

Feeling Politics: Carceral Contact, Well-Being, and Participation

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How do criminal justice interactions affect political participation and through what mechanisms? In this new era of criminal justice expansion, the number of people who have had interactions and who will interact with the criminal justice system has increased significantly. Notwithstanding the abundant scholarship detailing the expansion of the carceral state, the subsequent increases in carceral contact, and the negative externalities of punitivity, we know little about the mechanisms that drive the observed negative political consequences. We know what is happening but not how it is happening. I argue that predacious criminal justice policies are having a negative interpretative policy feedback effect on the well-being of those contacted. First, I find that feelings of well-being are strongly associated with political participation. Second, using structural equation modeling, I offer evidence that carceral contact has a strong direct effect on well-being and a strong indirect effect on political participation mediated through measures of well-being. Twenty-three percent of the political suppression effect is an indirect effect of carceral contact mediated through well-being.

KEY WORDS: policy feedback, carceral contact, well-being, political participation

与刑事司法产生的互动如何影响政治参与？通过哪些机制？在刑事司法扩大的新时代，那些曾与刑事司法体系有过接触，或将要接触该体系的人群数量已经显著增加。尽管存在大量学术文献详细描述刑事司法状态（*carceral state*）的扩大、随后刑事司法接触的增加、以及惩罚的消极外部性，但我们对所观察到的消极政治结果的驱动机制知之甚少。我们知道正在发生的是什麼，但不知道它是如何发生的。我论证认为，暴力刑事司法政策正对那些被接触者的福祉产生消极的诠释性政策反馈效应。第一，我发现幸福感与政治参与强烈相关。第二，通过使用结构方程模型，我证明刑事司法接触对福祉产生强烈的直接效果，且对政治参与产生强烈的间接效果，这些效果是通过衡量幸福感产生的。通过衡量幸福感，23%的政治压迫效果是刑事司法接触产生的间接效果。

关键词: 政策反馈, 刑事司法接触, 福祉, 政治参与

¿Cómo afectan las interacciones de la justicia penal a la participación política y a través de qué mecanismos? En esta nueva era de expansión de la justicia penal, el número de personas que han tenido interacciones y que interactuarán con el sistema de justicia penal ha aumentado significativamente. A pesar de la abundante erudición que detalla la expansión del estado carcelario, los aumentos posteriores en el contacto carcelario y las externalidades negativas de la punibilidad, sabemos poco sobre los mecanismos que impulsan las consecuencias políticas

negativas observadas. Sabemos lo que está sucediendo, pero no cómo está sucediendo. Sostengo que las políticas de justicia penal predatoras están teniendo un efecto negativo de retroalimentación de política interpretativa sobre el bienestar de los contactados. Primero, encuentro que los sentimientos de bienestar están fuertemente asociados con la participación política. En segundo lugar, utilizando el modelo de ecuaciones estructurales, ofrezco evidencia de que el contacto en la cárcel tiene un fuerte efecto directo sobre el bienestar y un fuerte efecto indirecto sobre la participación política mediada a través de medidas de bienestar. El 23% del efecto de supresión política es un efecto indirecto del contacto en la cárcel mediado por el bienestar.

PALABRAS CLAVE: retroalimentación política, contacto en la cárcel, bienestar, participación política

Introduction

Recent scholarship has detailed the negative consequences associated with the growth of the criminal justice system. In the United States, there are currently 2.2 million people incarcerated (The Sentencing Project, 2018). A third of America's adult population has passed through the criminal justice system (Lerman & Weaver, 2014), and some 16 million people have a criminal record (Brame, Turner, Paternoster, & Bushway, 2012). These numbers are markedly higher than any other nation and are historically and comparatively unprecedented (Travis, Western, & Redburn, 2014). The growth of the criminal justice system represents an extraordinary expansion of punitive governmental power into the everyday lives of *some* people, with serious adverse personal and political consequences for those who experience carceral contact and their respective families and communities (Burch, 2013).

Despite the abundant scholarship detailing the expansion of the criminal justice system, the subsequent increase in the frequency and likelihood of carceral contact, and the negative externalities associated with carceral contact, we know little about the mechanisms through which scholars posit we are observing the negative outcomes. In *Trading Democracy for Justice*, Traci Burch (2013) said, "while [her] analysis cannot shed much light on the particular mechanisms by which [political] suppression occurs ... the results at least provide compelling evidence that *something* is happening at the neighborhood level because of the criminal justice system" (p. 85). The problem arises from a lack of data concerned with carceral contact and the contacted populations' participatory behavior and attitudes. Current literature details the negative effects of carceral contact on political participation and well-being; however, we do not know if the effects are happening simultaneously or are path dependent. Specifically, does carceral contact adversely affect both individual well-being and political participation at the same time? Or does the former—well-being (highly correlated with political participation)—mediate the reductions in participation caused by carceral contact?

I utilize the 1997 National Longitudinal Survey of Youth to examine these questions. I examine five comprehensive measures of cognitive well-being that accurately capture the concepts over time. This improves on past research solely focused

on linking physical health and mobility to political participation. I also utilize four comprehensive measures of criminal justice contact and three measures of participatory behavior. Previous studies have included various measures of political participation and carceral contact, but they have not incorporated measures of well-being nor have they utilized structural equation modeling to assess the direct and indirect effects of carceral contact on theorized mechanisms.

My initial contribution is a clearer understanding of the direct and indirect relationship between carceral contact and participation. This research moves the conversation from *what* is happening to *how* it is happening. I find that measures of cognitive well-being are strongly associated with participatory behavior. The marginal effects are similar to that of, if not greater than, the effects of race, income, geographic location, and age. This has important implications for understanding how criminal justice policies are shaping American mass politics. The second and arguably the most important contribution is to identify the direct and indirect effects of carceral contact on measures of participatory behavior mediated through measures of well-being. I find that 23 percent of the political suppression effect produced by carceral contact is an indirect effect of carceral contact mediated through measures of well-being. My results strongly suggest that the causal arrow points in my hypothesized direction—carceral contact adversely affects feelings of well-being and thereby subsequent political participation. My results have important implications for the study of policy feedback, public policy, law and society, American politics, and political participation.

I begin with a discussion of policy feedback effects and criminal justice policies. Next, I review the literature on carceral contact and political participation. I then examine the relationship among well-being, carceral contact, and political participation. The statistical analysis proceeds in two parts. First, I estimate five longitudinal analyses utilizing three separate measures of participation: voting, registration, and interest in politics. I also estimate the average marginal effects of voting, including disaggregating for presidential and midterm cycles, and voter registration. These models are used to establish a direct relationship between well-being and participatory behaviors. Second, I estimate a structural equation model to identify the direct and indirect effects of carceral contact on political participation, mediated through measures of well-being. Finally, I discuss the serious implications of these findings and avenues for future research.

Policy Feedback and Criminal Justice Policies

Suzanne Mettler (2007) argues that a key concern of public policy “is whether it promotes or discourages citizen involvement in the day-to-day activities of American democracy” (p. 351). Research has found that public policies influence mass political behavior (Béland & Schlager, 2019; Mettler & Soss, 2004). The design of a policy has implication for citizens’ perception of their role, place, and worth within the polis (Schneider & Ingram, 1993). Mettler (2007) finds that public policies function as intuitions and this assertion includes criminal justice policies. I argue that criminal justice policies, more so than others, convey to citizens their rights and privileges. A policy

feedback approach views (criminal justice) policies as independent variables with effects on political outcomes (Pierson, 1993; Skocpol, 1995). Policy feedback refers to the process through which once enacted, public policies restructure subsequent political process (Skocpol, 1995).

Pierson (1993) argues that there are two types of policy feedback effects. Resource effects focus on how the resources and benefits that policies provide shape patterns of behavior. However, contact with the criminal justice system is associated with resource extraction. The extraction of economic resources (Meredith & Morse, 2017) and the extraction of human capital are both forms of punishment. I argue that resource extractive policies convey embedded messages about the role, place, and worth of those punished (Schneider & Ingram, 2019). Interpretive effects are how policies convey (the above) meaning and information to citizens. The goals of criminal justice policies are to identify and punish deviants and deter deviant behavior (Travis et al., 2014). Schneider and Ingram (1993, 1997) argue that public policies targeted at deviants (i.e., criminal justice policies) do not convey resources and benefits—only burdens. Nevertheless, resource effects have both a direct (negative) effect on participation as well as an indirect negative effect through the effect of these negative resource effects on the interpretative effects. Consequently, criminal justice policies produce interpretive policy feedback effects by means of deviant social construction, resource extraction, and the application of burdens.

Weaver and Lerman (2010) posit that “criminal justice policies represent a distinct and overlooked sphere of government provision ... nonetheless [it] is an important source of political identity, action, and thought. For many citizens, their most frequent, visible, and direct contact with government may be through a prison, court, or police station, rather than a welfare office, state capital, or city” (p. 818). A quantitative review of the literature on policy feedback found 65 studies, which provided 578 estimations of feedback effects. Of the 65 studies, only three focused on criminal justice policies and of the three only two looked at its effect on participation, attitudes, and civic engagement (Larsen, 2019).

Maltby (2017) found that the enforcement of criminal justice policies sends different messages to Blacks as opposed to Whites, which produces negative orientations toward government and suppresses participation. Criminal justice policies are heavily racialized. These policies operate as race-making institutions (Lerman & Weaver, 2014). The racialized disproportionality of the allocation of benefits and burdens and the decentralized nature of law enforcement suggest utilizing a racialized feedback approach. This approach argues that policy feedback effects have heterogeneous effects across race (Michener, 2019). I argue that the heterogeneous effects are evident in the racial disparities within policing, sentencing, and incarceration. Nevertheless, poor uneducated Whites have elevated levels of carceral contact and higher incarceration rates compared to more educated and higher socioeconomic status Whites (Travis et al., 2014). The leviathan appears to have a bias for minorities over Whites, but once one enters the carceral state there is less variation in the level of predation one experiences. Therefore, the effects across race of those who experience direct and indirect contact would not necessarily be significantly distinct.

Research has found that carceral contact negatively affects the political socialization process, which adversely impacts attitudes toward government and participation (Weaver & Geller, 2019; Weaver & Lerman, 2010). Scholars studying carceral contact and participation have given us great insight into what is happening but they do not tell us *how* it is happening. I argue that direct and network contact with the criminal justice system has a negative interpretative feedback effect on well-being, which is a mechanism that mediates the decreases in political engagement. Specifically, carceral contact negatively impacts individuals' perceptions of their role, place, and worth within society, this adversely impacts well-being, and is in part, *how* the negative political outcomes are produced. Next, I will discuss the effects of criminal justice contact on participation, the connection between well-being and participation, and the connection between carceral contact and well-being.

Carceral Contact and Political Participation

Weaver and Lerman (2010) argue that "contact with the criminal justice system is associated with diluted political engagement" and that those who experience contact "are less likely to be politically active" (p. 824). Scholars have found that even routine carceral contact, like being stopped or pulled over by police, can adversely affect political participation (Epp, Maynard-Moody, & Haider-Markel, 2014). First time misdemeanor defendants have also been found to vote in lower rates in the following election cycle (White, 2019a). Serving even short sentences in prison or jail is also negatively associated with voter registration and voting (Bobo & Thompson, 2006). In addition, individuals that experience family member conviction or incarceration similarly experience a demobilization effect (White, 2019b). White (2016) found that experiencing familial incarceration reduced turnout by 15 percent in the following election cycle. Lee, Porter, and Comfort (2014) argue that familial incarceration serves as a barrier to political participation.

Lerman and Weaver (2016) argue that scholars have not been "sufficiently attentive to the intersection between democratic development and the carceral state" (p. 1). Nor have scholars given adequate consideration to the role of government in citizens' lives (Mettler, 2007). There has been literature on the political consequences of some government programs adding to our understanding of how public policies can effect civic and political participation (Mettler, 2002; Mettler & Soss, 2004; Soss, 2005).

Criminal justice policies are important because they play a direct role in social learning (Justice & Meares, 2014). A larger carceral state means a larger system of stigmatization, marginalization, and legal discrimination (Alexander, 2012). It is "not a passive system that merely enforces laws. It actively shapes the relationship between citizen and state, both instrumentally (by enforcing laws and roles) and expressively (by promoting narratives about who is law-abiding and who is not)" (Weaver, Hacker, & Wildeman, 2014, p. 10). This social learning process defines "individual civic capacities, feelings of political efficacy, and trust in officials; and endows citizens with a hidden curriculum," which shapes "membership, identities, and perceptions" (Weaver et al., 2014, p. 13). The criminal justice system is a "systemic,

sustained, targeted, and purposeful" (Justice & Meares, 2014, p. 161) means of social learning. Having contact with the criminal justice system "teaches citizens not simply how criminal justice operates, but how responsive and fair the political system is more broadly" (Lerman & Weaver, 2014, p. 141). This learning process produces both an interpretive policy feedback effect and an indirect negative resource effect on the interpretative effects which have a direct effect on individuals' attitudes and orientations toward political participation.

Carceral contact has been theorized to affect attitudes and orientations toward political participation through: nontraditional beliefs, social disorganization, and demobilization. These mechanisms suggest that lower participation rates within high-contact communities result from cultural transmission and direct observation (Hannerz, 1969). All three of these mechanisms suggest an interpretive feedback effect. Cultural transmission refers to the idea that previously incarcerated individuals share their political opinions, beliefs, and attitudes with others in their social environment. For example, living in proximity to ex-convicts exposes community members to higher levels of dispiritedness and perceptions of institutional discrimination (Abu-Jamal, 1996). Direct observation refers to the idea that living in proximity to ex-convicts allows residents to personally observe their neighbors and family members having negative interactions with the criminal justice system.

Burch (2013) found little support for the nontraditional beliefs hypothesis but suggests that the effects of imprisonment on political participation most likely operate through social disorganization and demobilization. Yet, she finds only partial support for the social disorganization hypothesis and no significant support for demobilization. What these mechanisms have in common is an emphasis on the social environment and network contact. Carceral contact adversely affects participation via direct and network contact conveying meaning and information to citizens, which has an adverse impact on participatory behaviors.

However, other scholars argue that there are additional factors involved in the assessment of incarceration's effects on participation, which are positively associated with political participation and negatively associated with incarceration (Fleisher, Decker, & Curry, 2001). Research has found that severe felon disenfranchisement laws increase surrogate participation (Anoll & Israel-Trummel, 2019) and that personal connections to civil society organizations have a positive effect on nonvoting political participation (Owens & Walker, 2018). Furthermore, outreach to felons was found to considerably reduce the negative effects associated with incarceration (Gerber, Huber, Meredith, Biggers, & Hendry, 2015). There are also limitations to consider when utilizing self-reports of political participation. Civically engaged individuals have been found to overreport voting (Vavreck, 2007) and convicted criminals have been known to inflate their rates of participation (Gerber, Huber, Meredith, Biggers, & Hendry, 2017). In addition, Gerber et al. (2017) and Burch (2011) argue that selection bias and measurement error produce inflated effects of serving time in prison on voting, producing a negative association larger than the true effect.

The above arguments are valid and persuasive. However, they are focused on what is happening not how it is happening and they are measuring the differences between individuals who have been incarcerated or convicted of a felony and those who have not. I focus on those who have had carceral contact below the level of incarceration and felony conviction and those that have experienced family member incarceration. Furthermore, longitudinal data uses a combination of past measures of behavior and measured covariates to account for static differences between those who have experienced carceral contact and those who have not reducing the effects of selection bias and measurement error. In addition, utilizing structural equation modeling, I am able to obtain stronger results by removing measurement error through the use of latent variables as independent variables (Acock, 2013). A model with latent variables estimates the causal relationship between variables in the absence of measurement error (Morgan, 2013).

Well-Being and Participation

Well-being is defined as a positive state of affairs brought about by the satisfaction of interpersonal needs (physical and psychological) (Cooper, 2013; Wong, 2011) and “by the simultaneous and balanced satisfaction of diverse objective and subjective needs of individuals, relationships, organizations, and communities” (Prilleltensky, 2012, p. 2). Well-being is reflected in satisfaction with one’s *social environment* and *institutional relationships* (Duff, Rubenstein, & Prilleltensky, 2016). Well-being is also strongly correlated with political efficacy. Low levels of political efficacy are associated with adverse well-being and they are both produced and cultivated in part through interactions with institutions (Eisenberger, 2012; Gore, Griffin, & McNierney, 2016). Internal political efficacy is a feeling of personal competence and is associated with interest in government and political participation (Wolak, 2018). The data allow me to include interest in politics as a dependent variable. This is important because (i) efficacy is included in most explanations of political participation and (ii) it is viewed as a psychological or well-being resource (Valentino, Gregorowicz, & Groenendyk, 2009).

Suzanne Mettler (2002, 2007); Joe Soss (1999, 2005) and Soss and Weaver (2017); Andrea Campbell (2002, 2003, 2012); Soss, Fording, and Schram (2011); and others have shown that people come to understand their government through their interactions with it, and other scholars have found that well-being influences participation in social institutions (Fletcher, 2014). Robert Lane (1959) argues that well-being is particularly important for evaluating political behavior in systems, like the United States, where participation and access are the primary channels for petitioning the government.

People’s well-being is strongly associated with their political calculus. It plays a critical role in how citizens view politics (Redlawsk, 2006). Well-being can affect changes in political interest, opinions, and behavior. Affective Intelligence theory posits that there are two emotional systems. The “disposition system” produces enthusiasm and increased participation. The “surveillance system” produces anxiety

or fear in response to perceived political threats, which has the effect of increasing information seeking and participation (Brader, Valentino, & Suhay, 2008; Valentino, Brader, Groenendyk, Gregorowicz, & Hutchings, 2011; Valentino, Hutchings, Banks, & Davis, 2008). Yet, “despite the prevalence of emotion in popular discussions of electoral mobilization, the vast literature on political participation does not include such forces in causal models” (Valentino et al., 2011, p. 157). The analysis that follows fills this gap in the literature.

I argue that having even network contact with the criminal justice system produces stress which compromises one’s well-being and thereby decreases the likelihood of political participation. Research on stressors focuses on discrepancies in exposure and vulnerability in terms of one’s *social environment* (Hill, Ross, & Angel, 2005) and level of carceral contact (Taylor & Turner, 2002), and how these in turn affect one’s well-being. Environmental stressors are defined by one’s *institutional relationships* (Aneshensel, Phelan, & Bierman, 2013) and are rooted in the social environment. Differences in exposure to stress play an important role in explaining variations in well-being (Turner, Wheaton, & Lloyd, 1995). Wheaton, Young, Montazer, and Stuart-Lahman (2013) found that “a stressor cannot be defined independently of the social environment in which it occurs because its meaning, and thus its level of threat, is defined by a complex configuration of life history, the social contextual location of its occurrence, and the prevalence of the same experience in that context” (p. 301). However, few studies of carceral contact have questioned respondents about experiences that occur within their social environment (Kressin, Raymond, & Manze, 2008).

There are many variables believed to contribute to well-being disparities, but Aneshensel et al. (2013) find that disparities are based on how advantaged or disadvantaged one social group is compared to another. Because various social groups have different relationships to institutions, processes of marginalization, and unequal distributions of resources emerge in a myriad of categories, including well-being, creating systemic disparities (Tilly, 1999). This is important because deviancy is not an earned status. Deviancy is a social construction and crime and punishment are policy outcomes. Most importantly, punishment is not directly correlated with criminal activity, as is evident in the racial and spatial concentration of mass incarceration (Travis et al., 2014). For example, Blacks are more likely than Whites to report that carceral contact impacts their well-being (Blankenship, del Rio Gonzalez, Keene, Groves, & Rosenbergs, 2018). The *stress process theory* posits that when stressors are perceived as unpredictable and out of one’s control they will overwhelm an individual’s capacity to manage their stress, thus, compromising their well-being (Brown, Bell, & Patterson, 2016). I argue that once compromised, lower levels of well-being are associated with decreased levels of political participation.

While the influence of well-being on political participation and the effect of institutional interactions on well-being have been studied at length in other disciplines, political scientists have scarcely controlled for these variables (Burden, Fletcher, Herd, Jones, & Moynihan, 2017). A meta-analysis of 90 studies published

in the top 10 political science journals between 2000 and 2010 found that 170 different independent variables were used to explain participation, but only three were related to well-being (Smets & van Ham, 2013). Burden et al. (2017) concur, arguing that political scientists have rarely acknowledged the influence of well-being on key behavioral outcomes. This oversight is significant because (i) feelings of well-being are correlated with political participation and (ii) this inattention has created a gap in our understanding of participatory behavior in the age of criminal justice expansion. London and Myers (2006) posit that “regardless of how [the criminal justice system] operates, the sheer number [of people] who are currently incarcerated, or projected to be in prison at some point in their lives, means that this social institution is now and will likely continue to be important in shaping their life-course and health trajectories, as well as those of members of their families and communities” (p. 416).

Carceral Contact and Well-Being

A systematic review of literature dealing with carceral contact and health found that, without exception, higher levels of carceral contact are associated with decreased feelings of well-being (Aneshensel et al., 2013; Mossakowski, 2003; Taylor & Turner, 2002; Williams & Mohammed, 2009). The extent of one’s contact with the carceral state is directly related to one’s level of psychological distress (Geller, Fagan, Tyler, & Link, 2014), which increases the likelihood of eight health problems, including depression and nervousness (Lee, Fang, & Luo, 2013). Williams and Mohammed (2009) posit that witnessing aggressive policing tactics works as a macro-stressor, which has adverse consequences for well-being.

Having been incarcerated is also associated with poorer well-being (Massoglia, 2008) and some of the strongest effects on well-being emerge after release (Wildeman & Wang, 2017). In addition, the prevalence of post-traumatic stress disorder (PTSD) among the incarcerated ranges from 2 to 10 times the national average (Goff, Rose, Rose, & Purves, 2007; Kessler, Sonnega, Bromet, Hughes, & Nelson, 1995). Twenty-one percent of male inmates, 48 percent of female inmates, and 24 to 65 percent of male juvenile inmates are reported as having PTSD (Gibson et al., 1999; Heckman, Cropsey, & Olds-Davis, 2007; Zlotnick, 1997).

Economic strain is the most commonly reported source of stress related to carceral contact (Carlson & Cervera, 1992). The economic deprivation hypothesis argues that imprisonment removes residents who contribute economically, leaving the remaining members to cover the financial losses and less time to engage civically (Verba, Schlozman, & Brady, 1995). Carceral contact produces economic strain through legal fees and fines and missed work (Johnson, 2009). Scholars have found that even low level contact such as being stopped by police is associated with a reduced likelihood of interacting with financial and labor markets (Brayne, 2014). Household poverty increases after member incarceration (Arditti, Lambert-Shute, & Joest, 2003). This is largely due to the fact that over 50 percent of incarcerated fathers were the primary source of income for their family (Glaze & Maruschak,

2008). During incarceration families are pressured to cover the costs of amenities such as phone calls, food, and toiletries, which place large financial burdens on already impoverished families (Katzenstein & Waller, 2015).

Visher, Debus-Sherrill, and Yahner (2011) found that of 740 men released from prison, in various states, only 45 percent reported having formal employment. Forty-two percent remained unemployed up to a year after release (Visher et al., 2011). Post-release they are also faced with large child support arrearages and parole and probation costs which add additional economic stress on families through the threat of re-incarceration as a penalty for unpaid financial obligations (Katzenstein & Waller, 2015). Furthermore, courts have upheld legal financial obligation laws that prevent the previously incarcerated from voting until their debt is paid in full (Meredith & Morse, 2017). Most importantly, an inability to reintegrate into the economy has been found to be strongly associated with instances of major depression in men (Turney, Wildeman, & Schnittker, 2012).

Exposure to stressors explains a substantial amount of well-being disparities, even after controlling for economic variables (Sternthall, Slopen, & Williams, 2011). The stigma and shame associated with carceral contact attaches itself to family members (Braman, 2004). For women, family member incarceration is associated with a greater chance of becoming obese, having a heart attack or stroke, depression, and overall decreased well-being (Lee, Wildeman, Wang, Matusko, & Jackson, 2014; Wildeman, Schnittker, & Turney, 2012). Lee, McCormick, Hicken, and Wildeman (2015) found that women of color are disproportionately more likely to be attached to the criminal justice system through familial ties, and thus, more likely to experience these negative well-being outcomes.

The advent of mass incarceration has also produced a rise in the number of children experiencing parental incarceration. From 1980 to 2000, the number of children with an incarcerated father rose from 350,000 to 2.1 million (Western & Wildeman, 2009). The risk of maternal incarceration, though small, also increased 131 percent, from 1991 to 2007 (Kruttschnitt, 2010). Black and Hispanic children are 7.5 and 2.7 times more likely to have a parent imprisoned, respectively (Glaze & Maruschak, 2008). Twenty-five percent of African American children can expect to have a parent incarcerated in their lifetime (Pettit, 2012). Children of incarcerated parents are highly aware of the negative stereotypes associated with them (Nesmith & Ruhland, 2008), and even elementary school teachers exhibit bias toward children with incarcerated mothers (Dallaire, Ciccone, & Wilson, 2010). Children with incarcerated parents are more likely to be impoverished (Geller, Garfinkel, Cooper, & Mincy, 2009) and have more behavioral problems (Wildeman & Turney, 2014).

Family member incarceration during childhood (FMIC) is linked to decreased well-being (Baglivio, Wolff, Piquero, & Epps, 2015; Evans-Chase, 2014; White, Cordie-Garcia, & Fuller-Thomson, 2016) and increases in youth stress levels (Murray, Farrington, & Sekol, 2012; Murray & Murray, 2010). Adverse childhood experiences (ACE) are also negatively associated with well-being (Baglivio et al., 2015) and include parental arrest. A parental arrest is defined as childhood trauma because it is

usually abrupt, unanticipated, and involves violence (Braman, 2004; Comfort, 2007). With the militarization of American police and the use of militarized tactics (Balko, 2013), witnessing a household member being arrested has become an increasingly common and traumatic experience for some children.

Based on above arguments, I posit that carceral contact has a negative effect on political participation and well-being and that well-being is correlated with political participation. I hypothesize that carceral contact increases stress and a diminution in psychological well-being. Second, I hypothesize that the increased stress produced through carceral contact gives rise to diminished levels of political participation. In summation, carceral contact adversely affects well-being and once compromised decreased well-being is a mechanism through which we are witnessing political suppression.

Data and Methods

The National Longitudinal Survey of Youth 1997 (NLSY97) is a longitudinal study that follows a sample of American youth born between 1980 and 1984. A survey of youth is uniquely important when studying carceral contact because there is an extremely high incarceration rate among prime-age men of color and roughly 60 percent of the incarcerated population is under 40 years old (Travis et al., 2014). For comparison, only 36 percent of the total U.S. population is between 18 and 44 years old (Howden & Meyer, 2010). Using this data I estimate five direct effects models (four logistic regressions and one generalized least squares regression) and one structural equation model using maximum likelihood estimation. Maximum likelihood estimation is often the best option, because it uses listwise deletion, and is fairly robust even if there is some violation of normality.

The survey consists of 8,984 total respondents of which there are 4,599 men, 4,385 women, 2,335 Blacks, 1,901 Hispanics, 4,665 Whites, and 83 mixed-raced individuals. To date they have been surveyed 17 times (NLSY97, 2015). When asked about voting, 62 percent of Blacks and 57 percent of Whites said they voted or usually voted. This is consistent with the literature suggesting that African Americans tend to overreport turnout (Button, 1993). African American overreporting is linked to the historical circumstances surrounding enfranchisement and the Civil Rights Movement (McKee, Hood, & Hill, 2012). Stout and Martin (2016) argue that Blacks are not more likely to overreport voting in districts with descriptive candidates, regardless of the candidate's party affiliation. However, overreporting has only been found to affect a small proportion of independent variables in standard models (Cassel, 2003) and White nonvoters have also been found to overreport voting. Among all nonvoters, the most likely to overreport are the more educated, partisan, and religious, and those who have been contacted and asked to vote for a candidate (Bernstein, Chadha, & Montjoy, 2001).¹

When asked if they had been sentenced to spend time in a correctional institution, 6 percent of Blacks answered yes, compared with 5 percent of Whites. Six

percent of Blacks and 5 percent of Whites also reported that they had been arrested. When respondents were asked if they had a relative who had been incarcerated in the past 5 years, 28 percent of Whites and 50 percent of Blacks replied in the affirmative. These descriptive statistics are representative of a national Black–White incarceration rate of five-to-one and the racial and spatial concentration of mass incarceration (Travis et al., 2014).

Dependent Variables

I utilize two measures of voter participation: voter turnout and voter registration. *Vote* is a dichotomous variable, summarizing all years, measuring whether respondents voted (1) or not (0) in 2004, 2006, 2008, and 2010. In total 1,112 respondents reported being ineligible to vote, including 308 Blacks and 378 Whites. In the year 2004, 4,098 respondents reported voting; in 2006, 2,640 respondents reported voting; in 2008, 3,049 respondents reported voting; and in 2010, 3,041 respondents reported voting. In the first year that voting was measured, 2004, the respondents were between the ages of 20 and 24. The descriptive statistics show that in presidential election years 7,147 respondents reported voting and in midterm years 5,681 respondents reported voting. The voter *registration* question asked if a respondent was registered to vote (1) or not (0) in 2004, 2006, 2008, and 2010.

Interest in politics question is also measured in 2004, 2006, 2008, and 2010. I included interest because it is highly correlated with political participation and internal political efficacy (Wolak, 2018). Internal political efficacy is associated with well-being (Valentino et al., 2009) and well-being is associated with information seeking (i.e., interest; Valentino et al., 2008). In addition, over the last 40 years, efficacy has appeared in most explanations of participation. It is viewed as a psychological resource utilized to overcome the costs associated with participation (Valentino et al., 2009). High levels of efficacy are positively associated with well-being (Assari, 2016) and low levels of efficacy are negatively associated with well-being (Gore et al., 2016). The question asks: “Would you say you follow what’s going on in government and public affairs?” The possible responses were most of the time (4), some of the time (3), only now and then (2), and hardly at all (1), allowing for generalized least squares (GLS) analysis.

Vote, voter registration, and interest are used because they are measured over time. Again longitudinal data uses a combination of past measures of behavior and measured covariates to account for static differences between those who have experienced carceral contact and those who have not reducing the effects of selection bias and measurement error. The dependent variables also allow the structural equation model to be estimated using maximum likelihood estimation, which is the method of choice for producing results with high empirical power (Maydeu-Olivares, 2017).

Well-Being and Carceral Contact Variables

The well-being variables consist of five questions asking respondents how often they feel *nervous*, *calm*, *sad*, *happy*, and *depressed*. It is important to incorporate all these various measures because each emotion has a discrete bounded domain and some homogenous quality as to its antecedents and consequences (Brader & Marcus, 2013). These questions were asked in 2000, 2002, 2004, 2006, 2008, and 2010. The possible responses are all the time (4), most of the time (3), some of the time (2), and none of the time (1). Affirmative measures of well-being—happy and calm—were scaled such that higher values correspond with greater well-being, while the adverse measures of well-being—depressed, nervous, and sad—were scaled in the opposite direction. These measures were used to create the latent variable, *well-being*, used in the structural equation model.

The carceral contact variables include four measures of criminal justice contact: *arrested*, *family in jail*, *court*, and *probation*. I include the questions asking whether a respondent has been arrested and/or been placed on probation in a given year. The variable *court* measures if, and more specifically what type of court, a respondent had to attend in a given year: none (0), juvenile (1), adult (2), and both (3). All three observed contact variables are lagged 4 years from the first year vote was recorded (2004). I did this to mirror the question on familial incarceration, which asked if any members of the respondent's family had been incarcerated in the last 5 years. This ensures that each measure of carceral contact accounts for the same time period. *Arrested* and *family in jail* are used in all the direct effect models and the structural equation model. *Court* and *probation* are only used in the structural equation model because of multicollinearity.

Results: Direct Effects Models

To fully examine participation I modeled three different turnout models: (i) voting in all years, (ii) voting in presidential years, and (iii) voting in midterm years. Descriptions of and results for the control variables and the figures and tables for the marginal effects appear in the Online Appendix. The independent variables are not included in the structural equation model because latent variables measure concepts not directly observed but are rather inferred from other directly measured items. As expected, the independent variables show some significant and substantive effects. The coefficients for the independent variables are in their expected directions and are consistent with existing literature. I find that well-being is correlated with participation and that it has a large, direct effect on voting in the aggregate, in both presidential and midterm election cycles, on registering to vote, and on having an interest in politics. Below, I expand on the results for the primary variables of interest.²

A respondent's rate of depression is significant and negatively associated with voting, being registered to vote, and expressing interest in politics. The coefficient for nervousness is significant in all five models but is not in the expected direction. The more frequently respondents report feeling nervous, the more likely they are to vote, register, and have an interest in politics. This is consistent with the literature

on the role of anxiety in politics (Albertson & Gadarian, 2015; Marcus, Neuman, & MacKuen, 2000; Valentino et al., 2011). High arousal emotions, like nervousness (or anxiety and fear), are correlated with citizen engagement and participation in politics (Brader & Marcus, 2013). Happiness is significant and positively associated with voting in the aggregate and in midterm elections, and on being registered to vote. Midterm voters are referendum voters—in support of or in opposition to—the current presidential administration (Luttig & Motta, 2017). This effect's significance in midterm elections could be because midterm voters are more likely to be politically and civically engaged, two factors strongly correlated with political participation. Feeling sad and calm are not significant.

To aid in the interpretation of the logistic regressions, I estimated the average marginal effects of voting in the aggregate and in presidential and midterm years and for voter registration. The marginal effect is the average change in probability of voting when the covariate increases by one unit. The strongest and most consistent predictor of participation—education—increases the probability of voting by 10 percent in all three vote models. Comparatively, feeling depressed decreases the likelihood of voting by six percent in the aggregate and presidential years and five percent in midterm years. Nervousness increases the likelihood of voting in all vote models by 3 percent. In midterm years happiness increases the likelihood of voting by 15 percent in the aggregate and 3 percent in midterm years. For voter registration, feeling depressed decreases the likelihood of registering by 2 percent. Feeling nervous and happy both increase the likelihood of registration 2 percent. Comparatively, education increases the likelihood of being registered by 6 percent.

In summation, my direct analyses show that measures of well-being are significant predictors of participatory behavior. The more often respondents experience adverse well-being the less likely they are to participate politically, controlling for all the standard socioeconomic predictors. The weakness of this approach is that we do not learn about the mechanism as it pertains to the relationship among carceral contact, well-being, and political participation.

Structural Equation Model

Structural equation modeling (SEM) is a multivariate statistical analysis technique. SEM is the combination of factor analysis and multiple regression analysis. Structural models do not estimate a different trajectory for each individual, but do estimate the variance of random effects (Acock, 2013). SEM displays interrelations among latent constructs (here *carceral contact* and *well-being*) and observed dependent variables (here *vote* and *interest*) as a succession of structural equations.³ SEM is applicable here because it allows me to estimate the direct effect of carceral contact on a hypothesized mechanism (here *well-being*) and the indirect effect of carceral contact on subsequent participatory behavior mediated through said mechanism. In addition, variables that are theoretically important like self-esteem and depression are not currently measured without substantial measurement error. A SEM model with these variables as latent variables gives the causal relationship between these variables in the absence of measurement error (Morgan, 2013).

Scholars have critiqued the use of SEM to estimate causal mechanisms in that it “does not easily extend to nonlinear or nonparametric models” and that it “obscures the identification assumptions required to identify causal mechanisms” (Imai, Keele, Tingley, & Yamamoto, 2011, p. 772). The SEM model below was estimated as a maximum likelihood model with clustered robust standard errors. Maydeu-Olivares (2017) argues that maximum likelihood estimation is the method of choice and that employing robust standard errors and goodness-of-fit tests produces results with high empirical power. The structural equation below was modeled using STATA 15.1 and the coefficients presented are the standardized coefficients.

Latent Variables

Latent variables are not directly observed but rather inferred from other directly measured items. My latent variables are constructed utilizing confirmatory factor analysis (CFA). CFA is a multivariate analysis used to examine how well the measured items represent a latent construct. Using CFA I am also more likely to obtain stronger results by removing measurement error through the use of latent variables as independent variables in my structural equation model. Latent variables and not individual variables are used because mediator variables are of great theoretical importance. They provide the causal mechanism connecting the exogenous variable to the endogenous outcome variable (Acock, 2013). Causal mechanisms are the process through which a causal variable influences an outcome variable (Imai et al., 2011). Latent variables are advantageous because they allow for each of the observed items to have its own variance and corresponding error term. The error terms allow for unique variances in the responses to each question. The latent variable produced accounts for how people respond to the included questions, which is what the items share in common. Another major advantage of using latent variables is that by isolating each item’s unique variance I am able to obtain a better measurement of the latent concept (Acock, 2013).

Results: SEM

The structural equation model is depicted in Figure 1. The paths to the observed measures used to create the latent variable *carceral contact* are all positive and significant. If respondents are one standard deviation higher on *carceral contact* they will respond 0.089 standard deviations higher on familial incarceration, 0.91 standard deviations higher on arrest, 0.4 standard deviations higher on probation, and 0.91 standard deviations higher on court. The paths to the observed measures used to create the latent variable *well-being* are all significant and as expected the coefficients for adverse measures are positive and the coefficients for the affirmative measures are negative. If respondents are one standard deviation higher on *well-being*, they will respond 0.22 standard deviations higher on depression, 0.1 standard deviations higher on sadness, 0.035 standard deviations higher on nervousness, -0.011 standard deviations lower on happiness, and -0.057 standard deviations lower on calmness.

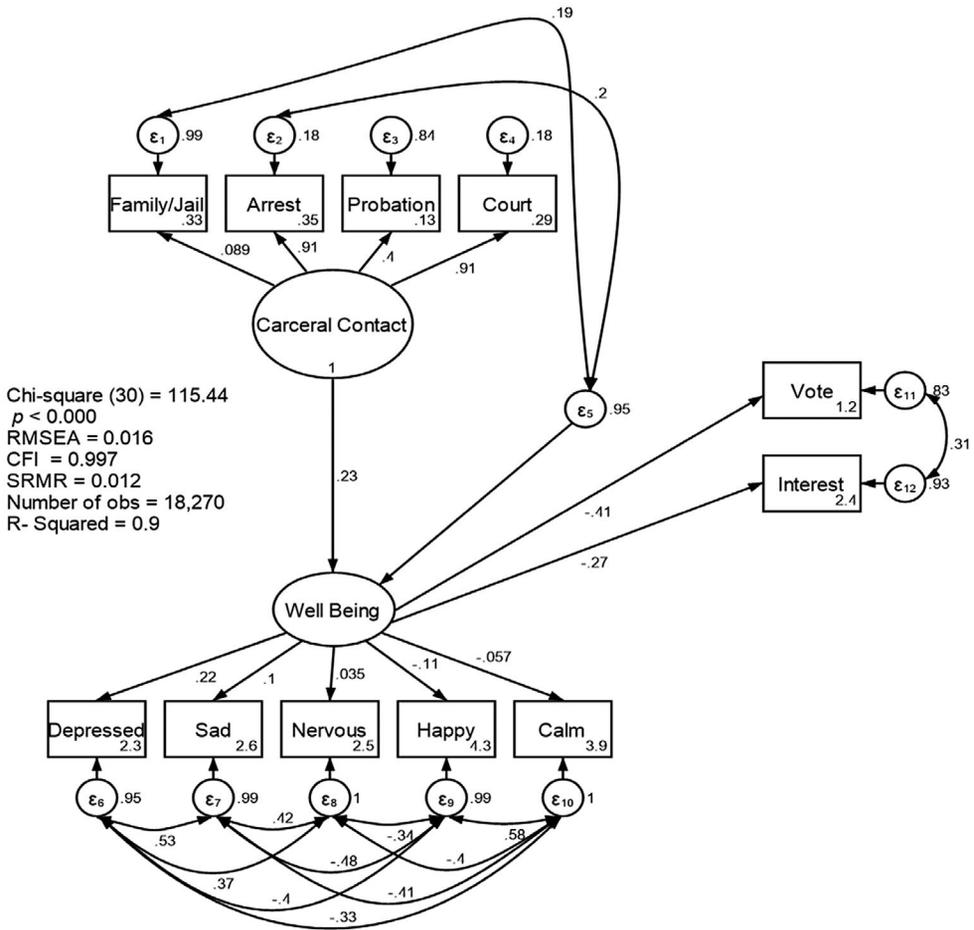


Figure 1. Structural Equation Model.

All of the indicators are related to the corresponding latent variable and the model fit exceeds acceptable standards in each case of overall goodness of fit for a maximum likelihood model. The chi-square is $\chi^2(33) = 115.44$, $p < 0.000$, RMSEA = 0.016, CFI = 0.997, and SRMR = 0.012.

The standardized path coefficient from *carceral contact* to *well-being* is significant and positive (0.23). Carceral contact has a direct adverse effect on well-being. The standardized path coefficients from *well-being* to *vote* (-0.41) and *interest* (-0.27) are both negative and significant. This reflects a direct negative relationship between *well-being* and participatory behavior as acted upon by the latent variable *carceral contact*. Parsing out the indirect effects of *carceral contact* on political participation, I find that 23 percent of the total effect is an indirect effect of *carceral contact* mediated through *well-being*. My results firmly suggest that the causal arrow points in my hypothesized direction—carceral contact adversely affects feelings of well-being and subsequently political participation.

Table 1. Well-Being and Political Participation

Models	(1)	(2)	(3)	(4)	(5)
Variables	Vote	Vote Presidential	Vote Midterm	Registered to Vote	Interest in Politics
Depressed	-0.261** (0.0555)	-0.251** (0.0614)	-0.207** (0.0697)	-0.138* (0.0624)	-0.0326* (0.0126)
Sad	0.0349 (0.0508)	0.0748 (0.0573)	-0.0694 (0.0644)	0.0688 (0.0584)	0.0122 (0.0116)
Nervous	0.101* (0.0456)	0.148** (0.0497)	0.121* (0.0546)	0.173** (0.0520)	0.0382** (0.0104)
Calm	0.0102 (0.0499)	0.0576 (0.0546)	-0.0458 (0.0629)	-0.0336 (0.0569)	-0.00292 (0.0113)
Happy	0.182** (0.0530)	0.0672 (0.0582)	0.133* (0.0665)	0.148* (0.0605)	0.0172 (0.0120)
Black	0.638** (0.0920)	0.263** (0.0794)	0.268** (0.0828)	0.812** (0.108)	-0.0146 (0.0250)
Hispanic	-0.834** (0.0959)	-0.558** (0.0782)	-0.441** (0.0894)	-0.545** (0.104)	-0.170** (0.0260)
Mixed race	-0.510 (0.375)	-0.275 (0.301)	-0.348 (0.335)	-0.307 (0.399)	0.0305 (0.102)
Men	-0.579** (0.0733)	-0.200** (0.0611)	-0.272** (0.0654)	-0.449** (0.0836)	0.175** (0.0200)
Birth year	-0.114** (0.0258)	-0.0711** (0.0215)	-0.0672** (0.0229)	-0.0855** (0.0295)	-0.0349** (0.00711)
Weeks worked	0.00308** (0.000831)	0.000764 (0.00111)	-0.000437 (0.000955)	-0.000406 (0.00105)	-0.000304 (0.000208)
Household income	2.19e-06** (4.35e-07)	1.28e-06** (4.20e-07)	8.24e-07 (5.25e-07)	2.02e-06** (5.61e-07)	4.30e-07** (1.01e-07)
Education	0.727** (0.0366)	0.467** (0.0311)	0.395** (0.0361)	0.461** (0.0368)	0.149** (0.00897)
South	-0.233** (0.0721)	-0.148* (0.0643)	-0.197** (0.0693)	0.0529 (0.0835)	0.0544** (0.0191)
Urban	0.123 (0.0819)	0.0459 (0.0858)	0.138 (0.0931)	0.0979 (0.0959)	0.0490* (0.0197)
MSA- not city center	-0.0596 (0.153)	0.242 (0.164)	-0.104 (0.162)	-0.0332 (0.179)	0.0967* (0.0388)
MSA- city center	-0.00767 (0.160)	0.406* (0.171)	-0.156 (0.170)	0.0251 (0.187)	0.136** (0.0404)
Year- 2006				0.855** (0.0810)	-0.118** (0.0144)
Year- 2008				0.968** (0.0844)	0.146** (0.0144)
Year- 2010				0.962** (0.0816)	-0.184** (0.0142)
Constant	218.3** (51.07)	135.3** (42.64)	128.7** (45.41)	163.6** (58.37)	69.69** (14.09)
Observations	17,313	5,203	4,227	13,399	22,595
# of respondents	7,521	5,203	4,227	6,564	7,869

Note: Standard errors in parentheses.

Abbreviation: MSA, metropolitan statistical area.

** $p < 0.01$; * $p < 0.05$.

First, I find that well-being and political participation are correlated (Table 1). Affirmative measures of well-being are positively associated with participation and adverse measures of well-being are negatively associated with participation. Second,

I find that carceral contact has a direct negative effect on well-being. Respondents who experience carceral contact are significantly more likely to report adverse well-being effects. Finally, I find that carceral contact has an indirect negative effect on political participation mediated thought measures of well-being. The latter is important because it sheds some needed light on *how* carceral contact is affecting political outcomes. Individuals are learning through carceral contact their role (as deviant), their place (as suspect), and their worth (as secondary citizen) within the polis. This interpretative feedback effect is adversely impacting well-being and subsequently political engagement. A greater understanding of *how* diminished political engagement is being produced will aid social scientists and policy practitioners in researching and advancing methods and policies which can ameliorate the negative political spillage.

Conclusion and Implications

The primary goal of this article was to illuminate how public policies affect political behavior. I sought to demonstrate this by using validated measures of carceral contact and well-being. Relying on longitudinal data spanning up to 10 years and including 8,984 respondents, as well as independent measures for both the predictive and dependent variables, I make a stronger case for *how* carceral contact is affecting political participation. As future researchers explore the relationship between political participation and public policies, they should continue to examine different forms of institutional contact and different institutions. My research offers insight for conducting this needed work. Essentially, as government expands, contact with it becomes more common for *some* individuals. The quality of these interactions have the ability to shape participatory behavior; citizenship; and ultimately, the government itself.

If one's well-being has the potential to affect one's behavior, and public policies have the ability to affect well-being, then institutional contact should necessarily affect people's behavior. As aforementioned, there have been very few political participation studies that have considered measures of well-being and that used structural equation modeling when estimating the effects of institutional contact. This oversight warrants further examination of the mechanisms associated with carceral contact and participation. Lerman and Weaver (2014) find that "institutions that promote and embody ideas of responsiveness and participation inculcate democratic habits among citizens. ... Conversely, institutions that fail to reflect democratic values may inhibit civic skills, [and] transmit ideas about government that demobilize" (p. 13). Kumlin (2002) agrees, arguing that "the structure of the contact interface between citizen and institution is just as important as the generosity of the transfers and services" they provide (p. 43).

My hope is that my examination of the influence criminal justice expansion has on well-being and participation will be a catalyst for additional scholars to test other mechanisms through which policy feedback effects inhibit participatory behavior. Scholarship on the political consequences of the carceral state should examine the mechanisms through which contact is posited to be suppressing political participation. The first step was confirming that political suppression exists; the next is understanding the mechanisms through which suppression occurs. Knowing more about these causal mechanisms we can then take the final step of addressing the

phenomenon through public policy reform. My results suggest that institutional contact matters in ways we have not yet fully uncovered.

Finally, if the net effect of carceral contact is a reduction in participation, then, certain groups of citizens—namely the poor and people of color—are more likely to be excluded from the democratic processes and from influencing political outcomes creating inequalities of representation. This has serious implications for these communities. For example, Ferguson, Missouri is 70 percent Black and has been for over 15 years. Yet, prior to the protest following the murder of Michael Brown in 2014, the mayor, the entire court system, 50 of the 54 police officers, and five of six city council members were White (DOJ, 2015). In March 2015, Ferguson held municipal elections and had a record turnout (30 percent), at three times the rate of its last municipal election. Ferguson voters elected two additional Black city council members bringing the total to three (Eligon, 2015). I argue that Ferguson is a prime example of the dangers of predaceous criminal justice polices (Davis, 2018).

The DOJ (2015) found that the Ferguson municipal government purposefully targeted African Americans as a means to bolster the city's coffers. There is direct evidence, in the form of racist emails sent by city officials, court supervisors, and police officers and commanders affirming the racial targeting (DOJ, 2015). These significant burdens come full circle when the court then issued arrest warrants as a means to secure payment. Of these debtor warrants, 92 percent are issued against Blacks and Blacks account for 96 percent of all arrests made exclusively because of a debtor warrant (DOJ, 2015). From 2010 to 2015, the amount of revenue extracted from the African American community increased from 1.38 million to 3.09 million (DOJ, 2015). The government of Ferguson effectively created a separate "*Ferguson*" for its Black residents.

The evidence suggest that the predacious application of criminal justice polices can lead to the de jure and de facto disenfranchisement of a target group, even if that group of people is the numerical super majority. For over 15 years, 50 cops and a small number of elected and appointed officials were able to decrease Black participation to a level where political power could be effectively consolidated into the hands of a White minority (30 percent). A better understanding of *how* criminal justice polices determine participatory behavior would be a significant contribution to the study of criminal justice, American politics, race and ethnic politics, public policy, and political participation. Because, as Charles Mills (1998) argues, beyond the declaration of the existence of White supremacy it must be demonstrated and the mechanisms through which it operates and reproduces itself detailed.

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Notes

1. I did examine the question of overreporting directly utilizing the 2016 ANES which includes both validated and self-reported turnout as well as one indicator of carceral contact. I found that about 17 percent of respondents overreported; however, there was no significant difference in overreporting between arrested and non-arrested respondents.

2. I estimated direct effects models of well-being in which I look at the effects of the individual indicators of carceral contact on well-being. The results are consistent with the hypotheses. Adverse feelings of well-being are positively associated with carceral contact and affirmative feelings of well-being are negatively associated with carceral contact. Compared to Whites, Blacks report more incidents of depression and sadness and Hispanics report more incidents of depression. The full table is in the Online Appendix.
3. Tom Tyler and other scholars have utilized structural equation and path models to estimate the role of criminal justice mechanisms like procedural justice, police legitimacy, and public support for punishment (Mazerolle, Antrobus, Bennett & Tyler, 2013; Sunshine & Tyler, 2003; Tyler & Wakslak, 2004).

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