Proposal: Electoral Politics and Perceptions of Crime, Justice, and the Police

Keywords: criminal injustice; police injustice; crime; race; justice policies

People's perceptions of crime and justice matter in profound ways to political behavior. Our collective responses to rule violations are fundamental to the operation of society, and our justice system represents one of the largest and most impactful public institutions. Perceptions of the justice system are an important component of institutional legitimacy as well as public cooperation with law enforcement and judicial processes (Tyler 1990; 2003). Public concern about crime—as well as popular support for punitive approaches to address crime—are used as motivation or justification for increases crime spending, harsher sentencing, and the continued use of the death penalty (e.g. Beckett and Sasson 2004). Many of these consequences fall disproportionately on racial and ethnic minorities: criminal danger is overestimated in neighborhoods with greater numbers of African-Americans (Quillian and Pager 2001), and African-Americans are disproportionately exposed to punitive criminal justice measures (e.g. Rosich 2007).

A series of events in the last few years have brought substantial attention to crime and justice as social and political issues, especially in their connection to race. The events are too numerous to list, but include the deaths of Trayvon Martin, Michael Brown, Erik Garner, Tamir Rice, Freddie Gray, and Sandra Bland; the protests and Black Lives Matter movement they inspired; as well as the police reactions to those protests. All of this has brought substantial attention to the intersection of race, crime, and justice in the political sphere. Protesters affiliated with the Black Lives Matter movement have disrupted several campaign events, and will surely continue to impact the presidential race in the coming year. President Barack Obama and presidential candidates Hillary Clinton and Rand Paul have all made major speeches on the topic, and the first Republican

presidential debate was criticized in the media for only devoting one question to the topic. New

policies, including significant reforms to policing and incarceration, have been proposed.

The recent surge in political attention may give the false impression that these issues are

novel or transitory in their relevance to politics. This is, of course, far from the first time that major

protests and national media and political attention have followed incidents involving perceived

police abuses of African-Americans. Most recently this list includes Amadou Diallo in 1999, Abner

Louima in 1997, Rodney King in 1991 (and the resulting protest riots in 1992), and the longer

history includes the 1964 police-abuse inspired protest riots in Harlem, Philadelphia, and Rochester,

the Scottsboro Boys in 1931, the large numbers of lynchings directed or assisted by police and other

members of the criminal justice system from Reconstruction through the Civil Rights Movement,

and far too many others to list. In fact, as the civil rights movement made overtly racist messages in

politics less socially acceptable, politicians began using crime and justice issues as a way to signal to

voters who remained uncomfortable with changes in the historical group social and economic

positions of African-Americans relative to whites (e.g., Alexander 2010; Beckett and Sasson 2004;

Hagan 2010; Tonry 2011), a tactic reflected perhaps most infamously in the "Willie Horton"

commercial from the 1988 presidential campaign. This usage, however, is not merely historical:

public opinion about crime and justice continues to be associated with racial animus toward blacks,

both in overt and hidden ways (Drakulich 2015a; 2015b).

Given the urgent relevancy of these issues, we propose to include a variety of questions

tapping into the intersection of race, crime, and justice in the 2016 American National Election

Studies (ANES) Time Series survey. Specifically, we propose three general sets of questions. The

first questions directly engage with an issue at the core of the recent community protests against the

police: the perception that the police treat groups differently on the basis of race. The second

questions get at a phenomena that has emerged in public debates around these issues: that people

have fundamentally divergent understandings of crime as a social problem. Emerging from these divergent understandings, the third set of questions asks about support for current criminal justice policies. In recognition of the requirement that proposed questions have a demonstrated record of relevance to political behavior, each of the questions proposed below comes directly from a prior survey conducted by the ANES, and each, as demonstrated below, is relevant to political behavior.

Perceptions of Police Injustice

Perceptions of the police differ markedly by race, ethnicity, and social class (e.g., Hagan and Albonetti 1982; Hagan et al. 2005). Negative evaluations of the police are rooted in negative encounters with the police, particularly encounters characterized by a lack of respect or which appear biased (e.g. Tyler and Waslak 2004; Weitzer and Tuch 2005; Brunson and Weitzer 2009)—encounters which are also stratified by race and ethnicity and appear to explain much of the differences in perceptions of the police across these groups (Hagan et al. 2005; Skogan 2005; Brunson and Weitzer 2009). Additionally, negative evaluations of the police are influenced by media depictions of police bias or abuse (Weitzer and Tuch 2005)—something of particular relevance given the substantial recent media attention to police treatment of African-Americans.

In turn, perceptions of the police are likely to be relevant to political behavior: the police may be the most salient point of contact with government institutions for some sections of the population, and perceptions of their legitimacy are likely to color a larger sense of political legitimacy and thus affect voting behavior (see discussion in Matsueda et al. 2012). In fact, the questions proposed below, which were included in the 2006 ANES Pilot Study, have been shown to be related to perceived political efficacy, ideological identification, voter turnout and vote choice (Matsueda et al. 2012). Most significantly, perceived police injustice was negatively associated with a Republican vote choice even after political ideology and party affiliation (as well as a host of demographic characteristics) were accounted for (Matsueda et al. 2012). This same measure has also been shown

to be relevant to a variety of policy preferences (Matsueda and Drakulich 2009).[1]

The measure involves the following four questions (Mod. 22 in the 2006 ANES Pilot Study):

A1. What percent of ALL the people who are suspected of committing a crime in America do you think are treated fairly by the police? 0-100

A2. What percent of all the POOR people who are suspected of committing a crime in America do you think are treated fairly by the police? 0-100

A3. What percent of the WHITE people who are suspected of committing a crime in America do you think are treated fairly by the police? 0-100

A4. What percent of the BLACK people who are suspected of committing a crime in America do you think are treated fairly by the police? 0-100

The Framing of Crime and Criminal Justice Inequalities:

Crime—and the appropriate justice response to it—has long been a contentious political issue in the US. Public debates and disagreements about crime—including those currently occurring about policing and mass incarceration—are rooted in fundamentally disparate understandings of crime as a social problem. A collective action framing perspective is useful for describing how individual understandings of social problems are rooted in larger social processes. The perspective suggests that actors will seek to frame social problems in ways that support the particular solutions they prefer (Benford and Snow 2000; Goffman 1974). Recent work (Drakulich 2015a), using prior ANES surveys, has described one important set of interrelated frames to characterize public opinion on crime and justice as issues—a framing package which supports the status quo: a highly punitive system that disproportionately affects African-Americans with devastating consequences for that community. This set of frames is rooted in perceptions of intergroup conflict and is consistent with the maintenance of existing racial group hierarchies—even as this goal is not openly stated or often explicitly acknowledged by supporters (Drakulich 2015a). In particular, those wishing to preserve

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[1] Both of these publications also include detailed descriptions of the measurement properties of the measure, including a historical overview of the measurement of these phenomena in prior work (Matsueda and Drakulich 2009; Matsueda et al. 2012).

intergroup inequalities may be more likely to see crime as a major problem—even in the midst of a

long crime decline (a *problem identification* frame); more likely to prefer individualistic explanations for

disparities in exposure to the criminal justice system (an *attributional* frame); and be angry about the

prospect of the potential personal consequences of the problem (a *motivational* frame).

These frames are clearly relevant to political behavior. Historically, references to crime have

been employed to signal voters who are uncomfortable with perceived changes in the relative

standing of racial groups, most famously as part of the Republican Party's "southern strategy" (e.g.,

Alexander 2010; Beckett and Sasson 2004; Hagan 2010; Tonry 2011), and recent work suggests this

connection persists (Drakulich 2015a).

The 2008 ANES Panel Study includes questions tapping into each of these frames (as

described in Drakulich 2015a). Exploratory analyses, presented briefly here, suggest direct evidence

of their relevance to political behavior.[2] Each of the models in Table 1 predicts a measure of

whether the respondent voted for Barack Obama or for a different candidate for president in 2008

(restricting the analyses to Obama versus McCain produced substantively identical results). Column

1, surprisingly, suggests those who felt the nation's crime rate was getting worse prior to the election

were more likely to vote for Obama versus McCain. An exploration of this unexpected finding

reveals a fascinating dependence of perceptions of crime on the political context. As Figure 1

reveals, those who ended up voting for Obama felt the nation's crime rate was worsening right up

until Obama took office, at which point these perceptions declined, while the exact reverse occurred

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[2] More detailed information on the construction of these measures, their measurement properties, and the models can be found in Drakulich 2015a. The crime severity scale presented here is based on six measures: perceptions of the nation's current crime rate and moral values compared to 2001 (asked in both waves 1 and 6), and from wave 6 two additional questions asking about the amount of violent crime in the nation and the respondent's city or town versus the prior year. The scale has an alpha reliability coefficient of .75. The attributional measure is constructed as the difference between people's preferences for genetic versus discriminatory explanations (see Drakulich 2015a). Unfortunately, these questions were asked only after the election (in wave 16). These questions involved a manipulation in which respondents were randomly selected to read different news articles on the subject—the model controls for each news article relative to those who did not read one. Similarly, the anger measure is based on a single available question also asked after the election (in wave 15). Thus we recommend caution interpreting the causal direction pending future work. Some of these measures are also used in Drakulich and Siller (forthcoming).

for those who ended up voting against Obama.

Table 1.   Logistic regressions predicting voting for Barak Obama in the 2008 presidential election

	1		2[a]		3[a]		4[b]		5		6	
	β	se	β	se	β	se	β	se	β	se	β	se
Female	-.15	.19	-.38	.29	-.21	.31	-.11	.15	.01	.19	-.25	.19
Age	-.06	.07	-.04	.11	-.06	.12	.03	.06	-.13	.07	-.15*	.07
Married	.45	.32	1.07*	.53	1.00	.55	.17	.26	-.38	.26	-.23	.26
Separated/divorced	.93*	.40	1.98**	.66	2.08**	.68	.67*	.33	-.01	.31	.03	.31
Education	.27**	.10	.09	.15	.03	.16	.16*	.08	-.14**	.05	-.13**	.05
Income	.01	.02	.02	.03	.05	.04	.00	.02	-.02	.03	-.02	.03
Unemployed	.13	.35	.91	.47	.53	.53	.31	.28	1.06*	.44	1.00*	.45
Black	2.94***	.61	2.97**	1.12	2.46*	1.14			4.38***	.97	3.97***	.96
Hispanic	.54	.41	.13	.54	.40	.60			.49	.35	.33	.36
Conservative	-.78***	.06	-.76***	.09	-.70***	.10	-.73***	.05	-.55***	.08	-.52***	.08
Republican	-.70***	.07	-.66***	.09	-.61***	.10	-.75***	.05	-.93***	.06	-.90***	.06
Crime, morals worse	.32*	.16										
Genetics > discrimination			-.46***	.13	-.34*	.14						
Symbolic racism					-.43*	.18						
Angry about crime							-.12*	.05				
More crime spending									-.31***	.07		
Favor death penalty											-.15*	.06
Intercept	4.42***	.57	4.11***	1.05	5.35***	1.32	4.92***	.50	3.14***	.71	2.92***	.70
N	1184		544		494		1634		1372		1301	

*p<.05, **p<.01, ***p<.001 (2-tailed). [a] includes controls for experiment. [b] Non-Hispanic whites only.

Fig. 1: Perception that nation's crime rate is worse than in 2001
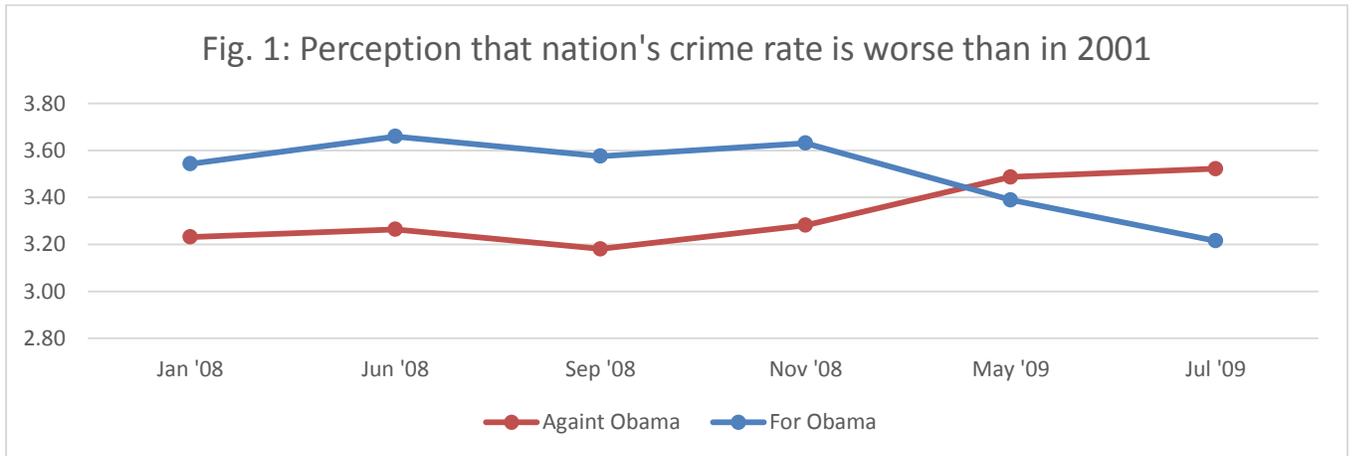
Two other frames are relevant to political behavior in a more straightforward fashion.

Those who believe that criminal justice inequalities are the product of racial genetic differences

rather than discrimination were substantially less likely to vote for Barack Obama, even after

controlling for demographics, political ideological, and party identification (Column 2). The association between this preference for individualistic explanations for racial disparities remains significant even after a measure of symbolic racism is included (Column 3), suggesting the association isn't simply the product of common roots in racist attitudes. Finally, while anxiety about the prospect of violent victimization was not relevant to political preference, those who were angry about the prospect of victimization were more likely to vote against Obama (Column 4).[3] Relatedly, using this same data, fear and anger appear to have very different relationships with social assistance versus law enforcement approaches to crime problems (Drakulich and Baranauskas 2014).

Thus, given the theoretical expectations and empirical evidence from prior ANES surveys, we propose that the following questions from the 2008 ANES Panel Study be included:

B1. Compared to 2001, would you say the following is now (much better, somewhat better, about the same, somewhat worse, or much worse / much worse, somewhat worse, about the same, somewhat better, or much better)? *The nation's crime rate.*

B2. Compared to 2001, would you say the following is now (much better, somewhat better, about the same, somewhat worse, or much worse / much worse, somewhat worse, about the same, somewhat better, or much better)? *The nation's moral values.*

B3. Compared to one year ago, was the amount of violent crime in your city or town during the last month more, less, or about the same? For those who answered "more" or "less," a follow-up asks "Is it a great deal (more/less), moderately (more/less), or slightly (more/less)?"

B4. Compared to one year ago, was the amount of violent crime in the United States during the last month more, less, or about the same? For those who answered "more" or "less," a follow-up asks "Is it a great deal (more/less), moderately (more/less), or slightly (more/less)?"

B5. African-Americans are much more likely to be arrested, jailed and imprisoned in the U.S. than are whites. There are many possible explanations for these differences. How much do you think these differences are due to racial discrimination? (very much, some, not much, not at all)

B6. African-Americans are much more likely to be arrested, jailed and imprisoned in the U.S. than are whites. There are many possible explanations for these differences. How much do you think these differences are due to genetic differences between blacks and whites in their tendency toward violence? (very much, some, not much, not at all)

B7. When you think about the following events affecting your own future, how do you feel? Afraid?

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[3] This was only true among non-Hispanic white respondents. Among other race-ethnic groups, anger about crime did not predict voting against Obama.

(Not at all afraid, slightly afraid, moderately afraid, very afraid, extremely afraid). *Being the victim of a violent crime.*

B8. When you think about the following events affecting your own future, how do you feel? Angry? (Not at all angry, slightly angry, moderately angry, very angry, extremely angry). *Being the victim of a violent crime.*

Crime Policy:

The framings of crime and justice described above are tied to support for specific kinds of policies to address crime as an issue (or: *prognostic* frames). Thus, for the same reasons described above, public opinion on these policies is also likely to be relevant to political behavior (they are discussed separately in part because they draw on questions from a different ANES survey).

The 2008 Time Series study included two questions about crime policy: support for the death penalty and for federal spending on crime (see Drakulich 2015b). As above, exploratory analyses suggest direct evidence of their relevance to political behavior.[4] As columns 5 and 6 in Table 1 show, both those who think we should spend more money on crime and those who favor the death penalty were less likely to vote for Obama in 2008. Thus, as above, we propose that both questions be included in the 2016 Time Series study:

C1. Should federal spending on dealing with crime be increased, decreased, or kept about the same? Should it be increased/decreased a great deal, a moderate amount, or a little?

C2. Do you favor or oppose the death penalty for persons convicted of murder? Strongly or not strongly?

Conclusion:

It is particularly interesting that each of these crime and justice measures appear to be relevant to political behavior in the 2008 election, a year when crime and justice issues were not frequently discussed or debated by any of the presidential candidates. We see this as evidence of the enduring relevance of crime as a political issue even when not directly invoked, and we expect these issues may play an even more prominent role in the coming election given the sudden increase in

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[4] Both measures are based on single questions asked prior to the 2008 election.

explicit discussions of crime and justice by the presidential candidates.

Each of these sets of questions are likely to add valuable information about political behavior on their own, but they are also designed to add value in concert with one another. For instance, perceptions of injustice or understandings of crime may help explain opinions on crime policy or condition these opinion's effect on other political behavior. In addition to their relevance to political measures, these questions are likely to interact in interesting ways with other measures generally included in ANES surveys. For instance, both police injustice and broader perceptions of crime and justice have been shown to interact in prior ANES studies with measures of racial attitudes but also other public policy opinions, particularly those policies designed to ameliorate economic inequalities (Drakulich 2015a,b; Matsueda and Drakulich 2009). For all these reasons, we believe it would be valuable to include these measures in the 2016 Time Series Study.

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