

**Book review: Worden and McLean (2017) *Mirage of Police Reform*, for special issue of *Police Practice and Research***

**Author Contact Information**

Jonathan Jackson  
Department of Methodology and Mannheim Centre for Criminology  
London School of Economics & Political Science  
COL.8.03, Houghton Street, London WC2A 2AE, UK  
[j.p.jackson@lse.ac.uk](mailto:j.p.jackson@lse.ac.uk); 0044 +2079557652

Ben Bradford  
Centre for Criminology, Oxford University

1605 words

This ground-breaking book questions the idea that procedural justice should be one of central elements of police reform processes. At a time in US history when issues of police malpractice and public consent are being intensely debated, procedural justice (and the legitimacy it is said to engender) is attracting a good deal of attention, most notably in President Obama's 21<sup>st</sup> Century Taskforce on the Future of Policing (notwithstanding the damage that the Trump administration may be able to do). The argument is simple: by respecting societal expectations about how officers should wield their authority – chiefly by treating citizens with dignity and respect, making decisions in neutral, accountable and transparent ways, allowing citizens a voice, and demonstrating trustworthy motives (Tyler, 2006) – police departments can achieve a better balance between coercive and consensual forms of crime-control.

It is in this context that Worden and McLean assess the success of police reform in Schenectady and Syracuse (New York State). Leaders in these two police departments sought to make policing more service-oriented and publicly accountable, in part via the inclusion of opinion survey-based measures of procedural justice into Compstat management systems. But the upshot, Worden and McLean conclude, was that the attempt to 'inject' procedural justice into officer practice was a failure, and had little or no discernible effect on public attitudes and opinions. Drawing on extensive fieldwork – including semi-structured interviews with patrol officers, commanders, policy makers and stakeholders, a police services survey, and recordings of police-citizen encounters – Worden and McLean paint a rather pessimistic picture of the contribution that procedural justice theory can make to police policy and practice.

Institutional theory informs the analysis of how the two police departments tried to meet their complex, possibly mutually incompatible environmental demands (like, for instance, the tension between facilitating frontline officer discretion and top-down attempts to ensure public accountability). This analytical lens helps to generate significant insight into the forms of resistance and 'sense-making' that officers and supervisors use in the context of demands from senior managers. Concluding that 'A procedural justice model, we learned in our interviews with patrol officers and supervisors, is incompatible with police work as some officers experience it' (p. 183), Worden and McLean provide four possible explanations for why improvements were not visible on the ground. First, levels of public trust and positive experience with the police were already high, and there may thus have been a ceiling effect. Second, the primary mechanism to achieve positive change – the Compstat managerial system – did not, in their words, emphasize accountability. Third, officer behavior is only weakly related to citizen's subjective experience of policing. Finally, both officers and supervisors struggled with the procedural justice concept itself.

This third point is particularly challenging to procedural justice theory because it questions the premise that citizen experience of procedural justice is correlated with actual police behavior to a degree sufficient to be policy relevant. To compared subjective and independently rated procedural justice, data from a survey of people who had had recent contact with the police (in Schenectady) were matched to in-car camera recordings of the same encounters that were rated by researchers.

In chapter four, Worden and McLean analyse data from the closed-ended questions in the survey. This provides support for procedural justice theory: procedural justice and feeling one got a deserved outcome were the main factors shaping satisfaction with the encounter, and procedural justice was the main factor shaping deserved outcome. Chapter five provides a rich set of qualitative insights from open-ended survey questions. Among other things, the data speak to the ways in which people can view process and outcome as bound-up together. For instance, some of the respondents reported being dissatisfied with the encounter because they believed that the officer had not made enough effort to resolve the problem – a ‘perception that the police simply did not expend adequate energy or do enough towards problem resolution’ (p. 90). Other respondents were dissatisfied with the outcome because of its content. Yet, there were echoes of process in the qualitative reports reported in the book, since these respondents focused on what they saw as unfair decisions leading to unsatisfactory outcomes (although it is of course possible that receiving a negative outcome led people to believe that the process that produced it was unjust).

In chapter six Worden and McLean provide a rigorous analysis of video-recordings of the encounters, and in chapter seven the two forms of data are linked and analyzed. Key to the overall argument of the book is that there were weak to moderately strong correlations between subjective procedural justice and independent ratings: levels of subjective and independently-rated procedural justice were positively correlated at 0.14; levels of subjective procedural justice and independently rated procedural *injustice* were negatively correlated at -0.31. Intriguingly, citizens tended to be exhibit ‘rather generous characterizations of officers’ performance’ (p. 134), particularly when those officers were judged independently to not be acting in procedurally unjust ways. (Of note is the way in which subjective and independently rated procedural justice were operationalized: in both cases the focus was predominantly on interpersonal treatment, with much less attention given to the decision-making part of the concept).

While much of the evidence and argument provided here is compelling, we depart from the authors on two issues. First, the claim that the weak association between *perceptions* of procedural justice and independent assessments of police behavior casts significant doubt on the reforming potential of procedural justice theory feels a little over-stated. There *was* a positive correlation – people who had encounters with police displaying procedurally fair behavior tended, on average, to come away from those encounters with more favorable assessments. Independently rated justice and injustice explained 12% of the variance of subjective procedural justice (adding details about the nature of the encounter and officer use of authority increased the explained variance to 21%). A close correspondence between objective and subjective measures seems unlikely: fairness perceptions are complicated (Waddington et al. 2017), and procedural justice is best envisioned as an on-going process, premised on multiple interactions between police and citizens (as individuals and as members of social groups). It is too early to conclude that citizens would not notice if police behavior improved in the ways procedural justice theory – and common decency – suggest it should.

Second, to return to the institutional aspects of the book, Worden and McLean describe at some length the organizational norms and structures that militate against procedural justice-based reform. Efforts to implement such reform within police organizations are likely to face significant obstacles. We agree. They also argue that officers’ receptivity to adopting new ways of working is influenced by (perceived) organizational justice. Again we agree –

organizational structures must be appropriately configured to encourage cultural change. Yet, crucially, there is nothing in the study/implementation to suggest such efforts were made, and the task of generating 'new' or 'more' procedural justice was left to Compstat – and, therefore, to a top-down, target driven approach to altering officer behavior that was always unlikely to succeed.

Indeed, it could be argued that this aspect of the research was 'set up to fail'. The time span involved was short, meaning that any change in officer behavior was likely to be small at best. More importantly, little thought was given to the question of how to motivate officers to behave in procedurally fairer ways, and a rather fatalistic expectation that structure and cultural norms would intervene and undermine the 'reform' process seems to have prevailed. Recent work on procedural/organizational justice within police organizations (e.g. Trinkner et al. 2016) points the way here. The most effective way to motivate behavioral change among police officers is likely to be improving the fairness of internal practice and process, and no such effort was made. Again, it is too early to conclude that police officers cannot be convinced of the need and benefits of behaving in procedurally fairer ways.

A final issue is that the book is surprisingly race- and class-blind. There is little consideration given to inter-group variation in relationships with the police, in relation for example to the ways people 'read' and judge police activity (c.f. Radburn et al. 2016). This may be an important issue for a number of reasons, not least of which is that (objective) procedural justice may be more or less (subjectively) important to people depending on their group position in relation to the police. The overall weak positive correlation between subjective and objective measures may be disguising important variation in judgments of police behavior across race, class and other variables.

These criticisms do not detract from our overall appreciation of the book. By combining procedural justice with institutional theory, by contextualizing the former within particular police organizations with histories and the work-lives of real police officers, and above all by making the effort to track directly the effect of organizational change on people's perceptions of the police, the authors have made an important contribution to the procedural justice literature. We hope this work will spark much future research that seeks to address the questions and challenges Worden and McLean have raised.

## References

- Radburn, M., Stott, C., Bradford, B. and Robinson, M. (2016). When is policing fair? Groups, identity and judgments of the procedural justice of coercive policing. *Policing and Society*, Online.
- Trinkner, R., Tyler, T.R. and Goff, P.A. (2016). Justice From Within: The Relations Between a Procedurally Just Organizational Climate and Police Organizational Efficiency, Endorsement of Democratic Policing, and Officer Well-Being. *Psychology, Public Policy and Law* 22(2): 158-172
- Tyler, T. R. (2006). *Why People Obey the Law*. New Haven, CT: Yale University Press.
- Waddington, P. A. J., Wright, M., Williams, K., & Newburn, T. (2017). *How People Judge Policing*. Oxford University Press.