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Comparing the US to other Nations: Experimental Evidence on Changing Public Punitiveness

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Submitted in Partial Completion of the Requirements for  
Departmental Honors in Criminal Justice

Bridgewater State University

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## **Abstract**

The United States incarceration rate was once on par with other western, industrialized democracies. Dating back to the 1980's, the United States incarceration rate began to increase exponentially and at an alarmingly high rate, much higher than its comparative countries. Public punitiveness on criminal justice policies has been the driving force behind this. Thus, this study aims to analyze the public's support for punitive or more rehabilitative criminal justice policies after being presented with accurate information comparing US incarceration rates and its comparative countries since the 1950's. Participants were recruited via Amazon Mechanical Turk and given a Qualtrics survey link (N= 207) to complete the survey. The study uses one experimental manipulation to gather this data: respondents in the experimental group received accurate information on incarceration rates between the US, England, Wales, and most Scandinavian countries dating from the 1950's to 2010. Using t-tests and OLS regression analyses, I found that the information treatment did not reduce respondents' likelihood of favoring punitive criminal justice policies. The results highlight the limitations of information treatment on changing public punitiveness.

Keywords: Punitiveness; Experimental Design; Information Treatment



## Introduction

The United States has seen a booming growth in prison population over several decades, resulting in an era of mass incarceration. As of 2017, the United States incarcerates, on average, more of its citizens (2.2 million) and at a higher level (700 per 100,000) than any other country (Wildeman & Wang, 2017). However, the US has not always been an outlier in number of citizens incarcerated relative to the general population. In the mid-20<sup>th</sup> century, the US incarcerated between 100 per 100,000 and 200 per 100,000 (Blumstein & Cohen, 1973). In 1950, the US hovered around 175 citizens incarcerated per 100,000 (Cahalan, 1986) while Finland hovered around 185 citizens incarcerated per 100,000 (Pratt, 2008). Beginning in the mid-1970's, the US incarceration rate began to increase at an exponentially alarming rate. By 1985, the US incarcerated 312 citizens per 100,000. Currently, the rate sits at 743 per 100,000 (Wildeman & Wang, 2017). Other developed countries that incarcerate a high number of citizens are New Zealand, Luxembroug and Spain, who incarcerate between 100 and 173 per 100,000 of their citizens (Wildeman & Wang, 2017).

The increase in the United States' incarceration rate was not driven by an increase in crime or changes in criminal behavior, but instead by a shift in policy to increase the use of imprisonment for drug offenders and habitual offenders (Blumstein & Beck, 1999; Western et al., 2001). Complex, social, and criminal justice policies such as the War on Drugs, the deinstitutionalization of people with mental illnesses, and punitive sentencing policies such as three-strikes laws and mandatory minimum sentences sparked the increase in incarceration of US citizens. (Western, 2006; Wakefield & Uggen, 2010). The present study focuses on the public's level of support for punitive versus rehabilitative criminal justice policies. The current study measures public punitiveness as respondents' level of support for a variety of punitive criminal

justice policies; support for the death penalty, support for making sentences more severe for all crimes, support the use of mandatory minimum sentencing laws, support keeping sex offenders incarcerated for longer than their sentence, and support trying juveniles in adult courts (Pickett and Baker 2014). The issue of mass incarceration was the inspiration for the current study.

Mass incarceration has presented a plethora of social and public health issues, especially for poor and minority communities. First, incarceration is highly concentrated. African Americans are seven times more likely than Whites to be incarcerated, and a high majority of incarcerated individuals lack post-secondary education (Pattillo et al., 2004). The mere existence of the era of mass incarceration has social effects on the entire country. Young, disadvantaged men in prison is the norm in present day. Imprisonment is no longer a consequence of deviating from the norm. Instead, it *is* the norm for minorities and other disadvantaged communities.

Another effect of mass incarceration identified in criminological research is a high rate of unemployment, especially among the formerly incarcerated, who find stable, well-paying jobs out of their reach for various reasons (Western et al., 2001). The formerly incarcerated may face discrimination in labor markets and restriction of eligibility for social services. Incarceration also disrupts familial relationships, including marital stability and separation of parents from children on a mass scale (Hagan & Dinovitzer, 1999). Prison and jail inmates are disproportionately drawn from a small number of largely poor and minority communities; thus, the collateral consequences of incarceration are highly spatially concentrated. This is disruptive to social networks that typically promote economic opportunity and social stability (Pattillo et al., 2004).

In this study, I aim to contribute to criminological research by studying public opinion of criminal justice policies. Amazon Mechanical Turk (MTurk) was used to recruit 200 respondents. Respondents were randomly assigned to two groups, one treatment and one control

group. Respondents placed in the treatment group were provided with accurate information on US incarceration rates, as well as incarceration rates of other western, industrialized democracies from 1950 to 2010. The goal of this study is to discover whether accurate information on incarceration rates between the US and western, industrialized democracies can reduce support for punitive criminal justice policies.

### **Misperceptions of Crime Rates and Its Effects**

In the last decade, the US has hovered around 400 violent offenses per 100,000 residents, roughly half of the rate in the early 1990's (DoJ, 2014). Despite this reduction, polling data consistently shows that the majority of the public believes that crime is on the rise (McCarthy, 2014; Esberg & Mummolo, 2018). Democracy and voting rely on citizens to accurately perceive changes in social conditions to make educated decisions on whether politicians have improved or worsened society (Bartels, 2009; Healy & Malhotra, 2010; Lenz, 2013; Esberg & Mummolo, 2018). The belief of the public that crime is continuously rising allows punitive politicians to promote tough-on-crime policies and, in turn, receive large support from the public, despite the fact that it is based on misinformation. Studies have shown that perceived security and public safety threats make citizens more likely to give up their civil rights to improve safety (Davis & Silver, 2004; Jarvis & Lister, 2012; Mondak & Hurwitz, 2012). When the public fails to notice the improvement of social conditions and a reduction in crime, especially while believing that crime is worsening, it makes little sense for electorally motivated politicians to spend time and resources pursuing less punitive criminal justice policies (Esberg & Mummolo, 2018).

A large literature has explored misperceptions in the mass public (Bartels, 2002; Galston, 2001; Gilens, 2001; Nyhan & Reifler, 2010), but researchers have largely looked past the causes of widespread misperceptions of crime. Esberg and Mummolo (2018) found that the existence of

misperceptions of crime in the US is mostly a result of lack of exposure, or the nature of exposure, to factual information about crime. This contradicts previous studies which have found that it is difficult to correct misperceptions of crime (Kuklinski et al., 1998; Nyhan & Reifler, 2016). It was also found that the rates of misperceptions of crime are lower among the highly educated and those who report keeping up with current affairs (Esberg & Mummolo, 2018). Esberg and Mummolo (2018) suggest that their results imply that widespread misperceptions of crime are likely to exist unless a change is made in the types of media people consume, or how crime and crime rates are reported.

### **The Influence of Public Punitiveness**

Scholars have long debated the reasons for the United States' punitive turn towards mass incarceration. One may assume that a rising crime rate would be the main cause for a rise in incarceration. However, the leadup to the mass incarceration era paints a different picture. The ratio of incarcerations per violent and property crime declined throughout the 1960's and 1970's before spiking and increasing steadily from the 1980's to the 2010's, despite a reduction in violent and property crimes from the 1990's to 2010's (Federal Bureau of Investigation Uniform Crime Reporting (UCR) Program, as cited in Enns, 2016). Therefore, there is a disconnect between the crime rate and the incarceration rate in the US. Another counterpoint to the assumption that mass incarceration was caused by a rise in crime is that there has been a substantial increase in the number incarcerated relative to the number of crimes committed, yet again implying that there is a disconnect between the crime rate and the incarceration rate. This shows that a rise in crime may not account for the most punitive period in US history. This raises the question: why has there been an increase in incarcerations per committed crime?



Politicians have supported and signed policies that increase sentences for crimes that previously carried less punitive sanctions. Politicians have also supported and signed policies that increase the use of mandatory minimums for crimes that previously carried less time served in prison (Enns, 2016). This raises yet another question: why have politicians begun to support more punitive policies? Enns (2016) suggests that the public is likely the cause. Current explanations of the incarceration rate range from assigning some influence on public opinion to arguing that public opinion has not effect on incarceration rates (Jacobs & Carmichael, 2001; Brown, 2006; Roberts et al., 2003). There is evidence that shows that constituents are the most fundamental determinant of the origin and survival of member-based interest groups (Gray & Lowery, 1996; Olson, 1965; Truman, 1951). There is a large literature that shows that policy makers respond to the public's policy preferences (Soroka & Wlezien, 2010; Stimson et al., 1995; Wlezien, 2004). Enns (2016) then raises another question, "why would politicians and interest group leaders, who depend on the public for their political survival, help produce the highest incarceration rate in the world if the public was unsupportive or uninterested in this outcome?"

Some researchers suggests that the answer to this question is because public attitudes toward crime and punishment are somewhat incoherent or incomplete, and that politicians can ignore them without consequence (Cullen, Fisher, & Applegate, 2000; Durham, 1993). Yet again, Enns offers an alternative explanation. Politicians have not been ignoring the public, but instead have been encouraged by the rising punitiveness of public opinion. Politicians have simply been following the trends of public punitiveness. Berry and Berry (1990) suggest that public punitiveness influenced political action using ballots. Twenty-four states currently use the ballot initiative for citizen influence. States are more likely to adopt policies from their

neighboring states (Berry & Berry, 1990), therefore the influence of public punitiveness stretches across many states, even those that do not use the ballot initiative.

Public opinion can also extend beyond the political world. Research shows that the Federal Bureau of Investigation and the police are self-aware of their public image (Gallagher et al., 2001; Gibson, 1997; Tooley et al., 2009). Brace and Boyea (2008) found that in the thirty-eight states that elect their Supreme Court justices, public opinion towards the death penalty influences both the composition of the state Supreme Court and the votes of these justices. Additionally, public support for the death penalty influences the annual number of death sentences (Baumgartner, De Boef, & Boydston, 2008). There is also a large literature that shows a relationship between the public's policy preferences and Supreme Court decisions (Casillas, Enns, & Wohlfarth, 2011; Epstein & Martin, 2011, McGuire & Stimson, 2004). Public punitiveness has a major influence on the criminal justice system.

Enns (2016) brings up many interesting points about shifts in public opinion regarding punitiveness and how politicians pay close attention to these shifts to accurately adhere to public perception to gain support. In addition to, and not in contrast to, Enns points about public punitiveness influencing political action, politicians can also influence public punitiveness. Research shows that politicians may use "law and order" rhetoric to create a culture of fear and gain support for campaigns featuring punitive policies (Garland, 2001; Simon, 2007; Zimring, 2003). As a result, the public supports more punitive criminal justice policies after updating their crime perception per the language used by politicians regarding crime (Beckett, 1997; Shi et al., 2020).

### **Prior Studies on Information Treatment**

Groups of literature have found that information treatment may reduce support for punitive criminal justice policies (Indermaur et al., 2012; Roberts et al., 2012). Recent research has begun to measure the effect of corrective information treatment (Larsen & Olsen, 2018; Nyhan et al., N.d.). Esberg and Mummolo (2018) found that providing official statistics on crime trends significantly improves accuracy in perceptions of crime (in some cases accuracy improved by as much as 40%). Other researchers have found that participation in semester-long criminal justice courses may reduce punitiveness (Bohm & Vogel, 2004; Hough & Park, 2002). Increased support for punitive criminal justice policies serves as an emotive way for the public to release frustration and dissatisfaction about social changes (Shi, 2021; Freiberg, 2001).

With exposure to accurate crime information, especially information that shows that crime is decreasing, people may believe that crime is under control and that we should be satisfied with the criminal justice system and demand even more punitive criminal justice policies as a result (Shi, 2021; Roberts et al., 2002). People may also view new information as weak and unpersuasive if it contrasts their initial beliefs (Chong & Druckman, 2007). For example, White respondents that are exposed to information suggesting that death penalty sentences are unfair to African Americans, increase their support for the death penalty possibly because they view the racial discrimination argument as weak and their original support for the death penalty was strong (Peffley & Hurwitz, 2007).

Changing attitudes and improving public confidence through information treatment on the justice system or individual cases is possible. Roberts et al. (2012) found that providing information about sentencing changes public attitudes to sentencing by reducing public punitiveness. Therefore, it is possible to change public attitudes and improve confidence through the provision of information about the justice system, or even individual cases. The findings of

Roberts et al. (2012) suggest that, if the public were better informed about the sentencing process, public attitudes would change and public confidence in sentencing would improve. Although the current study does not use specific case information or sentencing information, Roberts et al. (2012) shows that it is possible to decrease public punitiveness through the distribution of accurate criminal legal system information.

The tendency to overestimate crime rates comes with negative societal consequences (Larsen & Olsen, 2020). For example, if citizens do not recognize that crime rates are decreasing, politicians have no incentive to focus on crime rates, and politicians who are effective at reducing crime rates will not have an advantage in elections over those who do not focus on reducing crime rates (Mansbridge, 2009). Information about crime is generally insufficient and biased. The media covers specific cases rather than crime in a broader context, like information about the prevalence of crime (Larsen & Olsen, 2020). The media tend to cover vivid instances of uncommon crimes rather than the long-term reduction in the crime rate (Soroka & McAdams, 2015). However, it is unknown if citizens would reverse their negative emotions to crime rates if a public information campaign covered beyond what mainstream media covers.

Motivated reasoning suggests that citizens might reject correct information about crime rates if their misperceptions were borne out of strong affective ties to a political party or stereotypical beliefs about minorities, immigrants, etc. (Esberg & Mummolo, 2018; Lodge & Taber, 2013). People may also reject the corrected information if their everyday lives contradict it (e.g., having been victimized once or numerous times before, or have witnessed crime) (Hjorth, 2017). Citizens also tend to focus on negative information more than positive information (Healy & Lenz, 2014) and therefore may not even pay much attention to the correct information to even

consider it. Larsen and Olsen (2020) found that it is possible to reduce citizen's misperceptions of crime rates, however the effect is temporary, and the initial bias eventually returns. This is where the media could have more of an impact. The repetition of correct information may help reduce citizens' perceptions for longer periods of time, if not permanently (Larsen & Olsen, 2020).

Public support for alternatives to imprisonment has been shown in previous studies (Doob & Roberts, 1983). Fishkin (1996) found, from a deliberative poll, that decreasing public punitiveness is possible when the public becomes more informed on crime, justice, and policies. The use of deliberative polls could have a major influence on shifting the direction of penal policy (Green, 2006). Various studies on public sentencing have found that support for alternatives to punishment for *certain* crimes changes (Doob, 2000; Doob & Roberts, 1988; Indermaur, 1987). In addition, Doble and Klein (1989) and Doble et al., (1991) found that respondents' sentencing preferences could be influenced by providing information about all possible sentencing options. There is some debate around studies similar to these about whether or not support for alternatives are simply a matter of imprisonment being only one of the many options available. On the other side of the debate, some researchers believe that respondents chose imprisonment simply because they were unaware of the other alternative options to imprisonment. Yet again, this makes the conclusion from Cullen, Fisher, and Applegate (2000) that public attitudes to crime and justice are "mushy."

Public attitude towards punishment may reflect social values and give the individual a chance to express their values. A few decades ago, researchers struggled with separating respondents' deeply held values with logical reasoning. Tyler and Boeckmann (1997) found that public support for the three strikes law in California was not based on respondents' perceptions

of the effectiveness of these laws, but instead a reflection of their social values. Additionally, research on death penalty opinions also shows an expression of deeply held values, rather than an evaluation of the effectiveness of the death penalty (Vollum et al., 2004). Therefore, in order to extract opinion based on reasoning, researchers adjusted their methods. Durham et. al (1996) found that support for the death penalty decreased substantially when respondents were presented with a specific case description rather than an opinion-based question.

Cochran and Chamlin (2005) analyzed 18 different published studies on information effects regarding public attitudes on the death penalty. They concluded that there is mixed support for public attitudes being affected by information on the death penalty. It was clear, however, that information had an immediate effect in reducing support for the death penalty but failed to have a lasting effect. Indermaur et al. (2012) attempted to fill the gaps in this research.

Indermaur et al. (2012) presented information on crime, justice and sentencing in a way which covered all elements of informed public opinion, measured the sustainability of any information effects, included a control group to improve confidence in observed changes, and provided a large, statistically representative sample of the population (Australia). The results of the study confirmed the findings from earlier studies on information affects regarding punishment. The results showed that information, along with the encouragement of deliberation, brought an immediate change to attitudes towards sentencing (Indermaur et al., 2012). However, the effects wore off as time progressed. No substantial effects were observed six to nine months after the initial observation (Indermaur et al., 2012).

Indermaur et al. (2012) propose that more information and more deliberation would have produced a more sustainable effect over time. Warner et al. (2011) found that sitting on a jury increased confidence in sentencing guidelines and decreased punitiveness. A possible

explanation for this is that sitting on a jury requires greater levels of engagement and responsibility than simply being asked a question on general opinion.

It has been mentioned earlier in this literature review that public attitudes towards crime and punishment are malleable. Hough and Park (2002) examined just how malleable these attitudes are by using results from a deliberative poll issued in Britain in 1994. Hough and Park (2002) presented information on the long-term effects of the 1994 study.

The following comes from Hough and Park (2002):

To summarize the results relating to attitudinal change, it is clear, first of all, that there were significant and enduring shifts over the ten months between recruitment to the deliberative poll weekend and completion of the follow-up. Secondly the statistically significant changes were systematic, in that all were in the same direction – involving reduced support for imprisonment and punitive sentences and greater support for rehabilitation and prevention aimed at ‘root causes’. Thirdly – although we have not presented the results here – the changes can be attributed to the deliberative poll event with some confidence, in that changes in the same direction, usually of a great magnitude, were found in the survey completed by respondents at the end of the deliberative poll event.

### **Current Study**

The current study builds on previous research on public support for punitive and rehabilitative criminal justice policies, information treatment, and incarceration rate perceptions. I aim to examine if accurate information on incarceration rates in the United States and western, industrialized democracies reduces support punitive criminal justice policies and increases support for rehabilitative criminal justice policies. This study differs from previous studies using

information treatment on support for punitive criminal justice policies in that it (1) uses incarceration rates rather than crime rates and (2) includes incarceration rates from western, industrialized democracies to show respondents where the US ranks in incarcerating its citizens with western, industrialized democracies. I test the following hypotheses:

1. Providing respondents with accurate information on incarceration rates in the US and western, industrialized democracies reduces respondents' support for punitive criminal justice policies
2. Providing respondents with accurate information on incarceration rates in the US and western, industrialized democracies increases respondents' support for rehabilitative criminal justice policies

## **Methods**

### **Data**

Respondents for the current study participated in a randomized experiment that was conducted via Amazon Mechanical Turk (MTurk) in fall 2021. MTurk is an online crowdsourcing platform where researchers can place surveys as “human intelligence tasks” (HITS) and qualified “workers” who are interested in participating the surveys can take the HITS for small amounts of monetary rewards. MTurk is an emerging data collection platform, yet previous studies have shown that MTurk can yield results similar to those from national representative samples (Buhrmester et al., 2011; Mullinix et al., 2015). Recent criminological studies have also used MTurk samples for theory testing and have been published in top peer-reviewed criminology journals (Shi, 2021; Gottlieb, 2017; Pogarsky et al., 2017; Vaughan et al., 2019).



A total of 231 American adults (age 18 and older) started the survey, and 207 (90%) of them finished the survey with no breakoff. The current analytic sample includes 206 cases that do not have any missing data on any of the variables used in the analyses.

### **Experimental Procedure**

After reading an informed consent page and agreeing to participate in the survey, respondents were randomly assigned to two groups, one treatment group and one control group. The respondents assigned to the treatment group were presented with accurate information on US incarceration rates and statistics comparing the US criminal justice system with other western, industrialized democracies such as that the US incarcerates more of its population than any other country in the world, that the US spends almost twice as much on prisons as the other democracies, and that the US hands out 180 times more life without parole sentences than England. The treatment group also received two graphs. The first graph shows the incarceration rates per 100,000 citizens in the US, Finland, Denmark, Norway, and Sweden from 1950 to 2010. The second graph shows incarceration rates per 100,000 citizens in the US, Canada, and England and Wales from 1981 to 2009. The information text and the two graphs are from one source, that being Dr. Peter K. Enns' 2017 book, *Incarceration Nation*, and are presented in Appendix A.

The control group did not receive any of this information. Instead, they received a short text stating that "incarceration rates in a nation are calculated as the number of individuals incarcerated per 100,00 citizens." The information is neutral and essentially serves no purpose to ensure that the control group responds to the survey with no manipulation.

### **Measuring support for punitive policies**

After the information treatment, I first asked all respondents questions to measure their support for punitive criminal justice policies. To remain consistent with prior research on public punitiveness (Pickett & Baker, 2014), *Support for Punitive Criminal Justice Policies* was measured by asking one index survey question “How much do you support or oppose each of the following policies?” The five presented policies were “Reducing the use of death penalty for murderers,” “Making sentences more severe for all crimes,” “Increasing the use of mandatory minimum sentencing laws, like ‘Three Strikes,’ for repeat offenders,” “Keeping sex offenders who are still considered dangerous locked up past their original sentences,” “Trying fewer juvenile offenders as adults in adult courts.” The five response categories ranged from “strongly support” to “strongly oppose.” I averaged across the responses to the five survey items and created an index measure ( $\alpha = .589$ ).

### **Measuring support for rehabilitative policies**

I then asked all respondents for their level of support for rehabilitative criminal justice policies. To align with previous research (Burton et al., 2020) *Support for Rehabilitative Criminal Justice Policies* was measured by asking one index survey question “To what extent do you agree or disagree with the following statements?” The five policies presented in the study were “It is important to try to rehabilitate adults who have committed crimes and are now in the correctional system,” “It is a good idea to provide treatment for offenders who are supervised by the courts and live in the community,” “Rehabilitation programs should be available even for offenders who have been involved in a lot of crime in their lives,” “All rehabilitation programs have done is to allow criminals who deserve to be punished to get off easily,” “I would not support expanding the rehabilitation programs that are now being undertaken in our prisons.”

The five response categories ranged from “strongly agree” and “strongly disagree.” I averaged across the responses to the five survey items and created an index measure (alpha = .724).

### **Control Variables**

I used two control variables to check if respondents’ answers to the survey were perhaps influenced by racism or stigma of the currently and formerly incarcerated. The first variable in the study that was measured was racism. *Racism* was measured by asking one index survey question “To what extent do you agree or disagree with the following statements?” The five statements presented in the survey were “Irish, Italians, Jewish, and many other minorities overcame prejudice and worked their way up. Blacks should do the same without any special favors,” “Generations of slavery and discrimination have created conditions that make it difficult for Blacks to work their way out of the lower class,” “The Irish, Italians, Jews, and many other ethnic groups immigrated to the United States legally. Latinos and Hispanics should do the same without any special favors,” “Latinos and Hispanics would be more welcome in the United States if they would try harder to learn English and adopt U.S. customs like past immigrant groups have done.” The five responses ranged from “strongly agree” to “strongly disagree.” I averaged across the responses to the five survey items and created an index measure (alpha = .822).

The next control variable that I measured was stigma. *Stigma* was measured by asking one index survey question “To what extent do you agree or disagree with the following statements?” The three presented statements in the survey were “Most people who are incarcerated are dangerous,” “Most people who are incarcerated are dishonest,” “I would avoid associating with anyone who has recently been incarcerated.” The responses to the question

ranged from “strongly agree” to “strongly disagree.” I averaged across the responses to the three survey items and created an index measure ( $\alpha = .750$ ).

### **Demographic Variables**

Respondents’ education is measured using a binary variable College (1 = bachelor’s degree/graduate degree; 0 = less than high school diploma/high school diploma or equivalent). White, Male, and Hispanic are also binary variables (white = 1, nonwhite = 0; male = 1, female = 0; Hispanic = 1, non-Hispanic = 0). Political Conservatism has five categories (1 = very liberal, 5 = very conservative). Income has seven categories (1 = \$14, 999 or less, 7 = \$100,000 or more). Age is measured as a continuous variable.

### **Analytic Strategy**

I ran a t-test and OLS regression models to determine if there is a relationship or association between the information treatment and respondents’ support for rehabilitative or punitive criminal justice policies.

## **Results**

### **T-test Results**

A t-test was run on a sample of 207 respondents to determine if there was a statistically significant difference in their support for punitive or rehabilitative criminal justice policies, consisting of the one group with 105 (50.72%) respondents who did not receive the information treatment and 102 (49.28%) respondents who did receive the information treatment. For the punitive variable, there was no significant statistical difference between the control group and the treatment group (mean difference =  $-.040$ ,  $p = .693$ ). There was also not a significant statistical difference for the rehabilitative variable between the control group and the treatment group (mean difference =  $.070$ ,  $p = .560$ ).

## OLS Regression Results

I ran two OLS regression models to analyze if there is a relationship between support for punitive or rehabilitative criminal justice policies and the information treatment. Model 1 of Table 2 measures if there is a relationship between support for punitive criminal justice policies and information treatment while controlling for demographic variables. As shown in Model 1 of Table 2, there was no relationship between the information treatment and respondents' support for punitive criminal justice policies ( $b = .059$ ,  $p = .557$ ). There was also no relationship between support for punitive criminal justice policies and a college education ( $b = .179$ ,  $p = .147$ ), identifying as White ( $b = -.152$ ,  $p = .246$ ), identifying as male ( $b = -.038$ ,  $p = .742$ ), income ( $b = .001$ ,  $p = .976$ ), age ( $b = -.004$ ,  $p = .456$ ). However, identifying as Hispanic and indicating a preference of political conservativeness were positively related to support for punitive criminal justice policies ( $b = .326$ ,  $p < .05$ ,  $b = .114$ ,  $p < .01$ , respectively). These results are consistent with findings from previous literature.

Model 2 of Table 2 also measures whether there is a relationship between the information treatment and support for punitive criminal justice policies while controlling for control (racism and stigma) and demographic variables. Again, there was no relationship between the information treatment and respondents' support for punitive criminal justice policies ( $b = .018$ ,  $p = .844$ ). There was also no relationship between support for punitive criminal justice policies and a college education ( $b = .019$ ,  $p = .864$ ), identifying as White ( $b = -.068$ ,  $p = .565$ ), identifying as male ( $b = -.025$ ,  $p = .810$ ), income ( $b = .011$ ,  $p = .727$ ), identifying as politically conservative ( $b = .019$ ,  $p = .609$ ), age ( $b = -.002$ ,  $p = .690$ ). There was a positive relationship between racism ( $b = .174$ ,  $p < .01$ ), stigma of a criminal record ( $b = .206$ ,  $p < .001$ ), identifying as Hispanic ( $b = .263$ ,  $p < .05$ ).

Model 1 of Table 3 measures if there is a relationship between information treatment and support for rehabilitative criminal justice policies while controlling for demographic variables. There was no relationship between support for rehabilitative criminal justice policies and the information treatment ( $b = -.041, p = .703$ ), identifying as White ( $b = -.083, p = .553$ ), income ( $b = .024, p = .515$ ), age ( $b = .009, p = .094$ ). There was no positive relationship between any of the variables and support for rehabilitative criminal justice policies. There was a negative association between support for rehabilitative criminal justice policies and a college education ( $b = -.602, p < .001$ ), identifying as male ( $b = -.287, p < .05$ ), identifying as Hispanic ( $b = -.277, p < .05$ ), identifying as politically conservative ( $b = -.178, p < .001$ ).

Model 2 of Table 3 measures support for rehabilitative criminal justice policies and the information treatment while controlling for both demographic and control variables. There was no relationship between support for rehabilitative criminal justice policies and the information treatment ( $b = -.013, p = .895$ ), stigma of a criminal record ( $b = -.081, p = .161$ ), identifying as White ( $b = -.136, p = .310$ ), income ( $b = .014, p = .701$ ), identifying as Hispanic ( $b = -.241, p = .062$ ), and age ( $b = .007, p = .135$ ). There were no positive relationships between support for rehabilitative criminal justice policies and any of the variables. There was a negative association between support for rehabilitative criminal justice policies and racism ( $b = -.224, p < .001$ ), a college education ( $b = -.483, p < .001$ ), identifying as male ( $b = -.270, p < .05$ ), and identifying as politically conservative ( $b = -.095, p < .05$ ).

### **Discussion**

The US administers longer sentences, spends more on prisons, and executes more of its citizens than every other advanced industrial democracy (Enns, 2016). The US was once aligned with other advanced industrial democracies in terms of incarceration per 100,000 citizens, but

experienced a dramatic increase in the latter half of the 20<sup>th</sup> century, and into the 21<sup>st</sup> century. Public support for punitive criminal justice policies has been one of the driving forces behind the increase in incarceration rates in the US over the past half century. The current study examines public support for punitive or rehabilitative criminal justice policies. Using an online sample from Amazon Mechanical Turk, and an experimental design, I found that support for more rehabilitative criminal justice policies was not related to the information treatment I displayed to respondents. Below, I discuss the major findings from the current study, limitations of the study, and future directions for research on public support for punitive versus rehabilitative criminal justice policies.

The results suggest that exposure to accurate incarceration rate information did not reduce support for punitive criminal justice policies. The results also suggest that exposure to accurate incarceration rate information did not increase support for rehabilitative criminal justice policies. This shows that information treatment may be unlikely to change the public's pre-existing beliefs about punishments for crime. This is in accordance with previous studies that found information treatment to be unsuccessful in decreasing public punitiveness (Esberg & Mummolo, 2018; Shi, 2021; Kuklinski et al., 1998; Nyhan & Reifler, 2016). Therefore, corrective information treatment on its own is not sufficient to reduce public punitiveness. There are other factors that need to be considered when displaying corrective information to the public or respondents. Semester long criminal justice courses, information on individual case sentencing decisions, and short-term results (initial punitiveness returns in respondent after time has elapsed since the information exposure) showed a decrease in public punitiveness (Bohm & Vogel, 2004; Hough & Park, 2002). Brief exposure to incarceration rate trends over the last 70 years is the only information treatment used. There was no relationship between the information

treatment and support for either punitive or rehabilitative criminal justice policies. The findings suggest that mere exposure to accurate incarceration trend information is unlikely to change public punitiveness. Repetitive information treatment, over a period of time may prove to be more successful in reducing public punitiveness. Respondents may reduce their level of punitiveness if they are told why incarceration rates have spiked and what the implications of mass incarceration are. Reducing punitiveness through information treatment is possible, but how that information is displayed, how much it is displayed, and what kind of information is displayed are important factors to consider to future researchers attempting to conduct studies on information treatment to reduce public punitiveness.

Additionally, it is important for researchers to understand the dangers of misinformation. A variety of evidence surrounding a controversial or social issue may increase polarization regarding public opinion about crime, incarceration, and criminal justice, as the public tends to discount and dismiss evidence that contradicts their previous beliefs (Lewandowsky et al., 2012). Therefore, the information that researchers display about crime, incarceration, and criminal justice to respondents and the public should remain consistent and should not contradict information used in previous studies so that the public is not confused on an important social issue.

The study has a few limitations. First, the sample used in the experiment is an online convenience sample. An increasing number of studies are using nonprobability samples (Enns & Ramirez, 2018; Denver et al., 2018; Vaughan et al., 2019). However, Thompson and Pickett (2019) found that crowdsourced and opt-in panels are not equivalent to random sampling schemes in terms of generalizability. Future researchers could address this limitation by examining the research questions using a nationally representative sample. Second, the experimental



manipulation used in the study was short and only had text and picture descriptions. Though several prior studies that have also used information treatment to measure respondents' punitiveness also used short text or picture descriptions (Esberg & Mummolo, 2018; Indermaur et al., 2012). Future researchers could address this limitation by providing longer descriptions and conducting longitudinal studies, which some researchers have already begun to do (Bohm & Vogel, 2004).

Future researchers should use a larger, nationally representative sample to more accurately measure the effect of the information treatment used in the current study. Moreover, as mentioned above, longitudinal information treatment has been more successful in reducing punitiveness (Hough & Park, 2002; Bohm & Vogel, 2004). Therefore, support for punitive policies is likely to decrease with the repetition of information treatment over longer periods of time. Additionally, semester long criminal justice courses show that repetition and longer descriptions of information provided to respondents is more effective in reducing punitiveness (Bohm & Vogel, 2004). The repetition of corrective information has only been measured at a basic level; more research may prove that repetitive information treatment reduces punitiveness (Lewandowsky et al., 2012). A possible future study should measure the effect that the media has in reporting crime, crime rates, criminal cases, incarceration rates, etc. on respondents after receiving corrective information and measure the potency of the effect of the media over time.

In conclusion, the current study contributes to literature on support for punitive or rehabilitative criminal justice policies by measuring the effect of corrective information on the incarceration rates since the 1950's in the US and other western, industrialized democracies. The results show that there is no effect on support for punitive or rehabilitative criminal justice policies when using incarceration rates in the US and other western, industrialized democracies

since the 1950's. Future research is needed to measure more effective ways in reducing public punitiveness to slow the era of mass incarceration.

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**Table 1. Descriptive Statistics**

Variable	Mean or %	Range
<b>Dependent Variables</b>		
Support for punitive policies	2.85	1-5
Support for rehabilitative policies	3.56	1-5
<b>Experimental Manipulations (Independent Variables)</b>		
Control group	50.72%	—
Treatment group	49.28%	—
<b>Control Variables</b>		
Stigma	3.27	1 - 5
Racism	2.98	1 - 5
<b>Demographic Variables</b>		
Male	71.98%	—
White	82.61%	—
Hispanic	21.26%	—
College degree	76.33%	—
Conservative	2.79	1-5
Age	37.91	24-70
Income	4.11	1 - 7
<i>N</i>	207	

**Table 2. OLS Regression Models Explaining Public Punitiveness (MTurk Sample:  $N = 207$ )**

Variable	Dependent Variable:	
	Punitive	
	Model 1	Model 2
<b>Experimental Manipulation</b>	.059 (.099)	.018 (.089)
<b>Demographic Variables</b>		
Male	-.038 (.114)	-.025 (.104)
College degree	.179 (.123)	.019 (.113)
White	-.152 (.130)	-.068 (.118)
Income	.001 (.035)	.011 (.031)
Hispanic	.326 (.126)*	.263 (.114)*
Conservative	.114 (.038)**	.019 (.037)
Age	-.004 (.005)	-.002 (.004)
<b>Control Variables</b>		
Racism	—	.174 (.054)**
Stigma	—	.206 (.051)***

*Notes:* Regression coefficients are presented with standard errors in parentheses.

\* $p < .05$ ; \*\* $p < .01$ ; \*\*\* $p < .001$  (two-tailed)

**Table 3. OLS Regression Models Explaining Public Support for Rehabilitative Policies (MTurk Sample:  $N = 207$ )**

Variable	Dependent Variable: Rehabilitative	
	Model 1	Model 2
<b>Experimental Manipulations</b>		
<b>Demographic Variables</b>		
Male	-.287 (.123)*	-.270 (.117)*
College degree	-.602 (.132)***	-.483 (.128)***
White	-.083 (.140)	-.136 (.133)
Income	.024 (.037)	.014 (.035)
Hispanic	-.277(.135)*	-.241(.128)
Conservative	-.178(.041)***	-.095 (.042)*
Age	.009(.005)	.007 (.005)
<b>Control Variables</b>		
Racism	—	-.223(.061)***
Stigma	—	-.081 (.058)

*Notes:* The referent group is experimental manipulation. Regression coefficients are presented with standard errors in parentheses.

\* $p < .05$ ; \*\* $p < .01$ ; \*\*\* $p < .001$  (two-tailed)

## Appendix A

Please read the following information from Dr. Peter K. Enns' 2016 book

### *Incarceration Nation:*

The US currently incarcerates **more of its population than any other country in the world**. England, Canada, and many of the Scandinavian countries have far fewer of their population incarcerated. Furthermore, the US spends **almost twice as much** on prisons as England and Canada and hands out **180 times** more life without parole sentences than England. Canada's criminal code does not allow life without parole sentences. The graph below depicts US and comparative countries incarceration rates by incarcerated individual per 100,000 citizens.



