of procedural fairness, not those concerning the equitable distribution of law enforcement services and effectiveness of law enforcement, were most strongly linked to legitimacy. In addition to showing that China is a law-abiding society governed by morality, these results underscore the importance of examining morality and magnitude of punishment as potential motivations for compliance in addition to legitimacy and certainty of punishment. They also illustrate the necessity to examine different groups of laws separately when studying compliance. Finally, these results challenge the linkage between legitimacy and compliance previously established in the literature.

Robert P. Peacock, Applying Tyler's Process-based Model of Legitimacy in a Developing Country (2018) (unpublished Ph.D. dissertation, Michigan State University), https://search.proquest.com/openview/50cda4d8a26070e56d8406e016a52d2c/1?pq-origsite=gscholar&cbl=18750&diss=y.

Abstract

Since Tom Tyler first articulated his theoretical model of police legitimacy in 1990, a wave of scholars in North America, Western Europe, and Australia continue to demonstrate that the public's perceptions of procedural justice are the strongest predictor of their judgments on the agency's legitimacy which then predicts the public's willingness to comply with the law or cooperate with the police. . . . Unfortunately, the theory of police legitimacy has failed to predict the willingness to cooperate with the police in countries still confronted with serious development issues. . . . This study supports past studies testing the full model in developing countries in finding that legitimacy did not mediate the relationship between perceived procedural justice and willingness to cooperate with the police in Ukraine. New variables added to the model test Tankebe's proposition that the weakness in the Tylerian model is likely due to the lack of a normative commitment between the public and law enforcement agencies in developing countries. . . . Countries plagued by the twofold scourge of systemic corruption and poor governance appear to diverge from developed countries in how their citizens evaluate law enforcement institutions. This may explain why legitimacy in developing countries fails to reflect the shared values that Tyler argues favor or rebuff cooperation with the police.

Gerda de Grone et al, *Which Psychosocial Risk Factors at Work Contribute to the Onset of Stress-Related Disorders? A Systematic Review and Meta-Analysis*, 75 OCCUPATIONAL & ENVTL. MED. A583 (2018), https://oem.bmj.com/content/75/Suppl_2/A583.2.info.

Abstract

Introduction: Psychosocial risk factors at work are known to contribute to the onset of stress-related disorders (SRDs). Evidence about work-related psychosocial risk factors is necessary to select and implement preventive workplace interventions. The aim of our review was to identify psychosocial risk factors at work which are associated with the onset of SRDs, updating a prior review with evidence up until 2008.

Methods: A systematic literature search was conducted for the period January 2008 to October 2014 in Medline, Embase and PsycINFO. Inclusion criteria were: prospective study design, exposure of workers to psychosocial risk factors, and an SRD outcome. Data from the studies included were pooled with the results of a previous systematic review. The quality of the evidence was assessed using an adapted GRADE procedure.

Result: The updated review consisted of twelve studies. The search yielded 5300 articles. Five articles met the inclusion criteria and were added to the seven of the previous review. Evidence of high quality was found for the risk factors of 'effort-reward imbalance', 'high psychological demands', 'low decision authority', 'low co-worker support', 'low supervisor support', 'low procedural justice' and 'low relational justice', while evidence of moderate quality was found for 'high emotional demands' contributing to the onset of an SRD. 'Effort-reward imbalance' and 'low procedural justice' exhibited the largest association with SRDs, with Odds Ratios of 2.0 (95% CI: 1.81 to 2.22) and 1.8 (95% CI: 1.60 to 1.98), respectively.

Discussion: Several psychosocial work-related risk associated with the onset of SRDs were established, confirming prior findings. Awareness of these risk factors could be the starting point for the selection of preventive interventions to reduce work-related SRDs.

Karolina Urbanska, Beyond Procedural Justice: Responding to Intergroup-Level Authority Decisions (2017) (unpublished Ph.D. dissertation, Queen's University Belfast), http://ethos.bl.uk/OrderDetails.do?uin=uk.bl.ethos.737779.

Abstract

The present thesis builds on the relational models of procedural justice (RMPJ) put forward by Tyler and colleagues, which theorize about the importance of authorities being fair in the way they make their decisions. In this view, fair procedures symbolically inform people of their social standing in the society and through this, authorities can gain legitimacy. The present work expands on these models in two ways. First, it proposes that the analysis of authority-subordinate interactions should move beyond the individual-level research, to consider group and intergroup-level interactions. Secondly, it argues that identification with a social group in the first place can be a determinant of perceptions of fairness and the subsequent judgements of the decisions made by authorities. Eight experimental studies investigating group members' responses to the intergroup-level authority decisions were conducted. The main findings suggest that (a) feelings of loyalty to one's group increase preference for ingroup favoring decisions regardless of whether these decisions are fair or not, (b) culture and its underpinning values can shape perceptions of fairness in relation to authority decisions, and (c) people generally expect authorities to be fair to others regardless if they are of low or high social standing, but ideologies about the structure of the social hierarchy can inform these expectations of fairness. The findings are discussed in the light of the RMPJ and the implications for governing divided societies.

Compliance and Cooperation

Courts and Dispute Resolution

Stephen Cody & Alexa Koenig, *Procedural Justice in Transnational Contexts*, Va. J. Int'l L. (published online June 2018), https://papers.ssrn.com/sol3/papers.cfm?abstract_id=3192116.

Abstract

Procedural justice scholarship shows that perceptions of judicial fairness can strongly influence a court participant's satisfaction with judicial outcomes, as well as the perceived legitimacy of the dispute resolution forum. What is largely unknown, however, is how procedural justice plays out in transnational contexts. Most previous studies focus on adjudication in domestic forums. Here, drawing on 622 semi-structured interviews with victims in cases before the International Criminal Court (ICC), we document how four core procedural justice principles–voice, neutrality, trust and respect–are interpreted differently in transnational rather than in national contexts. We also identify additional factors–including

participants' concerns over physical safety and lengthy judicial processes–that condition participants' subjective evaluations of procedural fairness. These empirical findings force us to rethink the meaning of core principles of procedural justice in transnational settings and shed light on the subjective experiences of victim participants in international criminal proceedings.

H.A.M. Grootelaar, Interacting with Procedural Justice in Courts (2018) (unpublished Ph.D. dissertation, Utrecht University), https://dspace.library.uu.nl/handle/1874/364150.

Abstract

This dissertation challenges the importance of perceived procedural justice by studying whether being treated fairly truly matters for litigants who have their day in court. In three empirical studies conducted among litigants in Dutch courtrooms, the question whether perceived procedural justice really mattered for these litigants, has been answered. In each study, the hypothesized relationship between perceived procedural justice and trust in judges was subjected to a detailed inspection by taking into consideration the moderating effects of outcome concerns and socio-legal variables (Study 1), the baseline levels of people's trust in criminal justice institutions when initial attempts to bring their cases to court have been rejected (Study 2), and the judge's proactive perspective of procedural justice (Study 3). Taken together, the empirical findings in this dissertation provide insight into how litigants in Dutch courtrooms come to trust judges, and what the importance of perceived procedural justice is when litigants form these trust judgments.

Stanislaw Burdziej, Keith Guzik & Bartosz Pilitowski, *Fairness at Trial: The Impact of Procedural Justice and Other Experiential Factors on Criminal Defendants' Perceptions of Court Legitimacy in Poland*, LAW & SOC. INQUIRY (published online April 2018), https://onlinelibrary.wiley.com/doi/abs/10.1111/lsi.12358.

Abstract

A large body of research supports the procedural justice hypothesis that quality of treatment matters more than outcomes for institutional legitimacy. How fairness matters across legal institutions and geographic settings remains an open question, however. This article uses a survey of criminal defendants to test the factors associated with perceived legitimacy of courts in Poland, a country whose judiciary is currently subject to intense political contestation. The findings confirm the primacy of procedural justice, while also illustrating the influence of instrumental performance factors such as time and court organization. This suggests that in contexts of political transition with disputed legal institutions, citizens' contact with procedurally fair, operationally efficient institutions can support the legitimacy of authorities and strengthen the rule of law.

Ric Simmons, *Big Data, Machine Judges, and the Legitimacy of the Criminal Justice System*, 52 U.C. DAVIS L. REV. (published online April 2018), https://papers.ssrn.com/sol3/papers.cfm?abstract_id=3156510.

Abstract

Predictive algorithms are rapidly spreading throughout the criminal justice system. They are used to more efficiently allocate police resources, identify potentially dangerous individuals, and advise judges at bail hearings and sentencing determinations. These algorithms have the potential to increase the accuracy, efficiency, and fairness of the criminal justice system, and they have been criticized on the grounds that they may reinforce pre-existing biases against minorities. But one aspect of these tools that has not yet been discussed in the literature is whether they will be accepted as legitimate. . . . The article presents an original empirical study of six hundred individuals who were presented with a hypothetical case in which a judge uses a predictive algorithm to assist in a bail hearing. The study indicates that individuals are likely to accept predictive algorithms, as long as certain criteria are met.

A. J. Wang, Procedural Justice and Risk-Assessment Algorithms (June 2018) (unpublished working paper), https://papers.ssrn.com/sol3/papers.cfm?abstract_id=3170136.

Abstract

Statistical algorithms are increasingly used in the criminal justice system. Much of the recent scholarship on the use of these algorithms have focused on their "fairness," typically defined as accuracy across groups like race or gender. This project draws on the procedural justice literature to raise a separate concern: does the use of algorithms damage the perceived fairness and legitimacy of the criminal justice system? Through three original survey experiments on a nationally-representative sample, it shows that the public strongly disfavors algorithms as a matter of fairness, policy, and legitimacy. While respondents generally believe algorithms to be less accurate than either psychologists or statutory guidelines, accuracy alone does not explain their preferences. Creating "transparent" algorithms helps but is not enough to make algorithms desirable in their own right. Both surprising and troubling, members of the public seem more willing to tolerate disparate outcomes when they stem from an algorithm than a psychologist.

Marc Brasof & Kate Peterson, *Creating Procedural Justice and Legitimate Authority Within School Discipline Systems Through Youth Court*, PSYCHOL. SCHOOLS (published online May 2018), https://onlinelibrary.wiley.com/doi/abs/10.1002/pits.22137.

Abstract

Schools' ability to manage student misbehavior rests largely on students' perceptions of the discipline system and authority. According to the procedural justice perspective, when schools use discipline practices students perceive as unfair, they fail to see authority as legitimate, making them less likely to comply with rules and demand. Youth Court, a peer adjudication program, has been implemented in schools as an alternative to punitive policies. While effective, there is no current research that examines if Youth Court creates procedural justice and legitimate authority. Using qualitative data from three urban schools, this study investigates the fairness of Youth Court procedures within a procedural justice

framework, as well as perceptions of primary discipline practices and authority. Findings revealed that each school still largely uses punitive policies that create procedural unfairness and undermine legitimate authority. Additionally, findings indicate Youth Court utilizes practices that allow for procedural justice that foster legitimate authority.

New Thinking and Interpretations

JO THOMAS, CLAIRE ELY & BEN ESTEP, CTR. FOR JUSTICE INNOVATION, A FAIRER WAY: PROCEDURAL FAIRNESS FOR YOUNG ADULTS AT COURT (2018), http://justiceinnovation.org/wp-content/uploads/2018/04/CJI_A-FAIRER-WAY_DIGITAL.pdf.

Abstract (from http://www.russellwebster.com/yacourt18/)

A new report . . . by the Centre for Justice Innovation and the Transition to Adulthood Alliance, suggests that a fairer and distinct approach to how the courts deal with young adults could reduce reoffending, meaning fewer victims of crime. The report . . . sets out a blueprint for a new approach to 18-25 year old's in court, developed over the last two years by criminal justice practitioners in five areas of England and Wales as well as young adults themselves. These areas have worked with the Centre for Justice Innovation to develop a model that could be delivered within current law and at no extra cost to the public.

The adapted court model draws upon scientific international research that has shown young adults' brain development and maturity makes them a group distinct from both children and from fully mature adults. The proposed changes are based on 'procedural fairness' evidence that suggests a more understandable and fairer court process is likely to increase young adults' compliance with court orders and reduce young adults' likelihood of committing further offences.

Karen A. Snedker, *Therapeutic Justice in Action: Court Process, Reviews and Sanctions*, *in* THERAPEUTIC JUSTICE: CRIME, TREATMENT COURTS, AND MENTAL ILLNESS 131 (2018), https://link.springer.com/chapter/10.1007/978-3-319-78902-6_4.

Abstract

In this chapter I explore MHCs [mental health courts] in action and how the court process influence client experiences. The chapter focuses on court reviews and the sanctioning process. How the court responds to compliance and non-compliance is consequential for clients, having both therapeutic and antitherapeutic effects. I highlight the role of procedural justice and harm reduction frameworks in the working of the court. Throughout the chapter, I detail how MHCs treatment orientation is on display formally before the judge and informally with team members in ways that enhance and impede therapeutic justice.

Vivek Sankaran, *My Name Is Not "Respondent Mother": The Need for Procedural Justice in Child Welfare Cases*, ABA CHILD L. PRAC. TODAY, June 6, 2018, https://repository.law.umich.edu/cgi/viewcontent.cgi?article=2992&context=articles.

Excerpt

Over the past 15 years, I've represented hundreds of parents and children in the child welfare system. During that time, the practice has become more professionalized, with more qualified practitioners wanting to enter the field. New interventions to better support families have emerged and innovative laws to improve outcomes for families have been introduced. While courts have focused on what they should do, they've paid far less attention on how they should do it, particularly as it relates to how parents experience the child welfare process. As a result, parents frequently feel left out of the process, feeling even more hopeless about their prospects of getting their children back after the court process begins. . . . This sentiment, felt by parents experiencing the child welfare system all over the country, makes me wonder whether the court process is by design. Maybe it makes sense for three reasons: 1) to punish parents who have done horrific things to children; 2) to motivate parents to address their deficiencies through harsh treatment; or 3) to allow children to live in a foster care system that better meets their needs. Yet, when we explore each of these possibilities, the evidence clearly calls for a different approach.

Prisons and Offenders

CAROLYN MCKAY, THE PIXELATED PRISONER: PRISON VIDEO LINKS, COURT 'APPEARANCE' AND THE JUSTICE MATRIX (2018), https://www.taylorfrancis.com/books/9781351619257.

Abstract

Technological linkages between justice and law enforcement agencies are radically altering criminal process and access to justice for prisoners. Video links, integral to an increasingly networked justice matrix, enable the custodial appearance of prisoners in remote courts and are becoming the dominant form of court appearance for incarcerated defendants. This book argues that the incorporation of such technologies into prisons is not without consequence: technologies make a critical difference to prisoners' experiences of criminal justice.

By focusing on the prison endpoint and engaging with the population most affected by video links – the prisoners themselves – this book interrogates the legal and conceptual shifts brought about by the technology's displacement of physical court appearance. The central argument is that custodial appearance has created a heightened zone of demarcation between prisoners and courtroom participants. This demarcation is explored through the transformed spatial, corporeal and visual relationships. The cumulative demarcations challenge procedural justice and profoundly recompose prisoners' legal experiences in ways not necessarily recognized by policy-makers.

Eric G. Lambert et al., *An Exploratory Study of Organizational Justice and Work Attitudes Among Chinese Prison Staff*, 98 PRISON J. 314 (2018), http://journals.sagepub.com/doi/abs/10.1177/0032885518764919.

Abstract

While both forms of organizational justice are important, the empirical literature indicates that procedural justice generally has wider and greater effects on job attitudes compared with distributive justice. Regression analysis of self-reported survey data from 322 staff at two Chinese prisons in Guangzhou suggests that, while both forms of organizational justice were important for Chinese correctional staff's organizational commitment, distributive (but not procedural) justice had significant positive associations with both job involvement and job satisfaction. This emphasis on distributive justice differs from what has been empirically found for U.S. correctional staff.

Kallee McCullough, Prisoners' Perceptions of Procedural Justice and Legitimacy: Examining Constructs and Effects on Recidivism (April 2018) (unpublished Ph.D. dissertation, Sam Houston State University), https://shsu-ir.tdl.org/shsu-ir/handle/20.500.11875/2356.

Abstract

This dissertation explores whether and how perceived procedural justice and legitimacy of the law and legal authorities relate to imprisoned men's attitudes and behaviors within prison and in the community after release. Over a period of nine months in 2016, face-to-face interviews were conducted with 802 male prisoners within one week of their scheduled release from a prison in Huntsville, Texas. Official data were gathered from the Texas Department of Criminal Justice and the Texas Department of Public Safety. With these data, key constructs proposed in the process-based model of regulation are examined to determine consistency, validity, and empirical relationships among measures that previous correctional research inconsistently measured or neglected. Results from confirmatory factor analyses indicate reference group differentiation in respondents' perceptions of procedural justice and legitimacy of police, correctional officers, and the law; showing that study participants demonstrated a nuanced understanding of procedural justice and dimensions of legitimacy. Structural equation modeling and multivariate regressions reveal differences in procedural justice and legitimacy measures based on respondent characteristics. Independent effects and mediators in the paths among procedural justice and legitimacy variables are assessed with structural equation models. Three main endogenous variables are evaluated: (1) compliance measured as self-reported prison misconduct and official records of post-release rearrests; (2) cooperation operationalized as willingness to provide information to authorities, violence/non-acceptance of state power, and general support of prison staff; and (3) engagement in prosocial activities. Significant relationships among endogenous variables and indicators of procedural justice and legitimacy are observed in the structural equation models, but variation in effects on outcome variables are revealed. Important implications for procedural justice research as well as policy and practice regarding the management and treatment of prisoners are derived from this dissertation.

Kirstin A. Morgan, Perceptions of Justice: Views of Jailed Defendants on Procedural and Distributive Justice (2018) (unpublished Ph.D. dissertation, State University of New York at Albany),
https://search.proquest.com/openview/649dddd97ada8b7d23b5522db2e5f15d/1?pq-origsite=gscholar&cbl=18750&diss=y.

Abstract

The current study examines defendant perceptions of their recent experiences in one of two criminal courts in an urban-suburban county. Forty-three interviews were conducted with jail sentenced participants, during which they were asked about the perceived fairness of the case process and outcomes, as well as their relationship with their defense attorney for the case. This study was undertaken to answer four research questions: 1) Are the concepts of procedural and distributive justice related from the defendant perspective? 2) Are perceptions of procedural justice related to satisfaction with case outcomes? 3) Are perceptions of procedural justice related to satisfaction with the defendant's defense attorney? 4) Are defendant perceptions of distributive justice related to satisfaction with case outcomes? . . . The current study utilized open-ended interviews to allow defendants to identify the issues most important to them, a strategy found useful by other researchers for detecting new components of procedural justice. Second, despite evidence that distributive justice is unique from procedural justice, and has its own impacts on outcome satisfaction, to date researchers have not successfully distinguished a single model for how the two concepts interact when examining defendant perceptions of criminal justice. While the current study cannot solve this issue, it does contribute to the discussion by suggesting a model of the relationship based upon connections made directly by defendants when discussing fair process and outcomes. . . . Third, the seemingly related literature on attorney-client relationships has yet to be examined in the context of procedural and distributive justice, an issue explored in the current study. Defendants related issues of procedural justice to the perceived quality of their attorney, suggesting that future research should examine both issues together.

Policing

Stefan Machura et al., *National Identity and Distrust in the Police: The Case of North West Wales*, EUR. J. CRIMINOLOGY (published online April 2018),
http://journals.sagepub.com/doi/abs/10.1177/1477370818764835.

Abstract

Trust in the police, as defined by perceived procedural fairness, just decisions and effectivity, may be impacted by deep political divisions among the population, especially where citizens adopt opposing national identities. In Europe, North West Wales is one such area. Nationalism is intensified by language issues (Welsh vs. English) and historical experiences of UK institutions. A sample of 207 residents living within the local authority of Gwynedd were asked to take part in the study. A questionnaire survey addressed how much trust in the police ultimately depends upon national identity as expressed by preference for the Welsh language, trust in UK institutions and attitudes towards political symbols. Other

factors tested included personal experience of the police, the influence of news reports and police TV series, as well as the perceived effectiveness of the police in addressing crime. Trust in UK institutions, preference for the Welsh language and news reporting were found to have most influence on trust in the police.

Allegra Clare Schermuly, *Encounters Between the Police and the Public: Seize the Day or Practice Avoidance?* 4 J. CRIMINOLOGICAL RES., POL'Y & PRAC. 148 (2018), https://www.emeraldinsight.com/doi/abs/10.1108/JCRPP-12-2017-0039.

Abstract

Purpose: The purpose of this paper is to investigate the effect of encounters on police legitimacy and levels of trust in the police in the Monash Local Government Area in the state of Victoria, Australia. Monash was chosen as it had experienced declining results in the official National Survey of Community Satisfaction with Policing in relation to police legitimacy and trust.

Design/methodology/approach: A qualitative case study comprising 18 interviews and six focus groups with community representatives from Monash is employed in the paper.

Findings: When procedural justice approaches are applied during encounters between the police and the public, encounters contribute to securing legitimacy for the police. Contact between the police and the public in everyday situations also enhances trust in the police, depending on the way the police conduct themselves during such interactions.

Originality/value: The majority of research in this field to date has been quantitative. A qualitative approach provides fresh insights into the mechanisms of police legitimacy, especially the role of encounters and procedural justice.

Ross Deuchar, Seth Wyatt Fallik & Vaughn J. Crichlow, *Despondent Officer Narratives and the 'Post-Ferguson' Effect: Exploring Law Enforcement Perspectives and Strategies in a Southern American State*, POLICING & SOC'Y (published online May 2018), https://www.tandfonline.com/doi/abs/10.1080/10439463.2018.1480020.

Abstract

The fatal shooting of a young, black, and male citizen named Michael Brown by a white male police officer in Ferguson (MO) generated political and media backlash that continues to erode law enforcement legitimacy today. . . . To better understand officers' attitudes, perspectives, and strategies and the way in which the negative press related to the Ferguson incident interacted with these, in-depth semi-structured interviews with 20 law enforcement officials were supplemented with participant observations of officer deployments in two southern State counties in the United States. Officer confidence, morale, and policing strategies were queried within the post-Ferguson era. The data suggest that there had been an increased conceptual awareness of procedural justice but also a reduction in officer morale and emphasis on proactive policing strategies, and that Ferguson was often drawn upon as a reference point among

officers. The implications for these findings are discussed in terms of future police policies and practices within a procedural justice framework that seeks to reduce crime and increase law enforcement legitimacy.

Nathalie-Sharon Nandita Koster, Crime Victims and the Police: Crime Victims' Evaluations of Police Behaviour, Legitimacy, and Cooperation: A Multi-Method Study (February 2018) (unpublished Ph.D. dissertation, University of Leiden), https://openaccess.leidenuniv.nl/handle/1887/61143.

Abstract

It seems that repeat crime victims are less likely to offer their cooperation to the police than victims who were victimized only once. This dissertation seeks to understand why this may be the case and examines what crime victims value in their contact with the police. The findings reveal that crime victims are not only interested in a fair treatment, but also in investigative activities that the police may perform to solve their case. Both are important to them, because it makes them feel that they and their case are being taken seriously. Evaluations of the police response have important consequences for both perceived police legitimacy and willingness to cooperate with the police. Negative evaluations of the police response, particularly concerning a lack of investigation activities, could have detrimental effects. This applies especially to victims of violent crimes that know their offender. As a consequence, some of them may not only become reluctant to cooperate with the police, but also develop feelings of vigilantism. To prevent repeat crime victims from evading the criminal justice system it is, therefore, of utmost importance that the police avoids negative evaluations as much as possible.

Michaela R. Flippin, The Effect of Procedural Injustice on Cooperation with 911 Operators and Criminal Justice Authorities: A Factorial Vignette-Based Study (2018) (unpublished Ph.D. dissertation, Arizona State University), https://search.proquest.com/openview/c4af5f823d00d6ca8cb6a53ec4c4daeb/1?pq-origsite=gscholar&cbl=18750&diss=y.

Abstract

Prior research looking at procedural justice has largely focused on legal authorities, such as the police. There is a gap in the research regarding the influence of procedurally-just treatment of other criminal justice professionals, including 911 operators. These individuals are often the first contact citizens have when initiating police services, and it is likely that 911 operators set the stage for how police encounters with the public unfold. Using a factorial vignette design, this study tests the causal links between procedural injustice and several outcome measures, including cooperation, satisfaction, callback likelihood, and willingness to testify in court. Data from a university-based sample (n=488) were used to estimate a series of ordinal regression models. The results show that participants who received the injustice stimuli were generally less likely to report they would call 911 in the future, cooperate with the 911 operator if asked additional questions, cooperate with the police once they arrived on the scene, and

had lower levels of satisfaction with the how the operator handled the call. These results were significant across two different scenarios (i.e., breaking and entering and traffic accident). Seriousness of the encounter also varied across these outcomes, but the magnitude of the effect was more modest. The results demonstrate the effect non-sworn personnel, such as 911 operators, can have on the outcome of police-citizen encounters.

Taisier Samir Elessawi, *The Influence of Procedural Justice on Citizens' Perceptions of Legitimacy During Traffic Stops* (2018) (unpublished Ph.D. dissertation, Widener University), https://search.proquest.com/openview/0d8def24a0276f8f14ce95b686060deb/1?pq-origsite=gscholar&cbl=18750&diss=y.

Abstract

Procedural justice has been found to impact citizens' perceptions on legitimacy. Using data from the Police-Public Contact Survey (PPCS) in 2011, individuals were asked about their encounters with police officers within the previous year. This study aimed to identify the potential influence procedural justice had on the respondents' perception of the legitimacy specifically during traffic stops. Three components in the procedural justice model (individuals feeling as though they were being treated fairly, police officers were perceived to be respectful during the interaction, and individuals feeling that they had voice during the encounter) were used in this study. While race and ethnicity were predicted to influence respondents' perceptions, only ethnicity was found to make a difference where Hispanics were less likely than non-Hispanics to perceive the traffic stop as legitimate. Additionally, individuals in the higher earning income group were more likely to identify the traffic stop as legitimate in comparison to the other two income groups. The components of procedural justice that were found to influence respondents' perception of legitimacy were fairness and respect, however, individuals' voice was not found to be influential in respondents' perception. Limitations to this study and future research are suggested. Policy implications such as more effective communication and cultural competency training are discussed.

Ivan Y. Sun et al., *Institutional Procedural Justice and Street Procedural Justice in Chinese Policing: The Mediating Role of Moral Alignment*, Austrl. & N.Z. J. Criminology (published online June 2018), http://journals.sagepub.com/doi/abs/10.1177/0004865818782572.

Abstract

Although the process-based model of policing has been widely tested, research on how procedural justice works within police agencies, particularly its impact on officer willingness to engage in procedurally fair behavior on the street, is relatively scant. Based on survey data collected from Chinese police officers, this study assessed the linkages between internal procedural justice and external procedural justice through the mechanisms of moral alignment with both supervisors and citizens and perceived citizen trustworthiness. Greater internal procedural justice was directly related to higher external procedural

justice. Fair supervision helped build up moral alignment between officers and supervisors and between officers and citizens, which in turn led to stronger commitment to fair treatment of the public. Internal procedural justice and moral alignment with citizens also cultivated officers' perceptions of public trustworthiness, which further strengthened officers' fair treatment toward the public.

Kwabena Osei-Adubofour, The Lack of Political Impartiality of the Police in Ghana and Its Effect on the Public's Trust and Confidence in the Police and on Public Perception of Police Legitimacy (June 2017) (unpublished Ph.D. dissertation, Northeastern University), https://search.proquest.com/openview/cf33d7c78809804c1bbf444790aa588d/1?pq-origsite=gscholar&cbl=18750&diss=y.

Abstract

In liberal democracies, the police are expected to be scrupulously objective, impartial, upstanding, and protective of all segments of society in enforcing the law. However, centralized police establishments in post-colonial countries such as Ghana tend to operate as appendages of the ruling governments and are almost invariably politically-biased against sections of society that do not share the same political views as the ruling governments. When there is such a lack of political impartiality of the police, how are the police perceived by the citizenry, and what is the effect on the legitimacy that the citizens accord to the police? What is the effect on public cooperation in the police's mandate of law enforcement? This study sought answers to these questions. Drawing on data from a survey of 584 adults in the West African country of Ghana, the study found that Ghanaians perceive the police as lacking political impartiality and that this correlates with low public trust and confidence in the police. These then were associated with low perceptions of police legitimacy. The study further found that Ghanaians' desire to cooperate with the police irrespective of these negative assessments can be attributed to dull compulsion in their attitude towards the police. The study concludes with recommendations for policy reforms for police conduct to conform to democratic policing principles in line with procedural justice, and a review of the Ghanaian Constitution to make the police more politically independent of executive leadership of the country.

Roberto G. Santos, *Offender and Family Member Perceptions After an Offender-Focused Hot Spots Policing Strategy*, 41 POLICING 386 (2018), https://www.emeraldinsight.com/doi/pdfplus/10.1108/PIJPSM-10-2017-0120.

Abstract

Purpose: The purpose of this paper is to examine how both offenders and their families perceived their interactions with police and whether there were negative consequences of the offender-focused strategy that was implemented in a hot spots policing experiment.

Design/methodology/approach: Data from interviews of 32 offenders and 29 family members are examined qualitatively for themes to evaluate how the strategy was carried out and how it impacted offenders' behavior and both groups' perceptions of the police detectives and the strategy overall.

Findings: The results show that there was overwhelming agreement by both offenders and their family members that the police detectives who contacted them treated both groups with dignity and respect. After the contact was over, the offenders appeared to commit less crime, followed probation more closely, and had positive feelings about what the police detectives were trying to do. Improvement of the offenders' relationships with their families was an unanticipated finding indicating a diffusion of benefits of the strategy.

Practical implications: The results suggest that when procedural justice principles are used in an offender-focused police intervention, positive impact can be achieved without negative consequences.

Clair White et al., *The Influence of Procedural Justice on Citizen Satisfaction with State Law Enforcement*, POLICING (published online April 2018), https://www.emeraldinsight.com/doi/abs/10.1108/PIJPSM-02-2017-0026.

Abstract

Purpose: There are a number of individual and contextual variables that influence public opinion of the police but we know little about the public opinion regarding state law enforcement agencies. Prior studies involving municipal police and other criminal justice agencies indicate that the perceptions of procedural justice, or fair treatment, are important predictors of citizen satisfaction with police services. The purpose of this paper is to examine whether individuals who perceive procedurally just treatment during their contact with a state patrol officer improve the levels of satisfaction with the state patrol.

Design/methodology/approach: This paper presents the results of a public opinion study (n=846) regarding the Colorado State Patrol conducted in 2009. A subsample of 393 individuals who had contact with the state patrol and were further surveyed about their contact with the officer. Logistic regression models were used to examine individual- and contextual-level variables influence satisfaction with the state patrol and whether this relationship was mediated by the perceptions of procedural justice.

Findings: The authors found that individuals who perceive higher levels of procedural justice expressed higher satisfaction with the state patrol. Females, older respondents, and non-white respondents expressed greater satisfaction, as well as those who had voluntary contact or were not arrested. More importantly, procedural justice mediated the effect of involuntary contact and arrest on levels of satisfaction, and while non-white respondents were less likely to experience procedural justice, when levels of procedural justice are controlled for, they have higher levels of satisfaction.

Ivan Y. Sun et al., *Procedural Justice in Democratic Policing*, POLICE Q. (published online April 2018) http://journals.sagepub.com/doi/abs/10.1177/1098611118772270.

Abstract

Notwithstanding the popularity of the process-based model of policing among social scientists, research on factors that encourage police officers to engage in procedurally fair behavior is relatively scarce. Based

on the fair policing from the inside out framework and survey data collected from Taiwan police officers, this study explored the connection between internal procedural justice and external procedural justice through the mechanisms of moral alignment with both supervisors and citizens and perceived citizen trustworthiness. Fair supervision was found to build up moral alignment between officers and supervisors and between officers and citizens, which in turn led to stronger commitment to responsiveness and fair treatment of the public. Internal procedural justice and moral alignment also cultivated officers' perceptions of public trustworthiness, which similarly strengthened officers' response and fair treatment toward the public.

John D. McCluskey et al., *Assessing the Effects of Body Worn Cameras on Procedural Justice in the Los Angeles Police Department* (National Institute of Justice, Working Paper Award No. 2014-R2-CX-0101, 2017), http://www.bwctta.com/sites/default/files/Files/Resources/1%20Procedural%20Justice%20CRIM%20%2010%2017%202017.pdf.

Abstract

This paper explores variations in procedural justice delivered in face to face encounters with citizens before and after the implementation of body worn cameras (BWC). The paper draws on recent advances in the measurement of procedural justice using systematic social observation of police in field settings in the Los Angeles Police Department. Data collected on 555 police-citizen encounters are examined in bivariate and multivariate models exploring the primary hypothesis that BWC affects procedural justice delivered by police directly and indirectly. Results indicate that significant increases in procedural justice during police-citizen encounters were directly attributable to BWC's effect on police behavior as well as indirect effects on citizen disrespect and other variables. The implications for policy include explicit measurement and monitoring of procedural justice or elements such as officer discourtesy in departments adopting BWC. Further research questions such as more detailed examination of citizens' behavior changes under BWC are also considered in the context of the findings.

Andrea Timbury, Intelligence-Led and Community-Based Policing: The Effects on Community Relations (2018) (unpublished Ph.D. dissertation, Queen's University, Canada), https://search.proquest.com/openview/8ff92391f52d3efa3260fb2cefd6bf68/1?pq-origsite=gscholar&cbl=18750&diss=y.

Abstract

As the police organization evolves to meet the ever-changing needs of the 21st century, policing styles and philosophies continue to innovate in an attempt to reduce crime and maintain order. Each fluctuation in policing style has affected the public, particularly minority groups, in its own specific manner. This paper discusses these fluctuations in policing in Canada with a focus on the most recent and popular

styles of policing: community-oriented and intelligence-led policing, as implemented under the Ontario Mobilization and Engagement Model (OMEM) in 2010. Specifically, through a survey study with officers from Waterloo Regional Police Services this work seeks to examine whether police officers who have been hired and trained under OMEM are more supportive of community-oriented and intelligence-led policing styles than officers hired previously, and whether these officers differ in their perceptions of the relationships between police and minority communities. Empirical work is framed though a procedural justice lens, and posits that police legitimacy, and thus community relations and public support, are directly affected by officers operating in a procedurally just manner. It is argued here that procedural justice is inherent in community-oriented policing activities, and thus, officers who are trained under OMEM will be supportive of community-oriented policing and will behave in a more procedurally just manner, increasing police legitimacy and improving community relations. Results indicate that full organizational change did not occur following OMEM, with officers hired after OMEM showing more support for some COP and ILP activities but not necessarily engaging in them more. In some cases, officers hired after OMEM were more likely to be critical of community relations and to report greater divisiveness with different minority groups. This suggests that while OMEM may raise awareness and support, there is still a lack of full organizational engagement with COP and ILP. These results have implications for policy, suggesting that a greater proportion of resources need to be committed to long-term community-oriented policing activities, with particular attention paid to new immigrants in the region, in order to fully incorporate COP and ILP activities into all aspects of police work.

New Thinking and Interpretations

Matthew Radburn & Clifford Stott, *The Social Psychological Processes of 'Procedural Justice': Concepts, Critiques and Opportunities*, CRIMINOLOGY & CRIM. JUST. (published online June 2018),
http://journals.sagepub.com/doi/abs/10.1177/1748895818780200.

Abstract

Contemporary research on policing and procedural justice theory (PJT) emphasizes large-scale survey data to link a series of interlocking concepts, namely perceptions of procedural fairness, police legitimacy and normative compliance. In this article we contend that as such, contemporary research is in danger of conveying a misreading of PJT by portraying a reified social world divorced from the social psychological dynamics of encounters between the police and policed. In this article we set out a rationale for addressing this potential misreading and explore how and why PJT researchers would benefit both theoretically and methodologically through drawing upon advances in theoretical accounts of social identity, developed most notably in attempts to understand crowd action. Specifically, we advance an articulation of a 'process-based' model of PJT's underlying social and subjective dynamics and stress the value of ethnographic approaches for studying police–'citizen' encounters.

Jonathan Jackson, *Norms, Normativity and the Legitimacy of Justice Institutions: International Perspectives*, LSE Legal Studies Working Paper No. 1/2018,
https://papers.ssrn.com/sol3/papers.cfm?abstract_id=3129737.

Abstract

This article reviews the international evidence on the nature, sources and consequences of police and legal legitimacy. In brief, I find that procedural justice is the strongest predictor of police legitimacy in most countries, although normative judgements about fair process may – in some contexts – be crowded out by public concerns about police effectiveness and corruption, the scale of the crime problem, and the association of the police with a historically oppressive and underperforming state. Legitimacy tends to be linked to people's willingness to cooperate with the police, with only a small number of national exceptions, and there is fair amount of evidence that people who say they feel a moral duty to obey the law also tend to report complying with the law in the past or intending to comply with the law in the future. The main argument is, however, that international enthusiasm for testing procedural justice theory is outpacing methodological rigor and theoretical clarity. On the one hand, the lack of attention to methodological equivalence is holding back the development of a properly comparative cross-national analysis. On the other hand, the literature would benefit from (a) greater delineation between legitimation and legitimacy, (b) stronger differentiation between police and legal legitimacy, and (c) more attention given to isolating the mechanisms through which legitimacy motivates cooperation and compliance.

Steven E. Clark, Molly B. Moreland & Rakel P. Larson, *Legitimacy, Procedural Justice, Accuracy, and Eyewitness Identification*, 8 U.C. IRVINE L. REV 41 (2018), https://heinonline.org/HOL/LandingPage?handle=hein.journals/ucirvlre8&div=7&id=&page=.

Abstract

Errors of eyewitness identification have motivated a national movement in the United States to reform police procedures that are used to obtain eyewitness identification evidence and legal procedures that regular the use of that evidence in legal proceedings. These reforms, and eyewitness procedures in general, have been evaluated primarily by the single metric of accuracy—the accuracy of the evidence and the accuracy of legal outcomes based on that evidence. This focus on accuracy contrasts with a large body of research that emphasizes procedural justice and the legitimacy of legal authorities and institutions. This Article develops a Legitimacy Model for eyewitness identification based on the effectiveness of police and legal institutions and the procedural justice inherent in the interactions between eyewitnesses and law enforcement.

Business and Management

Lale M.Yaldiza et al., *Do Resources Matter for Employee Stress? It Depends on How Old You Are*, 107 J. VOCATIONAL BEHAV. 182 (2018), https://www.sciencedirect.com/science/article/abs/pii/S0001879118300459.

Abstract

This study sought to understand the age-based differences in the usefulness of job resources in relation to employee stress. We extended Conservation of Resources theory by integrating two lifespan development models (Selection-Optimization-Compensation and Socio-emotional Selectivity theories) to argue that job resources would be differentially beneficial – or harmful when lacking – to the stress of older and younger workers. Utilizing time-lagged data, we examined the moderating role of age in the relationship between baseline work-related resources from the job (skill variety), supervisor (leader-member exchange), and organization (procedural fairness) and perceived stress at the 12-month follow-up in a sample of U.S. construction workers (N = 243). As hypothesized, our findings indicated that the relationship between these three job resources and perceived stress was stronger for older workers. Specifically, when resources were high in the workplace, both older and younger workers reported lower levels of stress. However, when these resources were low, older workers experienced greater stress compared to their younger colleagues. These findings support that age is a boundary condition of job resources – stress link, and highlight the importance of understanding the needs and motivation of employees of different ages is key to maintaining worker well-being.

Usman Raja et al., *Do Procedures Really Matter When Rewards Are More Important? A Pakistani Perspective on the Effects of Distributive and Procedural Justice on Employee Behaviours*, 68 REVUE EUROPÉENNE DE PSYCHOLOGIE APPLIQUÉE 79 (2018), https://www.sciencedirect.com/science/article/pii/S116290881830015X.

Abstract

Introduction: Researchers agree that procedural justice and distributive justice interact so that high procedural fairness reduces the negative consequences of distributive unfairness.

Objectives: Our objective was to test the hypothesis that employees in Pakistan (i.e., an underdeveloped economy) would be more focused on rewards than procedures. Therefore, procedural and distributive justice will not interact in predicting employee behaviors.

Methods: Using independent measures for organizational justice and job outcomes, we conducted two field surveys (n = 372 and n = 550 paired responses) in Pakistan to examine the direct and combined effects of procedural and distributive justice on job performance, citizenship behaviors, and creativity.

Results: In both studies, the results suggest that distributive justice is a more consistent and relatively stronger predictor of job outcomes as compared to procedural justice. The results also showed that procedural justice did not moderate the relationship between distributive justice and employee behaviors.

Conclusion: The findings suggest that workers in an underdeveloped economy like Pakistan may be more concerned with fairness in the distribution of rewards than procedural fairness. Therefore, in such context, procedures may be less likely to reduce negative consequences of unfair reward distribution.

Jihyun Min et al., *A Comparative Study of Potential Job Candidates' Perceptions of an AI Recruiter and a Human Recruiter*, 9 J. KOREA CONVERGENCE SOC'Y 191 (2018), http://www.earticle.net/Article.aspx?sn=329706.

Abstract

Artificial intelligence (AI) is already being utilized in certain personnel selection processes in organizations; AI will eventually make even final decisions for personnel selection. The present study investigated potential job candidates' perceptions of an AI recruiter by comparing the selection procedures carried out by an AI recruiter to those carried out by a human recruiter. For this study college students in South Korea were recruited. They were each shown one of two recruitment scenarios (human recruiter vs. AI recruiter; between-subject design) followed by questionnaires measuring their satisfaction with the selection procedures and procedural justice, their trust in the recruiter, and their belief in a just world. Results show that potential job candidates were more satisfied with the selection procedures used by the AI recruiter than the human recruiter; they perceived the procedures as fairer than those used by the human recruiter. In addition, potential job candidates' trust in the AI recruiter was significantly higher than their trust in the human recruiter. This study also explored whether potential job candidates' perceptions of the AI and human recruiter were contingent upon their beliefs in a just world. The present study suggests a direction for future research.

Irene Trapp & Rouven Trapp, *The Psychological Effects of Centrality Bias: An Experimental Analysis*, J. BUS. ECON. (published online April 2018), https://link.springer.com/article/10.1007/s11573-018-0908-6.

Abstract

This paper examines the psychological mechanisms that are activated by centrality bias in the context of subjective performance evaluation. Centrality bias refers to compressed evaluations of subordinates, implying that the variance in the performance of the evaluated employees is higher than the variance in the rewards determined by the superior. Based on insights from the social psychology literature, we argue that centrality bias may trigger different psychological mechanisms which affect the subordinates' willingness to exert work effort. We propose that these effects differ depending on whether employees are above-average or below-average performers. In line with our predictions, we detect a considerable asymmetry in the effects of centrality bias. In particular, we find that the relationship between centrality bias and the willingness to exert work effort is negatively mediated by controlled motivation and procedural fairness perceptions for above-average performers. For below-average performers, we find that centrality bias is positively related to procedural fairness perceptions which are, however, unrelated to the willingness to exert work effort. In addition, we shed light on the role of peer information and find that its disclosure has not a significant impact on the psychological mechanisms at work.

Sergio Andrés López Bohle, María José Chambel & Antonia Diaz-Valdes Iriarte, *Job Insecurity, Procedural Justice and Downsizing Survivor Affects*, INT'L J. HUM. RES.

Abstract

The current study developed and tested a mediation model that accounts for the procedural justice in the relationship between the perception of job insecurity and affect. We used a sample of 681 workers, from four private enterprises in the retail industry in Chile, who survived an organizational downsizing process. The hypotheses were tested by using structural equation modeling (SEM). The results indicated that the perception of job insecurity and employees' negative affects was partially mediated by procedural justice. However, the relationship between job insecurity and employees' positive affects was totally mediated by procedural justice. Therefore, such results suggest that it is important during a downsizing process for companies to implement actions to enhance job security in order to develop adequate affect among survivors. Furthermore, it is also seemingly crucial that justice should be an important issue in the downsizing process, and that the company should develop actions that reflect the perception of procedural justice throughout the process. Thus, this research provides evidence that it is useful to simultaneously consider procedural justice and stress reactions in a downsizing process, since neither are independent variables.

Abstract

Purpose: The purpose of this paper is to examine the mediating roles of procedural justice and distributive justice in the organizational inclusion-affective well-being relationship.

Design/methodology/approach: Data were collected from 253 Australian employees using an online survey. The study used confirmatory factor analysis and structural equation modeling to analyze the data.

Findings: Organizational inclusion was positively related to both distributive justice and procedural justice. The relationship between organizational inclusion and affective well-being was mediated by both distributive justice and procedural justice.

Practical implications: Implementation of inclusion training activities at organizational, group, and individual levels is important to enhance perceptions of organizational inclusion and subsequently improve employee affective well-being.

Abstract

Tom Tyler's Procedural Justice Theory has received support in a variety of studies using criminal justice authorities as the research focus. To date, the theory has not been empirically tested using corporate malfeasance as an outcome, despite evidence that procedural justice is important in achieving regulatory compliance. This study uses factorial survey methods to examine whether corporate behavior is predicted by professionals' perceptions of procedural justice and legal legitimacy. We find that procedural justice and legitimacy considerations are salient only when managers have direct contact with regulatory authorities. This supports John Braithwaite's argument that effective regulation is enhanced by microlevel interactions in which procedural justice can be effectively leveraged to promote compliance.

Tran Huy Phuong, *Perceived Justice in Performance Appraisal Among Vietnamese Employees: Antecedents and Consequences*, INT'L J. BUS. EXCELLENCE 209 (2018), https://www.inderscienceonline.com/doi/abs/10.1504/IJBEX.2018.091920.

Abstract

The current study investigates the antecedents and consequences of perceived justice in performance appraisal (PA) among Vietnamese employees. Although PA is popular in Vietnam, few researches to examine the effectiveness of PA practice in Vietnamese company have been reported. This research explores the issue of justice in PA from the employee perspective. Cross-sectional data were collected from full-time employees at various organizations who are enrolling in night-time Master courses using self-reported questionnaires which yielded a final sample size of 546 observations. Results of multiple regression analyses indicate that participative PA, PA training, trust in rater and the use of forced distribution ranking system have been found to influence the perception of procedural and distributive justice in PA. Perception of procedural and distributive justice in PA, in turn, significantly impacts intention to stay with the organization. The relationships between perceived justice in PA and job performance, however, are partly in contradiction to previous predictions. While perceived distributive justice in PA strongly influences, perception of procedural justice does not influence job performance. Discussion of results and implications are also detailed.

Rachel C. Callan, The Effects of Selection System Characteristics and Privacy Needs on Procedural Justice Perceptions: An Investigation of Social Networking Data in Employee Selection (Spring 2018) (unpublished Ph.D. dissertation, Old Dominion University), https://digitalcommons.odu.edu/psychology_etds/67/.

Abstract

Privacy violations have been suggested as an important variable in procedural justice perceptions, but the nature of this relationship is not well understood. Privacy has been investigated as a precursor to overall justice perceptions, but to date no published research investigates the role of privacy in the Gilliland procedural justice model (1993), one of the most influential procedural justice models in the literature. This dissertation explored this relationship by applying the Gilliland model to a situation rife with

potential privacy issues: the use of social networking site information in employee selection. As in Gilliland's model, selection system characteristics altered procedural justice rule perceptions. These rule perceptions were then related to overall procedural justice perceptions of the selection system. It was also hypothesized that privacy concerns moderated the relationship between procedural justice rule perceptions and overall justice perceptions such that the relationship was stronger for those with lower needs for privacy. An alternative hypothesis, that privacy needs directly affect overall procedural justice perceptions, was also tested. For the full study, 1,318 participants' responses to surveys on Amazon's Mechanical Turk (mTurk) were analyzed to assess their reactions to hypothetical employee selection scenarios with high or low justice for the following procedural justice rules: job relatedness content, opportunity to perform, reconsideration opportunity, and consistency of administration. The model was partially supported, with the manipulation of justice rules being related to perceptions of the associated procedural justice rules, which were then also related to overall procedural justice perceptions. Further, privacy concerns were related to overall procedural justice perceptions. The moderating role of privacy concerns on the relationship between procedural justice rule perceptions and overall procedural justice perceptions was not supported. A post hoc analysis revealed that the interaction between objective procedural justice and privacy concerns had a small effect on procedural justice perceptions. Practical implications, directions for future research, and limitations are discussed.

Reuben Kline, Scott Bokemper & Peter Descioli, Unfair Rules for Unequal Pay: Wage Discrimination and Procedural Justice (April 2018) (unpublished working paper), http://pdescioli.com/papers/kline.bokemper.descioli.unfair.pay.draft.2018.pdf.

Abstract

What makes unequal pay fair or unfair? Here we examine whether people judge some forms of unequal pay to be more unfair than others. We conduct an experiment in an online labor market in which participants found out that they earned unequal pay based on different payment rules. We vary the payment rules across conditions to test predictions from theories about procedural justice, divisive coordination rules, and ingroup favoritism. Workers transcribed text and then learned that they earned more or less money than other workers for doing the same job. We manipulated whether unequal pay was based on their political party, eye color, or an arbitrary choice between two doors. The results show that participants' judged discrimination based on their political party or eye color as more unfair than unequal pay based on their choice between doors. We discuss implications for theories about the procedural justice of wage discrimination.

Alexander Blandina, Can You Hear Me Now? The Moderating Effects of Procedural Justice Within Consumer-Brand Relationships (May 2018) (unpublished Ph.D. dissertation, University of New Hampshire), https://search.proquest.com/openview/276570a958d9af5c5578b57a55a143b3/1?pq-origsite=gscholar&cbl=18750&diss=y.

Abstract

Consumer-brand relationships have led consumers to expect fair outcomes (i.e., distributive justice) consistent with their relationship norms with a brand. . . . According to consumers, aspects of procedural justice qualitatively appeared to be major components that affected their attitudes towards brands. However, the effect of this construct within relationship norms has been underexamined, producing an empirical gap. The purpose of this dissertation was to bridge this gap by identifying the effect procedural justice has on consumer loyalty and trust within different consumer-brand relationships. In pursuit of this purpose, three studies were conducted. The first two studies examined how consumer-brand relationships influenced the perception of procedural justice. Study 1 replicated previous research. Procedural justice affected participants' loyalty and trust similarly, while distributive justice affected them depending on their relationship with a brand. Study 2 addressed limitations within Study 1 and produced conflicting results. Study 2 found that positive brand relationships were associated with a larger change in loyalty and trust as perceptions of procedural justice increased compared to negative relationships. To address the conflicting evidence of Study 1 and Study 2, Study 3 examined initial and post consumers' expectations of consistent or inconsistent procedural information in relation to their brand relationship to produce changes in consumer loyalty and trust. Inconsistent performance of procedural justice resulted in no change in consumer loyalty and trust. Yet regular performance of these inconsistent procedural actions resulted in reduced consumer loyalty and trust within positive brand relationships. Study 3 conceptually replicated both Study 1 and Study 2 by highlighting how procedural justice was initially discounted by consumers but was used to help maintain or adjust consumers' relationship with a brand across many encounters with a positive CBR brand.

Miscellaneous

Airong Zhang, Thomas G. Measham & Kieren Moffat, *Preconditions for Social License: The Importance of Information in Initial Engagement*, 172 J. CLEANER PROD. 1559 (2018), https://www.sciencedirect.com/science/article/pii/S0959652617326252.

Abstract

Building on the knowledge that procedural fairness of and trust in mining companies, as well as confidence in governance, are key determinants of social license to operate (SLO), the present research aims to examine how these preconditions of SLO are affected by the terms of engagement set out in initial letters sent to residents. Through an experimental study, quasi-experimental methodology was employed with four experimental conditions, where participants read an initial letter introducing a hypothetical mining proposal issued by a fictitious mining company (Nortor Mining Corporation – NMC) and then answered a number of questions regarding procedural fairness of and trust in NMC, as well as confidence in its governance. Condition 1 (i.e. a basic overview of the project) was modelled on a notice from a real mining company outlining opportunities for community engagement. Conditions 2 (Condition 1 plus commitment to engage), 3 (Condition 2 plus adherence to government requirements), and 4 (Condition 3 plus community's opportunity to contribute) were established through systematically and accumulatively adding information on NMC's detailed community engagement plan, the government assessment process, and opportunities for community involvement. The findings suggest that Condition 3 and Condition 4

resulted in higher scores for all three preconditions of SLO. The results demonstrate that the information presented in an initial community engagement letter can significantly influence community members' attitudes toward a proposed mining development, highlighting the importance of mining companies having concrete community engagement plans in place and demonstrating strong commitment to regulatory requirements right at the beginning.

Thomas M. Tripp et al., *The Fair Process Effect in the Classroom: Reducing the Influence of Grades on Student Evaluations of Teachers*, J. MARKETING EDUC. (published online April 2018), http://journals.sagepub.com/doi/abs/10.1177/0273475318772618.

Abstract

Research findings tend to confirm anecdotal observations that instructors' teaching evaluations are influenced by students' grades, making some instructors feel pressured to reduce the academic rigor of their course in an attempt to get higher evaluations. To reduce this pressure, the current study tested whether distributive justice may explain the relationship between grades and student evaluation of teaching (SET) and how the fair process effect may moderate the relationship between distributive justice perceptions regarding grades and SET. Relying on the extant literature of procedural justice, we hypothesized that when students perceive no fair process that determines their grades, then: (a) the relationship between distributive justice perceptions and SET will be stronger and (b) the indirect effect of grades on SET via distributive justice perceptions will be stronger. Conversely, under conditions of strong fair process perceptions, these relationships will be attenuated. Using a survey of undergraduates' perceptions of course fairness, we found support for our proposed hypotheses. We discuss the implications of our findings for higher education faculty.

Benjamin T. Wood et al., *Implementing Climate-Compatible Development in the Context of Power: Lessons for Encouraging Procedural Justice through Community-Based Projects*, 7 RESOURCES 36 (2018), https://www.researchgate.net/publication/325470038_Implementing_Climate-Compatible_Development_in_the_Context_of_Power_Lessons_for_Encouraging_Procedural_Justice_through_Community-Based_Projects.

Abstract

Climate-compatible development (CCD) is being operationalized across the developing world through projects that integrate development, adaptation and mitigation using community-based approaches— community-based CCD (CB-CCD). By incorporating and considering local people's concerns, these projects are positioned as more effective, efficient and sustainable than 'top-down' climate and development solutions. However, the literature pays little attention to whether and how these projects achieve procedural justice by recognizing local people's identities, cultures and values; and providing local people with meaningful participatory opportunities. We address this gap through an analysis of two

donor-funded CB-CCD projects in Malawi, drawing on household surveys, semi-structured interviews and documentary materials. Our findings show that the projects had only limited success in facilitating procedural justice for the target populations. Households' meaningful engagement in project activities and decision-making was often curtailed because power asymmetries went unchallenged. While many households were well engaged in projects, the recognition and participation of others—including many of the most vulnerable households—was limited. Building on our findings, we present a six-step approach to help CB-CCD project staff understand, manage and challenge power asymmetries; and create widespread recognition of, and meaningful participatory opportunities for, local people.

Kendra Thomas et al., *Parental Legitimacy, Procedural Justice, and Compliance with Parental Rules Among Brazilian Preadolescents*, 9 INT'L J. YOUTH, CHILD & FAM. STUD. 21 (2018), https://journals.uvic.ca/index.php/ijcyfs/article/view/18275/7684.

Abstract

The purpose of this study is to capture a snapshot of the lives of Brazilian preadolescents and gain a deeper understanding of the variables that influence compliance with parental rules. This analysis draws from the São Paulo Legal Socialization Study, a cohort study (N = 800; age = 11 years) from public and private schools. Descriptive statistics provide a perspective on normative Brazilian parenting practices and preadolescents' perceptions of parental legitimacy across multiple domains. Hierarchical linear modeling revealed that procedural justice, global legitimacy, issue-specific legitimacy, and disciplinary techniques all significantly predicted compliance across issues and between preadolescents. Parents who used constructive disciplinary practices paired with procedural justice practices were more likely to be perceived as legitimate authorities and to have their preadolescent children comply with their rules. Our findings broaden the literature on constructive parenting practices in preadolescence, and allow for greater generalizability of current Western research to a diverse metropolitan setting in Brazil.

Renee Kaufmann & Nicholas T. Tatum, *Examining Direct and Indirect Effects of Classroom Procedural Justice on Online Students' Willingness to Talk*, DISTANCE ED. (published online June 2018), https://www.tandfonline.com/doi/abs/10.1080/01587919.2018.1476838.

Abstract

Interest in understanding what constitutes effective instruction online continues to grow as more universities adopt mediated formats for teaching. However, engaging students in productive, content-related conversation in online courses remains challenging. Several variables may influence student willingness to talk in online classes – procedural justice, affect towards the instructor, and perceived cognitive learning – each with probable direct and indirect effects on student inclinations for communicating in the classroom. This study proposes a model predicting student willingness to talk in online classes. Results indicate initial support for the proposed model, and practical implications for instructors teaching online courses are suggested.

Pedro C. Magalhães & Luís Aguiar-Conraria, *Procedural Fairness, the Economy, and Support for Political Authorities*, POL. PSYCHOL. (published online April 2018), http://www.pedro-magalhaes.org/wp-content/uploads/Fairness-and-political-support-submitted-pre-print.pdf.

Abstract

A vast literature in social and organizational psychology suggests that support for authorities is driven both by the outcomes they deliver to people and by the extent to which they employ fair decision-making processes. Furthermore, some of that literature describes a process-outcome interaction, through which the effect of outcome favorability is reduced as process fairness increases. However, very few studies have been conducted to determine whether such interaction is also present in the explanation of support for political authorities. Here, we start by analyzing whether individual perceptions of the political system's procedural fairness moderate the well-known individual-level relationship between perceived economic performance and government approval. Then, we explore the implications of such process-outcome interaction to the phenomenon of "economic voting," testing whether impartiality in governance moderates the effect of objective economic performance on aggregate incumbent parties' support. In both cases, we show that the interaction between processes and outcomes seems to extend beyond the organizational contexts where it has been previously observed, with important implications for the study of political support.

Eli Feiring & Hege Wang, *Rationing Cancer Treatment: A Qualitative Study of Perceptions of Legitimate Limit-Setting*, 18 BMC HEALTH SERVICES RES. 342 (2018), https://bmchealthservres.biomedcentral.com/articles/10.1186/s12913-018-3137-3.

Abstract

Background: Governments are facing tough choices about whether to fund new, promising but highly expensive drugs within the public healthcare system. Decisions that some drugs are not sufficiently beneficial relative to their cost to merit public funding are often contentious. The importance of making decisions that stakeholders can understand and accept as legitimate is increasingly recognized and is commonly understood to be a crucial component for stakeholder support and successful implementation. Yet, little is known about clinicians' perceptions of legitimate limit-setting. This study aimed to examine oncologists' perceptions of the legitimacy of governmental decisions to deny patients access to new cancer drugs because effectiveness and cost-effectiveness of the drugs has not been demonstrated.

Methods: Semi-structured in-depth interviews with 12 Norwegian oncologists were carried out. Data were interpreted with the use of theory driven thematic analysis. The analytical framework of Accountability for reasonableness aided data gathering and interpretation.

Results: The participants endorsed the ideal of explicit criteria-based priority setting. Yet, when confronted with actual rationing decisions, they were far more equivocal. They advocated for increased access to drugs and were not always prepared to accept rationing of drugs they felt would benefit their

patient. Distrust in the Norwegian centralized drug review process was found and different rationales were identified: i) Lack of engagement with the process, ii) Disagreement with the use of rationing criteria, iii) Lack of transparency and lack of dispute resolution procedures. Concerns about the wider implications of rationing decisions were reported. Most importantly, these related to negative impact on patient-doctor relationship of micro-level rationing and to inequities in drug availability resulting from privatization of high-cost cancer treatment.

Conclusions: Drawing on the analytical framework, we conclude that perceptions of legitimacy regarding rationing of high-cost drugs include procedural fairness. However, notions of substantive justice also seem to be important for accepting reasons given for decisions. Regulatory legitimacy may further warrant a more sophisticated theoretical account of second-order beliefs about the justifiability of rationing new technologies. These findings indicate a need for a broader concept of legitimacy than is commonly used in the literature on healthcare prioritization.

Nele Lienhoop, *Acceptance of Wind Energy and the Role of Financial and Procedural Participation: An Investigation with Focus Groups and Choice Experiments*, 118 ENERGY POL'Y 97 (2018), https://www.sciencedirect.com/science/article/pii/S0301421518301964.

Abstract

In the course of its transition of the energy sector Germany aims to provide 80 per cent of the power supply from renewable energy sources. Although it is projected that wind power will be the main contributor in the energy transition, due to its spatial implications it is targeted by considerable local opposition, thus jeopardizing the success of many wind energy projects. Previous research has found that distributive and procedural justice issues are common factors influencing local public acceptance. This paper explores local public preferences for different forms of financial and procedural participation by means of choice experiments and focus groups. The results show that wind power projects are generally accepted by the local public if certain condition, i.e. shareholding and high levels of participation in the decision-making process are offered. Policy recommendations are given on how wind power projects should be implemented so as to counteract local opposition. Deepening the understanding of these issues is of practical importance for future wind energy development.

Nicholas Faulkner et al., *Improving Compliance with Medical Fitness to Drive Reviews: The Role of Behaviourally-Optimised Letters*, 55 TRANSPORTATION RES. PART F: TRAFFIC PSYCHOL. & BEHAV. 1 (2018), https://www.sciencedirect.com/science/article/abs/pii/S1369847818301438.

Abstract

To manage the increased crash risk posed by drivers with medical conditions and impairments, many licensing authorities ask high-risk drivers to undergo medical fitness to drive assessments. Maximizing drivers' compliance and satisfaction with these assessments is an ongoing challenge for these authorities.

This study tested whether drivers' compliance and satisfaction with a licensing authority's request to provide a medical report could be improved by incorporating two applied behavior change principles – simplified messaging and procedural fairness – into the authority's request letter. Drivers undergoing medical review (N = 876) were assigned to receive either a standard request letter currently used by the authority, or a revised letter that incorporated simplified messaging and procedural fairness amendments. Drivers who received the revised letter were significantly more likely to submit a medical report by the due date. Additionally, of the drivers who submitted the report, those who received the revised letter submitted the report an average of four days faster than those who received the standard letter. These findings demonstrate that optimizing letters using behavioral principles can improve compliance with licensing authorities' requests, resulting in substantial time and cost savings for licensing authorities, possible road safety benefits, and potential reductions in the number of licenses suspended for failure to provide a report.

Shawn J. Riley et al., *Stakeholder Trust in a State Wildlife Agency*, J. WILDLIFE MGMT. (published online June 2018),
https://onlinelibrary.wiley.com/doi/abs/10.1002/jwmg.21501.

Abstract

Trust in science and government regulatory agencies (e.g., state wildlife agencies) is a growing issue among wildlife managers and administrators who are attempting to engage stakeholders and develop effective, public wildlife conservation. However, a paucity of research has investigated attributes affecting stakeholder trust in wildlife agencies. We proposed a theoretical model of 2 key factors that can affect levels of trust: procedural fairness and technical competency. We used structured equation modeling to examine the influence of these factors on trust in a state wildlife agency by a prominent wildlife stakeholder, licensed hunters ≥18 years old. We tested the model with results from a mail-back questionnaire (n = 2,708 respondents, 39.6% response rate) about trust in the Michigan Department of Natural Resources' Wildlife Division. The respondent population closely reflected Michigan's population of hunting license-holders regarding demographic and geographic composition. The modified measurement model fit the data well, supporting the uniqueness of the procedural fairness, technical competency, and trust measures. The test of the structural model indicted that stakeholder perceptions of procedural fairness and technical competence exhibited by agency personnel positively influenced trust; however, the coefficient for procedural fairness was nearly 4 times greater than that of perceived technical competence of personnel. Perceived congruency of values between stakeholders and the agency was the most important modifier of the relationship of fairness and competency on trust. Our findings identify influential pathways wildlife professionals generally and state wildlife agencies specifically can take to strengthen stakeholders' trust and confidence in their agencies. The complexity of public wildlife management ensures that there always will be factors affecting trust in state wildlife agencies for which agencies can do little about. Yet, development of decisions processes perceived by stakeholders to be fair and transparent and investment in agency personnel with skills in stakeholder engagement likely will be effective ways to foster trust and confidence in state wildlife agencies.

LILLY YU ET AL., THE URBAN INSTITUTE, ALTERNATIVE FORMS OF JUSTICE FOR HUMAN TRAFFICKING SURVIVORS: CONSIDERING PROCEDURAL, RESTORATIVE, AND TRANSITIONAL JUSTICE (2018), https://www.ncjrs.gov/App/Publications/abstract.aspx?ID=273789.

Abstract

One of four products from the Urban Institute's study, "Bending Towards Justice: Perceptions of Justice Among Human Trafficking Survivors" . . . this brief is based on study data from in-depth, semi-structured interviews with 80 human-trafficking survivors (55 women and 24 men) in eight diverse metropolitan sites in the United States. The sample included more survivors of labor trafficking (n=45) than sex trafficking (n=29). Forty-four survivors had participated in a criminal case during the investigation or prosecution phase, with 28 having been defendants in their own cases. Although survivors had extensive experience with procedural justice concepts, only a portion of the sample had experienced restorative or transitional justice practices; however, they found these concepts desirable, suggesting these alternative forms of justice would be a welcome inclusion in the policies of stakeholders who work directly with survivors or influence policy and practice that impact trafficking survivors. Survivors had individualized preferences for various alternative forms of justice, suggesting that survivors' personal preferences for addressing their circumstances be respected and encouraged. Thus, a variety of options should be accessible for them to consider.

Gali Perry & Badi Hasisi, *Closing the Gap: Promoting Suspect Communities' Cooperation with Airport Security*, TERRORISM & POL. VIOLENCE (published online April 2018), https://www.tandfonline.com/doi/abs/10.1080/09546553.2018.1442331.

Abstract

In the aftermath of 9/11, aviation security has become a central component of counterterrorism. To mitigate threats whilst maintaining flight schedules, airport security officers require the cooperation of all passengers, but especially of ethnic minorities perceived as posing a potential threat to homeland security, often referred to as "suspect communities." Passengers from suspect communities are subject to rigorous screening, but are also regarded as a source of information, making their cooperation even more important than that of other passengers. Nevertheless, suspect communities' cooperation with airport security, and the gap between their attitudes and those of other passengers, have not yet been examined. The current study utilizes a survey of 1970 passengers at the Ben-Gurion airport in Israel, examining passengers' perceptions of airport security and their willingness to cooperate. We find that passengers belonging to the suspect community of Israeli Muslims were less willing to cooperate with security procedures than all other passengers. However, when controlling for passengers' perceptions of legitimacy and procedural justice, Israeli Muslims were more willing to cooperate with airport security than Israeli Jews. The findings highlight the importance of legitimacy and procedural justice perceptions in obtaining the cooperation of suspect communities, and suggest practical pathways for improving cooperation.

Gemma Newlands, Christoph Lutz & Christian Fieseler, *Regulation and Fairness in the Sharing Economy*, ACAD. MGMT. GLOBAL PROCEEDINGS (published online June 2018), https://journals.aom.org/doi/abs/10.5465/amgblproc.surrey.2018.0180.abs.

Abstract

Sharing economy platforms frame a dichotomy between innovation and regulation. Current discussions surrounding the merits and desirability of regulatory oversight, among policy makers, academics, and platform advocates, are nevertheless conducted in a top-down fashion on both sides. What is often left out is the user perspective. We suggest that one of the most fundamental shapers of a user's perspective on regulation is their own experiences of the sharing economy. A key factor in user experience is perceived fairness. In this contribution, we investigate how the perceived fairness of a platform can impact regulatory desirability among users, based on a survey in 12 European countries. We find that procedural fairness has a positive effect on the desire for regulation, while interactional fairness has a negative one.

In the News/On the Web

David Harris, *Criminal (In)justice: Can You Build a Better Cop?* (June 12, 2018), http://www.criminalinjusticepodcast.com/blog/2018/6/12/82-build-better-cop.