COMMUNITY

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JUSTICE
BRIEFS

ORIENTED

PROCEDURAL JUSTICE

Procedural justice focuses on the way police and other legal authorities interact with the public and how the characteristics of those interactions shape the public's views of the police, their willingness to obey the law, cooperation with the police in fighting crime, and actual crime rates. Mounting evidence shows that community perceptions of procedural justice, through their influence on all these aspects of people's relationship with the law and the police, can have a significant impact on public safety.

Procedural justice is based on four central principles: "treating people with dignity and respect, giving citizens a voice during encounters, being neutral in decision making, and conveying trustworthy motives."[1] Research demonstrates that these principles contribute to relationships between authorities and the community in which (1) the community has trust and confidence in the police as honest, unbiased, benevolent, and lawful; (2) the community feels obligated to follow the law and the dictates of legal authorities; and (3) the community feels that it shares a common set of interests and values with the police.[2]

Procedurally just policing is essential to the development of good will between police and communities and is closely linked to improving community perceptions of *police legitimacy,* the belief that authorities have the right to dictate proper behavior. Research shows that when communities view police authority as legitimate, they are more likely to cooperate with police and obey the law.[3] Establishing and maintaining police legitimacy promotes the acceptance of police decisions, correlates with high levels of law-abidingness, and makes it more likely that police and communities will collaborate to combat crime.

A key finding of the research is that the public is especially concerned that the conduct of authorities be fair, and this

Further reading

Dai, Mengyan, James Frank, and Ivan Sun. 2011. "Procedural Justice During Police-Citizen Encounters: The Effects of Process-Based Policing on Citizen Compliance and Demeanor." *Journal of Criminal Justice* 39: 159–168.

Gau, Jacinta M., and Rod K. Brunson. 2010. "Procedural Justice and Order Maintenance Policing: A Study of Inner-City Young Men's Perceptions of Police Legitimacy." *Justice Quarterly* 27: 255–279.

Mazerolle, Lorraine, Sarah Bennett, Jacqueline Davis, Elise Sargeant, and Matthew Manning. 2013. "Legitimacy in Policing: A Systematic Review." *Campbell Systematic Reviews* 9: 1.

Meares, Tracey L. 2009. "The Legitimacy of Police Among Young African-American Men." *Marquette Law Review* 92: 651–666.

Papachristos, Andrew V., Tracey L. Meares, and Jeffrey Fagan. 2012. "Why Do Criminals Obey the Law? The Influence of Legitimacy and Social Networks on Active Gun Offenders." *Journal of Criminal Law and Criminology* 102: 397–440.

Tyler, Tom R., and Yuen J. Huo. 2002. *Trust in the Law: Encouraging Public Cooperation with the Police and Courts.* New York: Russell Sage Foundation.

factor matters more to them than whether the outcomes of particular interactions favor them.[4] This means that procedurally just policing is not consonant with traditional enforcement-focused policing, which assumes compliance is primarily a function of emphasizing to the public the consequences—usually formal punishment—of failing to follow the law. Policing based on formal deterrence

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encourages the public's association of policing with enforcement and punitive outcomes. Procedurally just policing, on the other hand, emphasizes values that police and communities share—values based upon a common conception of what social order is and how it should be maintained—and encourages the collaborative, voluntary maintenance of a law-abiding community. Research indicates that this latter approach is far more effective at producing law-abiding citizens than the former risk-based deterrence model. This makes intuitive sense—people welcome being treated as equals with a stake in keeping their communities safe, as opposed to being treated as subjects of a justice system enforced by police who punish them for ambiguous, if not arbitrary, reasons.

Taking measures to enhance procedural justice within law enforcement agencies is becoming increasingly possible. Professors Tracey Meares and Tom Tyler of Yale Law School have worked with the Chicago Police Department and others to create a one-day training for line officers and command staff that teaches them how to apply powerful procedural justice principles to their routine contacts with the public. Officers positively evaluate the training, especially since it improves not only public safety but their own. And a recently published peer-reviewed study found that the training increased officer support for all of the procedural justice dimensions included in the experiment.[5]

Indeed, there are many good reasons to cultivate a respectful relationship between police and communities, but the most important is that communities in which police are considered legitimate are safer and more law-abiding.

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Community-Oriented Trust and Justice Briefs. Washington, DC: Office of Community Oriented Policing Services.

Endnotes

1. Lorraine Mazerolle, Sarah Bennett, Jacqueline Davis, Elise Sargeant, and Matthew Manning, "Legitimacy in Policing: A Systematic Review," *Campbell Systematic Reviews* 9 (2012): 1.

2. Tom R. Tyler, Jonathan Jackson, and Ben Bradford, "Psychology of Procedural Justice and Cooperation," in *Encyclopedia of Criminology and Criminal Justice*, ed. G. Bruinsma and D. Weisburd (Berlin: Springer-Verlag, 2014): 4014–4033.

3. Tom R. Tyler, *Why People Obey the Law*, 2nd ed. (Princeton, NJ: Princeton University Press, 2006).

4. Tom R. Tyler and Yuen J. Huo, 2002, *Trust in the Law: Encouraging Public Cooperation with the Police and Courts* (New York: Russell Sage Foundation, 2002).

5. Wesley G. Skogan, Maarten Van Craen & Cari Hennessy, "Training Police for Procedural Justice," *Journal of Experimental Criminology* 11(3) (2014): 319-334. ("[P]ost-training, officers were more likely to endorse the importance of giving citizens a voice, granting them dignity and respect, demonstrating neutrality, and (with the least enthusiasm) trusting them to do the right thing. All of the effects of training were strong, with standardized effect sizes ranging from 1.2 to 1.6. Longer-term, officers who had attended the procedural justice workshop continued to be more supportive of three of the four procedural justice principles introduced in training; the effect of training on trust was not statistically significant.").