

Evidence suggests that US police understand citizens value procedural fairness, but may not recognize the long term benefits of its use.

The last year and a half has seen relations between police and citizens at an all-time low in some US communities, with the legitimacy of police forces increasingly in question by those they are tasked with protecting. In new research [Justin Nix](#) finds that while police are aware that citizens value procedural fairness – whether or not the police treat citizens with respect and are trustworthy – they are more likely to believe that they can achieve cooperation with citizens in high crime areas by being more effective at fighting crime.



Policing in the United States appears to be at a crossroads. In the last eighteen months several deadly force incidents involving unarmed African-American citizens have received a considerable amount of media attention and sparked outrage from the public. In response to these incidents, movements such as [Black Lives Matter](#) and [Campaign Zero](#) have been formed by protestors seeking to raise awareness about police use of force and increase accountability. Perhaps now more than ever before, US citizens are challenging the legitimacy of the police. Leading experts and police executives clearly recognize this concern: the first of six recommendations made by President Obama's [Task Force](#) on 21st Century Policing focused on building trust and legitimacy.

The best way for the police to build trust and legitimacy is through [procedural fairness](#), which refers to the extent to which the police: (1) treat people with dignity and respect, (2) appear to have trustworthy motives, (3) remain neutral/unbiased, and (4) allow citizens to voice their concerns prior to making decisions that will affect them. When officers exercise procedural fairness, they are far more likely to be viewed by citizens as a legitimate authority. Being viewed as legitimate is important to the police because it increases the likelihood that citizens will comply with the law and cooperate with the police by, for example, reporting crimes and providing information to investigators.

The notion that citizens want police officers to use fair procedures may not be so shocking – of course they want officers to be unbiased and polite! Yet even when citizens receive an undesirable outcome (such as a speeding ticket), they tend to be more satisfied with the police when they feel the officer used fair procedures. Furthermore, procedural fairness appears to be even more important than effectiveness (i.e., fighting crime) in terms of being viewed as legitimate by the public. That doesn't mean that their ability to effectively fight crime is unimportant – rather, it simply means that procedural fairness represents a more promising approach to building legitimacy. Aggressive police tactics such as “stop and frisk” are unlikely to build trust and legitimacy – even if they result in crime declines – if citizens feel officers are disrespectful, biased, untrustworthy, and/or don't allow citizens to voice their concerns.

The idea that procedural fairness is more essential to establishing legitimacy than fighting crime might sound counterintuitive – especially to the police. After all, it is their job to uphold the law and punish wrongdoers. Research has clearly demonstrated that citizens value procedural fairness – but we know little about what the police themselves think makes their authority legitimate. In fact, very few studies have even asked whether the police understand the importance that citizens place on procedural fairness. Important questions that remain are: (1) Are the police aware of the power of procedural justice, and (2) Do they feel it is always the best path to legitimacy, regardless of crime levels?



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My analysis of survey data from a nationally representative sample of police officers indicated that they believe that citizens who live in areas with high levels of crime are more concerned with procedural fairness than effectiveness in fighting crime. This is encouraging news because it is precisely these areas that could benefit the most from procedural fairness. Aggressive policing in these areas is especially likely to compromise legitimacy and can actually result in higher levels of violent crime as residents become more likely to use informal means to settle conflicts. On the other hand, the sample of officers believed that effectiveness was equally important, if not more important, than procedural fairness to citizens residing in areas with low levels of crime. Though it is not possible to draw conclusions regarding *why* they felt this way, perhaps officers in the sample reasoned that citizens of these areas are more concerned about effectiveness *because* crime is low – and they want it to stay that way. At the same time, however, research suggests that levels of neighborhood crime do not impact the value that citizens themselves place on procedural fairness.

In any event, it is promising that the police appear to be aware that procedural fairness is a good way to build trust and legitimacy in the eyes of citizens. The next logical question is whether or not the police are aware of the benefits of being viewed as legitimate. That is, do the police recognize that building legitimacy through procedural justice can ultimately produce tangible outcomes like increased cooperation from the public? Such cooperation is particularly important to the police, given that so much crime goes [unreported](#) and therefore never comes to the attention of law enforcement.

The same sample of police officers indicated that effectiveness was the best way to achieve cooperation from citizens residing in high crime areas. In low crime areas, they felt that effectiveness and legitimacy were each likely to increase citizen cooperation. The police rely heavily on public cooperation to fight crime and disorder in the communities they serve, yet this sample did not recognize that the best way to achieve cooperation from citizens is through procedural fairness. Ironically, should the police stress effectiveness over procedural fairness, citizens might become less inclined to cooperate over time – meaning more crime would go undetected by the police, rendering them less effective.

Thus, while the police appear to be aware that procedural justice can build trust and legitimacy, they do not appear to recognize the long-term benefits they can reap from using it. Every time officers interact with a citizen, they have an opportunity to build trust and legitimacy by being courteous, explaining the reasons for their decisions, and listening to

the citizen's side of the story. It is therefore crucial for the police to strive to use procedural fairness at every possible juncture, given that their behavior is more visible than ever in a time when almost everyone has a smartphone capable of capturing video. Incidents that escalate into the use of force, such as [Eric Garner's](#) death in Staten Island, could perhaps be defused through the use of procedural fairness. In the long-term, procedural fairness is the most promising way for the police to achieve compliance and cooperation. Overreliance on the use of coercive force will likely continue to strain police-community relations in the US.

*This article is based on the papers, "[Police Perceptions of Their External Legitimacy in High and Low Crime Areas of the Community](#)", and "[Do the police believe that legitimacy promotes cooperation from the public?](#)" in *Crime & Delinquency*.*

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