Is dissatisfaction with police inevitable? Testing an integrated model of motivational postures and procedural justice in police-citizen contacts.

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Abstract

We examine citizen satisfaction with police-citizen encounters. More specifically, we consider whether pre-existing defiant postures shape citizens' perceptions of the procedural justice of the encounter, and their general satisfaction with the encounter. Utilizing longitudinal survey data collected from 1,190 citizens, we examine 440 people who reported having personal contact with police in the 12-month period preceding the second survey. We find both resistant and disengaged forms of defiance at Time 1 result in lower perceptions of procedural justice and satisfaction during the police-citizen encounter at Time 2. Importantly, procedural justice fully mediates the relationship between defiance and satisfaction with police. These findings suggest that how citizens view police coming into a police-citizen encounter can impact their perceptions of procedural justice and, in turn, their satisfaction with the encounter. Testing a model of citizen defiance during police-citizen contacts is important because it helps us to better understand the way in which preconceived understandings of the police contribute to citizen interpretations of police-citizen encounters. The implication is that citizens who are actively resistant or disengaged during police-citizen encounters may also influence the way police subsequently interact with them.

Introduction

Public satisfaction with police is increasingly on the agenda of policing agencies, governments and academics (e.g. Bradford, Jackson & Stanko, 2009; Pryce, 2016; Weitzer & Tuch, 2005). Without the support of the public, police cannot be fully effective in their fight against crime. For example, police rely heavily on members of the public to tell them about social disorder in their neighborhood, and they rely on members of the public to report incidents of crime and victimization. If the public are dissatisfied with the police they will be unlikely to want to engage with or cooperate with police (Weitzer, 2010).

Points of contact between police and citizens provide police officers the opportunity to engage with citizens and improve relationships. Positive police engagement efforts may help to build public trust and confidence in police (Tyler, 2006). When police-citizen encounters go wrong, however, they can be extremely detrimental to police-citizen relationships. They can affect the public's confidence in police, and can negatively affect the public's willingness to engage with police or to work with them to prevent crime. For example, Skogan (2006, p. 99) finds that the effect of having a "bad experience" with police during an encounter, is "four to fourteen times as great as having a positive experience" (see also Bradford et al., 2009). It is therefore desirable that police foster positive police-citizen encounters and work toward achieving greater citizen satisfaction during these encounters.

Procedural justice has been identified as a key mechanism that police can use to engage citizens and encourage satisfaction with police during police-citizen encounters (e.g., Hinds & Murphy, 2007; Jackson, Bradford, Stanko & Hohl, 2009; Mazerolle, Sargeant, Cherney, et al., 2014; Murphy, 2009, 2017; Tyler, 2006). For example, in response to the 2014 Ferguson Riots in the United States, a Presidential Taskforce for 21st Century Policing (Taskforce, 2015) recommended that procedural justice be incorporated into all policing

activities involving citizens. In making this recommendation the Taskforce drew heavily on a substantial body of research evidence showing that procedural justice can improve public satisfaction during encounters with legal authorities and that it can improve police relations with members of the public (e.g., Mazerolle, Bennett, Antrobus & Eggins, 2012; Tyler, 2006).

Police are judged to be procedurally just when they are neutral, treat citizens with respect, when they demonstrate trustworthy motives, and provide citizens an opportunity to voice their concerns to officers (Tyler, 2006). Procedural justice also involves fairness in decision-making (Reisig, Bratton & Gertz, 2007). People evaluate encounters with authorities as procedurally just when they are treated well and when decisions are perceived to be fair. Procedural justice is thought to be important to people's evaluations of authorities because procedural justice can communicate to individuals that they are valued and respected members of society (Lind & Tyler, 1992). Procedural injustice, however, can communicate marginalization and disrespect of one's status in the community, potentially leading to distrust of police, reduced confidence in police, and disrespect toward police (Bradford, Murphy & Jackson, 2014; Lind & Tyler, 1992; Weitzer, 2010).

Of course, police-citizen encounters are a two-way street. We suggest the success of these encounters depends not only on the actions and behavior of the police officers involved, but also on how citizens may perceive the police going into an encounter. In this paper we draw on Valerie Braithwaite's (2009) Motivational Posturing Theory to develop a more comprehensive understanding of the way in which defiant posturing may shape citizens' perceptions of procedural justice and satisfaction with police during encounters. We ask: What happens when citizens are resistant or disengaged toward police prior to experiencing a police-citizen encounter? Can police foster citizens' satisfaction in these instances, or is dissatisfaction inevitable when people hold defiant postures toward police? Specifically, we

examine whether defiant postures influence interpretations of procedural justice received during citizens' encounters with police, and the resulting level of satisfaction with the encounter. Before presenting the findings of this study, we begin with a review of relevant literature followed by a discussion of our methods. We conclude with a discussion of the implications of our research for procedural justice scholarship and police-citizen encounters.

Defiance, procedural justice policing and public satisfaction with police

The past three decades have seen an exponential growth in procedural justice research. In the policing context, procedural justice research focuses on explaining why people develop positive perceptions of police and why people are willing to cooperate with police and comply with their directives. Procedural justice scholars have also been interested in testing the conditions under which procedural justice will promote positive public attitudes and behaviors toward police. Research finds that when citizens perceive police as procedurally fair they are more likely to trust police, view police as legitimate, cooperate with police, comply with police directives, and obey the law (Barkworth & Murphy, 2015; Hinds & Murphy, 2007; Jackson, Bradford, Hough, et al., 2012; Maguire, Lowrey & Johnson, 2016; Murphy & Cherney, 2011; Murphy, Hinds & Fleming, 2008; Murphy, Mazerolle & Bennett, 2014; Sunshine & Tyler, 2003; Tyler & Fagan, 2008). This has been found to be consistent across population groups (e.g., Wolfe, Nix, Kaminski & Rojek, 2016) and across different Western nations (e.g., Murphy et al., 2008; Jackson et al., 2009).

We also know that procedural justice is a strong predictor of *public satisfaction* with police-citizen encounters. For example, Tyler and Folger (1980) surveyed citizens who had been involved in a police-citizen encounter in the preceding five- year period. Two types of encounters were examined in their study: 1) encounters involving citizens' calls to the police for assistance in solving a problem; and 2) encounters where citizens had been apprehended

by the police in connection with an alleged violation. Respondents who felt they were treated fairly by the police (i.e., received procedural justice) had more positive evaluations of their encounters with the police than did those who felt unfairly treated. This finding held irrespective of the type of encounter and whether the police solved the problem for which they were called, or whether the respondent had been cited for a traffic violation. In other words, procedural justice concerns dominated respondents' feelings of satisfaction with the police encounter, while instrumental outcomes mattered less. Other studies have since reported similar associations between procedural justice and satisfaction with police-citizen encounters using a variety of methodologies (e.g., Hinds & Murphy, 2007; McCluskey, 2003; Mazerolle et al., 2012; Murphy, 2009; Skogan, 2005; Wells, 2007).

Research thus indicates that procedural justice policing is effective for encouraging public satisfaction with police. Recent theory and research indicates, however, that we might better understand why and how procedural justice works in these types of instances by considering people's *motivational postures* (Braithwaite, 2009; Cherney & Murphy, 2011; Murphy, 2016). Valerie Braithwaite's (2009) Motivational Posturing Theory describes the way in which people distance themselves from authorities and how they communicate this distance through motivational posturing. Motivational posturing indicates the amount of social or psychological distancing people are prepared to place between themselves and authority and "reflects the degree of voluntary contact individuals are willing to entertain with regulatory authority" (Cherney & Murphy, 2011, p. 231). Braithwaite (2009) argues that all forms of regulation can be threatening to individuals, and that people use different types of posturing to keep a safe psychological distance from authorities. Keeping a safe distance protects individuals from threats to perceived freedoms. Those who are less socially distant are comfortable with authorities, are happy to communicate with them, and are willing to follow their directives. Those who place greater social distance between themselves and

authorities, in contrast, may place themselves “beyond the reach and influence of an authority so that they do not understand or hear the demands and they do not fear the consequences of non-compliance” (Braithwaite, Murphy & Reinhart, 2007, p. 138). Braithwaite (2009) proposes that social distancing can manifest through *posturing*; specifically, as either commitment to authorities or as defiance. Braithwaite specifically makes reference to two types of defiance that will be the focus of the current study: *resistant* defiance and *disengaged* defiance.

Defiance manifests in both attitudes and behavior. According to Braithwaite (2009), resisters accept authorities as legitimate, but express opposition toward the way authorities may wield their power. As such, the social distance that resisters place between themselves and authority is less extreme than it is for disengagers. Disengagers, in contrast, are dismissive of authorities and choose to place a great deal of social distancing between themselves and authority. They tend to dismiss an institution, question its sense of purpose and consider them to be irrelevant. Resisters challenge an authority’s policies and/or authority treatment they see as unreasonable (e.g. through arguments or physical aggression) while disengagers simply avoid contact with authorities, or ignore their instructions during encounters (Murphy, 2016).¹

In recent years, scholars have begun to position police-citizen interactions as “teachable moments” (Tyler, Fagan & Geller, 2014). If police use the principles of procedural justice during their encounters with citizens it has been suggested that this can serve as a teachable moment communicating that police are respectful of citizens (Tyler et al., 2014). However, while police can in theory control and manage their behavior toward citizens, they

¹ Braithwaite’s theory is similar in many ways to Sherman’s theory of defiance. However, while Sherman (1993) argued that punishment that is imparted in a procedurally unjust manner by authorities can result in defiance, Braithwaite argued that defiance coming into an encounter can shape how people interpret the actions of an authority.

cannot control how citizens may perceive the police coming into an encounter, and how these preconceptions may shape judgements about the police and their treatment of the citizen during an encounter. When citizens approach, or are approached by police, they may already hold certain opinions about the police. For example, some citizens may hold a defiant posture toward police before an actual encounter takes place, which may, in turn shape their perceptions or judgements of police behavior during a police-citizen encounter. As Hawdon (2008, p. 187) explains:

“People are likely to form their general impressions of the police before they have any personal contact with them. These impressions, in turn, influence the interaction between the individual and the police when such contact does occur. Individuals who hold the police in high regard are more likely to act deferentially toward the officers. Officers, in turn, are then more likely to treat individuals respectfully. Conversely, an individual who views police with hostility is more likely to act defiantly toward them. The police, in turn, will treat that individual more suspiciously and possibly less respectfully.”

This quote suggests that police can enter an encounter with a member of the public with the best intentions of using procedural justice, but no matter what they do, the encounter may be viewed in a negative light by a defiant citizen. Brandl, Frank, Worden & Bynum (1994) examined this idea in their longitudinal study of respondents in a large Midwestern U.S city. Specifically, they examined general satisfaction with police as well as satisfaction with police resulting from a specific police-citizen encounter. They found that people’s general views about the police matter most when interpreting specific experiences. Examining these relationships over time, they found that general perceptions of police had a stronger effect on specific perceptions of police during a subsequent encounter than the other way around. The idea being that citizens approach an encounter with preconceptions about the police that then

shape how they perceive police behavior during the encounter. In this instance “global attitudes influence the interpretation of specific encounters” (Frank, Smith & Novak, 2005, p. 223). Other research supports this perspective, finding that family, friends and other vicarious sources of information about the police can influence one’s perceptions of police prior to an encounter taking place (e.g., Rosenbaum, Schuck, Costello, et al., 2005; Sargeant & Bond 2015; see also Reisig & Stroshine Chandek, 2001). We also suggest individuals can enter encounters with police holding different motivational postures, which may impact how they interpret the interaction with police.

The Current Study

Despite a rich history of studies examining public attitudes to police there are relatively few empirical studies that examine citizens’ resistance and disrespect toward police (Engel, 2005). In the current study we seek to address this topic by testing the effects of defiant postures on public satisfaction with police in police-citizen encounters. We examine whether holding a defiant posture toward police has an influence on the perceived procedural justice experienced during a subsequent encounter with police, and whether this has an influence on satisfaction with the encounter. To do so we use longitudinal survey data collected from 1,190 Australian citizens, 440 of whom have had a recent personal encounter with police. We test three hypotheses. *H1*: Defiant postures at Time 1 will predict citizens’ negative perceptions of procedural justice during a police encounter at Time 2. *H2*: Defiant postures at Time 1 will predict the level of dissatisfaction citizens express in relation to a police encounter at Time 2. *H3*: Procedural justice perceptions during a police citizen encounter at Time 2 will mediate the relationship between Time 1 defiance and Time 2 satisfaction with a police encounter.

Methodology

Participants and Procedure

The data used in this paper are drawn from a national longitudinal survey of public perceptions of crime, safety, and policing in Australia (Murphy, Murphy & Mearns, 2010a, 2010b). Survey data were collected in 2007 and 2009. Respondents were canvassed on a number of topics, including perceptions of police and police responses to community concerns, in addition to perceptions of procedural justice, and the presence of motivational postures. For the Time 1 data collection, the Australian electoral roll was used to draw a random and proportionate number of respondents in the eight states and territories of Australia. Given that voting is compulsory in Australia, all citizens 18 years and older are required by law to register their name and current address on the electoral roll. The electoral roll therefore provides a population sampling frame of all Australian citizens older than 18 years of age. Probability proportional sampling ensured the sample was as representative to population figures as possible in each state and territory (i.e., more people live in the state of New South Wales, hence more electors were randomly sampled from this state).

Surveys were mailed to a total of 5,700 randomly selected respondents, with each mail out including a self-administered questionnaire, postage paid return envelope, and a letter explaining the purpose of the study. To boost response rates, the Dillman (1978) Total Design Method was used, which entailed sending a series of reminders to non-respondents. For example, approximately two weeks after the first mail out, a reminder letter was sent to all people who had yet to return a completed questionnaire. Non-response was determined by monitoring returned surveys. All survey booklets were posted out with a unique identification number affixed to each survey booklet. On return of a survey, the unique identifier was recorded and non-responders were sent a reminder letter inviting them to participate. In the

subsequent weeks, a second questionnaire was sent to the remaining respondents who had not completed the questionnaire. Once again, this was followed-up with a letter reminding respondents to complete the questionnaire. No incentive was offered for participation. The Time 1 survey response rate for those who were deemed eligible for study inclusion (i.e., those whose address was valid on the electoral roll) was 40.3% with a total of 2,120 useable surveys collected. Respondents were found to be representative of the general population on a number of demographic variables (see Table 1; for more detail about the methodology and sample representativeness see Murphy et al, 2010a).

In 2009, 2,088 of the Time 1 survey respondents were contacted again and were mailed a follow-up survey, postage paid return envelope, and a letter detailing the purpose of the study. Only 2,088 respondents were re-contacted because 32 of the Time 1 respondents had removed their unique identifier number from their Time 1 survey booklet. Hence, they were unable to be contacted at Time 2. As was done for the Time 1 survey, reminder letters were sent out to those who had not yet returned a completed survey within a few weeks of the first mail out. Replacement surveys were then sent out to those who did not return a completed survey after the first reminder letter. In this way, the same Dillman Total Design procedure was used for the Time 2 survey as for the Time 1 survey. The Time 2 survey achieved a follow-up response rate of 64.9%, after adjusting for those who could not be contacted again (i.e., no longer lived at the address listed for the Time 1 survey; see Murphy et al, 2010b for more detail about the methodology).

A total of 1,190 respondents completed both surveys where data could be matched across the two time-points. Of the 1,190 matched respondents, only 440 participants at Time 2 indicated that they had had at least one contact with police in the preceding 12-month period. It is these 440 respondents who are the focus of the current study. Table 1 presents the sample characteristics of the subsample of 440 respondents who had contact with police, and

compares these characteristics to the full sample and demographic information from the Australian census. Table 1 reveals few differences across the three samples (apart from the education variable), indicating the 440 respondents used in the current study were generally representative of the full sample and the Australian population.

[Table 1 here]

Measures

Dependent Variable

Encounter satisfaction at Time 2 was our key dependent variable. To measure encounter satisfaction we used a one-item question: “Overall, how satisfied were you with your most recent contact with police?” (1=Very Dissatisfied to 5=Very Satisfied; Overall scale Mean = 3.61; SD = 1.11).

Independent Variables

To measure *procedural justice* at Time 2, survey participants were provided four statements and asked to indicate how police treated them and made decisions in their most recent contact. These items replicated those used by Murphy (2009). Three items measuring procedurally just treatment were as follows: “Thinking about your most recent contact with the police, were the police....”: “Approachable/friendly” (P1); “Polite/respectful/courteous” (P2); and “Fair” (P3). To measure fairness in decision-making the following item was used: “When you think about the way you were treated during your most recent contact with police do you feel you were given the opportunity to express your views before decisions were made” (P4). These items were all measured on a Likert scale from 1=Strongly Disagree to 5=Strongly Agree (Mean = 3.77; SD = .75; Cronbach’s Alpha = 0.88).

Defiance was measured at Time 1 as two sub-constructs representing different

motivational postures: *disengagement* and *resistance*. To measure disengagement and resistance, survey participants were asked to report on their level of agreement (using a Likert scale of 1=strongly disagree to 5=strongly agree) with a number of statements about police. These items were based on the research of Braithwaite (2009). For disengagement, these included: “I don’t care if I am not doing the right thing by police” (D1), “I personally don’t think there is much the police can do to me to make me obey the law if I don’t want to” (D2), “I don’t really know what police expect of me and I’m not about to ask” (D3), and “If I find out I’m not doing what the law requires, I’m not going to lose sleep over it” (D5) (Overall Mean = 2.07; SD = .65; Cronbach’s Alpha = 0.73). For resistance, these items included: “If you don’t cooperate with the police, they will get tough with you” (R1), “Police are more interested in catching you doing the wrong thing than helping you do the right thing” (R2), and “Once the police think you are a trouble-maker, they will never change their mind” (R3) (Overall Mean = 3.35; SD = 0.67; Cronbach’s Alpha = 0.68). All dependent and independent measures were found to be reliable, as demonstrated via Cronbach alpha scores. Table 2 presents the results of an exploratory factor analysis testing the construct validity of the procedural justice and defiance scales. There was no cross-loading between any of the items in these scales. Table 2 also presents the bi-variate correlations between the procedural justice, defiance and encounter satisfaction measures.

Control Variables

Additional variables were also computed to control for the demographic characteristics of participants. These variables have been found in past research to influence public perceptions of police (e.g., Skogan, 2005; Weitzer & Tuch, 2005). Participants’ *age* (Mean=50.18, SD=14.61), *education level* (1=No Schooling through to 8=Postgraduate Qualifications) and annual income (Mean=AUD\$91,243; SD=AUD\$56,723) were continuous variables, while *gender* was a dichotomous variable (Female=0; Male=1). *Country of birth* was also measured

as a dichotomous variable (Overseas born=0; Australian born=1), so too was the primary *language spoken at home* by respondents (Non-English=0; English=1). Language spoken at home was used as a proxy measure for ethnic minority status. We also controlled for the *type of police encounter* experienced by respondents (Citizen-initiated encounter=0; Police-initiated encounter=1; 41% of respondents experienced a police-initiated encounter).

[Table 2 here]

Results

As suggested by Baron and Kenny (1986), we undertook a two-step process to test whether procedural justice mediated the relationship between defiance and satisfaction with police. First, we conducted two separate Ordinary Least Squares (OLS) regressions to examine whether the two Time 1 defiance measures predicted procedural justice at Time 2 (i.e., the mediator variable; see Table 3). Second, we conducted an additional OLS regression in which satisfaction with the police encounter was the dependent variable. In this last regression, variables were entered in blocks to examine the unique contribution of each set of predictor variables. For mediation to occur, Baron and Kenny (1986) suggest that the independent variable (resistance and disengagement) should be directly related to both the mediator (procedural justice) and the dependent variable (satisfaction) (see Table 3 and 4). The mediator (procedural justice) should also be related to the dependent variable (satisfaction), but should cancel out the relationship between the independent variables and the dependent variable (see Table 4). SPSS version 24 was used to run all analyses reported in this paper.

Table 3 presents the OLS regression results with the Time 2 procedural justice measure as the dependent variable. As can be seen in Table 3, the contact type variable was the only control variable to significantly predict judgements of procedural justice at Time 2.

Those who experienced a police-initiated contact were less likely to perceive the encounter as procedurally just ($\beta=-0.14$ and $\beta=-0.11$, respectively). More importantly, however, even after controlling for demographic variables, both of the Time 1 defiance measures negatively predicted procedural justice judgements of the encounter at Time 2. Specifically, if respondents were more resistant toward police before their contact with police, they were less likely to judge the encounter as procedurally fair ($\beta=-0.26$). Likewise, those who reported being more disengaged at Time 1 were also less likely to judge the encounter as procedurally just at Time 2 ($\beta=-0.29$).

[Table 3 here]

Table 4 presents the OLS regression results with the Time 2 satisfaction measure as the dependent variable. Demographic and control variables were entered into block 1, the two Time 1 defiant postures were entered in block 2, and the Time 2 procedural justice measure in block 3. While gender was a significant predictor of satisfaction in block 1 (with men less satisfied than women; $\beta=-0.13$), it discontinued being a significant predictor of satisfaction after the two defiance items were entered in block 2. In block 2 no demographic variables predicted satisfaction, but it can be seen that both resistance ($\beta=-0.15$) and disengaged ($\beta=-0.20$) postures were negative predictors of satisfaction. This indicates that those who were more resistant or disengaged coming into the encounter were less satisfied with their encounter with police.

In block 3, procedural justice was entered into the model. It was found to positively predict respondents' satisfaction with the police encounter ($\beta=0.61$); if respondents judged police to be using procedural justice during the encounter they were also more satisfied with the encounter. In block 3, the only control variable that significantly predicted satisfaction

was contact type ($\beta=0.13$); those who experienced a police-initiated encounter were more satisfied with the encounter than those who experienced a citizen-initiated encounter.²

More importantly, the significant relationship between resistance and satisfaction and between disengagement and satisfaction disappeared completely on entry of the procedural justice measure in block 3. This finding suggests that procedural justice judgements fully mediate the relationship between defiant postures and satisfaction with police. Sobel tests confirmed these significant mediation effects for resistance ($z=-4.63$, $p<0.001$) and disengagement ($z=-5.20$, $p<0.001$), respectively. The findings suggest that procedural justice can be used to promote positive perceptions of police encounters even when people enter an interaction holding a defiant posture toward authority.

[Table 4 here]

Discussion

Brunson and Weitzer (2011) argue that the police–citizen relations literature pays greater attention to police officers’ treatment of citizens than the reverse (see also Engel, 2005). Yet police-citizen encounters are a two-way street, and it is important to consider how the demeanor and behavior of citizens going into encounters may affect the procedural justice judgements they make about the encounter and the resulting level of citizen satisfaction with the encounter. In the current paper we examined whether citizens’ pre-existing defiant postures (operationalized as resistance and disengagement) with police influenced the way in which citizens perceived a police-citizen encounter. We used longitudinal survey data to test three hypotheses. We first hypothesized that holding a defiant posture at Time 1 would predict citizens’ negative perceptions of procedural justice during an encounter at Time 2

² Given the sizable regression coefficient found between procedural justice and encounter satisfaction in Table 4 we tested for potential multicollinearity problems in the data. Multicollinearity was not detected for this relationship (Tolerance=0.84 and VIF=1.20) or for any other relationships reported in Table 3 or 4.

(H1). Second, we hypothesized that holding a defiant posture at Time 1 would predict higher levels of dissatisfaction expressed in relation to the police encounter at Time 2 (H2). Finally, we expected procedural justice perceptions during the police encounter at Time 2 would mediate the relationship between Time 1 defiance and Time 2 satisfaction with the police encounter (H3). All three hypotheses were supported by the data.

Exploring how defiant postures coming into an encounter can influence citizens' interpretations of the encounter is important for two reasons. First, we suggest that people who are already defiant when they enter a police-citizen encounter may interpret police behavior as less procedurally just and can exit an interaction feeling more dissatisfied with the encounter as a result. If this is so, the level of defiance exhibited by a citizen may determine the efficacy of certain police strategies and behaviors. It might be the case, for example, that use of procedural justice will prove less effective when used with citizens who enter an encounter with a high level of defiance (Braithwaite, 2009; Cherney & Murphy, 2011; Tankebe, 2009; Sargeant, Murphy & Cherney, 2014). Second, defiance can pose difficulties for police during police-citizen encounters. Citizens who are actively resistant or disengaged during police-citizen encounters may influence the way police subsequently interact with them. As will be discussed in detail below, research consistently shows that citizens' demeanor can have a significant impact on police behavior during interactions (e.g., Engel, 2005; Engel, Sobol & Worden, 2000; Reisig, McCluskey, Mastrofski & Terrill, 2006; Worden & Shepard, 1996).

Our findings can therefore be interpreted in two ways that are not mutually exclusive. The first interpretation for our findings draws on Braithwaite's (2009) Motivational Posturing Theory. We argue that in spite of how police behave, some citizens may simply be less likely or less willing to interpret police as being procedurally just. This may be explained by the level of social distance people place between themselves and the police. Braithwaite argues

that those who place greater social distance between themselves and authorities position themselves “beyond the reach and influence of an authority” (Braithwaite et al., 2007, p. 138). This may mean that some individuals will be less likely to believe police are procedurally just, regardless of how police treat them. Others may even be less likely to notice, or may even be apathetic to, the treatment they receive from police.

As noted in the Introduction, motivational postures are the social signals that individuals send to authorities and to others to communicate preferred social distance from an authority. They are “conglomerates of beliefs, attitudes, preferences, interests, and feelings that together communicate the degree to which an individual accepts the agenda of the regulator, in principle, and endorses the way in which the regulator functions and carries out duties on a daily basis” (Braithwaite et al., 2007, p.138). According to Braithwaite (2009), all authorities pose a threat to peoples’ freedom because of the power they yield. When citizens and authorities make contact this can place the citizen in a heightened sense of uncertainty about what might transpire during the encounter. One response to such uncertainty may be to take an emotion focused approach to dealing with the authority, whereby anger and frustration are displayed (i.e., defiance), particularly if the individual belongs to a group that feels somehow oppressed by police. Importantly, Braithwaite et al. (2007) argue that due to the emotions that a police encounter might elicit, defiant individuals are likely to come into the encounter by focusing on procedural justice (or lack thereof) that they receive during an encounter with authorities. Our results suggest that those who were defiant coming into the encounter with police did take heed of whether police were treating them with procedural justice.

Fair treatment communicates to a defiant individual that the authority is being reasonable and willing to take their concerns into account when making decisions. As such, receiving procedural justice can potentially reduce a defiant individual’s level of defiance

over time (for evidence of this see Braithwaite et al., 2007; Murphy, 2016). Of course individuals may still enter an encounter with police with a defiant stance, unwilling to concede that police are using procedural justice, but the fact is that they will still look for signs that authorities are using procedural justice in their interactions with them.

The second interpretation of our findings is equally plausible. When confronted with a defiant citizen police may be reluctant to, or will be less able to, use procedural justice in the encounter. If police perceive citizens to be *defiant* to their requests (through apathy, or arguing or using physical cues of aggression), research has shown this can escalate more quickly to an arrest or use of force by the officer. Specifically, resistance to police instructions has been found to increase the likelihood of subsequent police disrespect toward citizens (Mastrofski, Reisig & McCluskey, 2002; Reisig et al., 2006), police use of force (Mastrofski, Snipes & Supina, 1996; McCluskey, 2003), arrest (Worden & Shepard, 1996), and physical injury to both the person and the officer (Smith, Kaminski, Alpert, et al., 2009). The “demeanor hypothesis” helps to explain why this occurs. The demeanor hypothesis states that police are more likely to “take coercive action against antagonistic or hostile suspects” (Engel et al., 2000, p. 236). This may be understood as a way of police saving face. Tedeshi and Felson (1994, p. 265) explain:

“Insubordination or disrespect for an authority may undermine the legitimacy of that authority. Attempts by an authority to placate or accommodate a dissident may be perceived by audiences as weakness and may legitimate the disruptive behavior. A public display of punishment serves the purpose of showing that the authority cannot be disobeyed without costs”.

While this explanation is given in the context of punishment and arrest, police may similarly be less willing to give citizens the experience of courteous treatment in order to make it clear

that their defiant behavior is not acceptable to police. Hence, it could be the case that defiant individuals in the current study actually experienced greater levels of procedural *injustice* during their encounter because police responded to their defiance by ‘pushing back’ against what they perceived to be defiant and disrespectful behavior toward police. Relatedly, it is also possible that police bring preconceived notions about citizens to an encounter. Police – like citizens – may have their own form of “posturing” that they bring to an encounter that influences their interpretation of, and behavior during, an encounter. These pre-existing views might influence their use of procedural justice during the encounter. For example, officers may believe that some members of the community (e.g., minorities) hold generally negative views of the police. An officer may therefore anticipate a defiant orientation when interacting with members of that community, regardless of whether or not the individual acted in a defiant manner.³

While each of the two interpretations for our results offer a plausible explanation for the pattern of findings, we should note that the data cannot elucidate which of these interpretations actually occurred. This represents a limitation of our study, but it does signal that disrespect can precipitate disrespect by both parties in a police-citizen encounter. An additional limitation of our study reflects the fact that we do not know the actual nature of the police-citizen encounter that citizens experienced. We simply know if it was a police- or citizen-initiated encounter. Future studies should therefore examine how defiant individuals react to police-citizen encounters where the researcher can observe both the interaction between police and citizen, and also question citizens and police about their experiences of the encounter (see for example, Dai, Frank & Sun, 2011; Jonathan-Zamir, Mastrofski & Moyal, 2015; McCluskey, 2003). By doing so, an objective measure of whether a police officers’ behavior may change toward a defiant individual can be ascertained independently

³ We would like to thank one of our anonymous reviewers for this latter suggestion.

of whether the defiant citizen interprets police behavior as procedurally just or unjust. A third limitation of the current study relates to our language spoken at home measure. We used it as a proxy measure of ethnic minority status (i.e., those who spoke English vs those who did not). We found it was unrelated to either procedural justice judgements or satisfaction with the police encounter. However, given the wider policing literature indicates that ethnic and racial minority status does have a big impact on citizens' evaluations of police (e.g., Murphy & Cherney, 2011; Skogan, 2005; Weitzer & Tuch, 2005) future studies may wish to explore whether our findings differ across different ethnic/racial groups.

Conclusion

Overall, our findings highlight the complexity of police-citizen encounters. We find that those who are highly defiant toward police are less likely to 'receive the procedural-justice message', and are less likely to be satisfied with police-citizen encounters. These findings highlight the difficulties faced by the police when encountering defiance from the public. However, while police cannot control the pre-existing postures of citizens entering into an encounter, they can control how they themselves choose to behave in an encounter. While efforts by police to use procedural justice may sometimes fall on deaf ears, our results reveal that procedural justice is still a key explanatory variable of public satisfaction with police during encounters. By committing to a fair and respectful approach with 'difficult' citizens a procedural justice approach will also reduce the opportunity for defiant citizens to level a substantiated complaint against a police officer. As such, we too endorse the recommendation made by the US President's Taskforce on 21st Century Policing (Taskforce, 2015) that fair and procedurally just policing should be a key pillar driving modern and professional policing in the 21st Century.

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Table 1. Demographic characteristics of the subsample used in the current study compared to the full sample and Australian census data.

Variable	Subsample (N=440) %	Full Sample (N=1190) %	Australian census %
Age			
18-29	9.3%	11.0%	21%
30-44	24%	22.0%	29%
45-59	38%	35.5%	25.5%
60+	23%	31.5%	24%
Male	47%	46%	49%
Australian born	83%	76%	75%
Postsecondary educated	68%	62%	43%

Table 2. Factor analysis of scales, and bivariate correlations between the procedural justice, defiance and encounter satisfaction measures.

Item	1	Factor 2	3
<i>Procedural justice</i>			
P1	-.92	-.26	-.19
P2	-.91	-.24	-.20
P3	-.88	-.20	-.18
P4	-.71	-.26	-.24
<i>Resistance</i>			
R1	.12	.05	.77
R2	.26	.28	.74
R3	.23	.25	.84
<i>Disengagement</i>			
D1	.27	.73	.26
D2	.15	.72	.01
D3	.24	.75	.21
D4	.22	.79	.24
Eigenvalue	3.76	1.85	1.50
Variance explained	34.18	16.79	13.61

	1	2	3	4
1. Satisfaction	-			
2. Procedural justice	.60*	-		
3. Resistance	-.18*	-.22*	-	
4. Disengagement	-.26*	-.29*	.26*	-

Note: Principal components analysis with oblique rotation; *p<0.001

Table 3. OLS Regression using Time 1 defiant postures (resistance: Model 1; disengagement: Model 2) as predictors of Time 2 procedural justice judgements.

Predictor	Model 1		Model 2	
	B (SE)	β	B (SE)	β
(Constant)	4.69 (.33)		4.34 (.27)	
Age	.00 (.00)	.05	0.00 (.00)	.07
Gender (0=female; 1=male)	-.15 (.08)	-.09	-.14 (.08)	-.09
Education	-.01 (.02)	-.02	.00 (.02)	.00
Country of Birth (0=overseas; 1=Australia)	.12 (.11)	.06	.09 (.11)	.04
Language at home (0=other; 1=English)	.24 (.14)	.09	.23 (.14)	.09
Income	.00 (.00)	.02	-.00 (.00)	.00
Contact type (0=citizen-initiated; 1=police-initiated)	-.21 (.08)	-.14**	-.17 (.08)	-.11*
Resistance	-.31 (.06)	-.26***	-	-
Disengagement	-	-	-.35 (.06)	-.29***
R ²	.11		.13	
F	5.32***		6.26***	
df	8, 343		8, 343	

Note: *p<0.05; **p<0.01; ***p<0.001

Table 4. OLS Regression showing predictors of encounter satisfaction.

Predictor	Block 1		Block 2		Block 3	
	B (SE)	β	B (SE)	β	B (SE)	β
(Constant)	3.12 (.38)		4.77 (.50)		.30 (.53)	
Age	.01 (.01)	.07	.00 (.00)	.04	.00 (.00)	.01
Gender (0=female; 1=male)	-.31 (.12)	-.13*	-.17 (.12)	-.08	-.06 (.10)	-.03
Education	.04 (.03)	.07	.03 (.03)	.06	.03 (.02)	.06
Country of Birth (0=overseas; 1=Australia)	.17 (.18)	.06	.20 (.17)	.06	.08 (.14)	.02
Language at home (0=other; 1=English)	.15 (.22)	.04	.29 (.21)	.07	.03 (.17)	.01
Income	-.00 (.00)	-.05	-.00 (.00)	-.05	-.00 (.00)	-.06
Contact type (0=citizen-initiated; 1=police-initiated)	.11 (.12)	.05	.14 (.12)	.06	.30 (.10)	.13**
Resistance	-	-	-.26 (.10)	-.15**	-.06 (.08)	-.03
Disengagement	-	-	-.35 (.10)	-.20***	-.10 (.08)	-.06
Procedural justice	-	-	-	-	.91 (.07)	.61***
R ²	.03		.11		.42	
F change	1.58		14.14***		179.51***	
df	7, 339		2, 337		1, 336	

Note: *p<0.05; **p<0.01; ***p<0.001