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**CRIMINAL JUSTICE CONTACT, POLITICAL ALIENATION & POLITICAL
PARTICIPATION: THE EFFECTS OF PUNITIVE CRIMINAL JUSTICE CONTACT
ON VOTING**

A Thesis in

Criminology

by

Ezekiel J. Kaufman

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The thesis of Ezekiel J. Kaufman was reviewed and approved* by the following:

Jeffery T. Ulmer
Professor of Sociology and Criminology
Associate Department Head, Department of Sociology and Criminology
Thesis Advisor

Darrell Steffensmeier
Liberal Arts Research Professor of Sociology and Criminology

Wayne Osgood
Professor Emeritus of Criminology and Sociology

Jeremy Staff
Professor of Criminology and Sociology
Director, Graduate Program in Criminology

*Signatures are on file in the Graduate School

ABSTRACT

Over the past fifty years, punitive criminal justice contact has become pervasive. This type of contact is one of the most consequential types of interactions citizens can have with the government. They can result in social stigmas and in the loss of many rights associated with citizenship. However, little is known about the ways in which punitive criminal justice contact influences people's political behaviors. Even less is known about the mechanisms through which punitive criminal justice contact shapes political behaviors. My study addressed these two issues. Using the 2012 cross-sectional panel of the General Social Survey, I computed logistic regression models analyzing the effects having any form, as well as multiple forms, of punitive criminal justice contact on people's decision to vote in the 2008 presidential election. Additionally, I used structural equation methods to construct three dimensions of a concept called political alienation, and then I tested the ability of these dimensions to mediate the relationship between punitive criminal justice contact and voter turnout. I drew from the political alienation and symbolic interactionism perspectives to develop hypotheses about the ways in which punitive criminal justice contact shapes people's feelings of political alienation and voter turnout. I found a direct, negative relationship between punitive criminal justice contact and voter turnout. My mediation analysis was inconclusive. I ended my study with a discussion about why I think my analysis produce inconclusive results and the direction that future research can take.

TABLE OF CONTENTS

List of Tables.....	v
List of Figures.....	vi
Chapter 1. INTRODUCTION.....	1
Chapter 2. CRIMINAL JUSTICE CONTACT and POLITICAL ALIENATION.....	5
Back Literature.....	5
Conclusion and Gaps in Knowledge.....	7
Chapter 3. THEORETICAL PERSPECTIVES.....	10
Political Alienation.....	10
Symbolic Interaction/Societal Reaction.....	12
Chapter 4. PUNITIVE CRIMINAL JUSTICE and POLITICAL ALIENATION.....	16
Criminal Justice and Powerlessness.....	16
Criminal Justice and Meaninglessness.....	18
Criminal Justice and Cynicism.....	19
Current Study.....	21
Chapter 5. METHODS.....	23
Data.....	23
Variables.....	24
Analytic Procedure.....	27
Chapter 6. RESULTS.....	29
Criminal Justice Contact and Voting.....	30
Political Alienation.....	32
<i>Political Alienation and Criminal Justice Contact</i>	34
<i>Political Alienation and Voting</i>	35
Full Model.....	36
Chapter 7. DISCUSSION and LIMITATIONS.....	39
Chapter 8. CONCLUSION.....	44
Appendix: Full Model.....	46
References.....	48

List of Tables

Table 1.	Descriptive Statistics: Sample Characteristics and Criminal Justice Contact.....	29
Table 2.	Logistic Regression Models on the Relationship Between Punitive Criminal Justice Contact and Voting.....	31
Table 3.	Global Fit Indices of Political Alienation for Group 1 and Group 2.....	33
Table 4.	Standardized Factor Loadings of Political Alienation for Group 1 and Group 2.	33
Table 5.	Regression Results for Effects of Punitive Criminal Justice Contact on Political Alienation.....	34
Table 6.	Regression Results for Effects of Political Alienation on Voting.....	36
Table 7.	Total, Direct, and Indirect Effects of Punitive Criminal Justice Contact on Voting.....	37
Table 8.	Regression Results for Full Structural Equation Model: Any Punitive Criminal Justice Contact.....	46
Table 9.	Regression Results for Full Structural Equation Model: Severity of Punitive Criminal Justice Contact.....	47

List of Figures

Figure 1.	Theoretical Model.....	22
Figure 2.	Structural Equation Model of the Effects of Punitive Criminal Justice Contact on Voting.....	37

Introduction

Since the 1970s, the U.S. has seen a substantial growth in the number of people who have had punitive contact with the criminal justice system, defined as an involuntary interaction with the criminal justice system that is initiated by the criminal justice system for the purpose of administering punishment to individuals. Current estimates based on self-reported data from nationally-representative surveys suggest that by age 23, roughly 30 percent of people have an arrest record for non-traffic offenses (Barnes et al. 2015; Brame et al. 2012). For males and racial minorities, the likelihood of having an arrest record is around 40 percent (Brame et al. 2014). Studies using official records estimate that between 65 million (Rodriguez and Emsellem 2011) and 100 million (U.S. Department of Justice 2015) people in the U.S. have arrest or criminal records. Additionally, studies focusing on the prevalence of incarceration have found a five-fold increase in the incarceration rate since the 1970s (Morenoff and Harding 2014; The Sentencing Project 2015). In short, over the past fifty years, citizen contact with the criminal justice system has become pervasive.

Punitive contact with the criminal justice system is one of the most, if not the most, consequential types of interactions citizens can have with the government. One reason is because the criminal justice process itself can greatly disrupt people's lives. Kohler-Hausmann (2013), for example, found that many criminal defendants were forced to go through the hassle of repeated court appearances, often waiting hours for their cases to be heard, all the while trying to manage the costs of lost work, child care, school, and other duties. Another reason punitive criminal justice contact is so consequential, is because it often results in additional, civil penalties known as collateral consequences of punishment. These penalties refer to legal, regulatory, and informal sanctions and restrictions that lead to the diminution of the rights and

privileges of citizenship (Ewald 2012; Travis 2002). While scholars have begun to study the full scope of collateral consequences that citizens are subjected to (American Bar Association 2015; Hicks 2017; Manza and Uggen 2008; Pager 2003; Rodriguez and Emsellem 2011; Travis 2002; Uggen et al. 2014),¹ my study focuses on the political consequences of punitive criminal justice contact. Specifically, my study examines how having punitive criminal justice contact affects people's political engagement.

My study uses the 2012 cross-sectional panel of the General Social Survey. My study has three main goals. First, I examine the direct relationship between punitive criminal justice contact and political participation. For this analysis, I examine both the direct effects of having any form of punitive criminal justice contact, as well as the additive experience of being arrested, convicted, and incarcerated (any combination thereof), on people's decision to vote. Secondly, I examine the ways in which punitive criminal justice contact shapes people's views about government and politics using the concepts of political powerlessness, meaninglessness, and cynicism. These concepts are dimensions of the broader concept, political alienation (Finifter 1970, 1972; Seeman 1959). Lastly, I analyze the extent to which these views mediate the relationship between punitive criminal justice contact and voter turnout. The central thesis of my paper is that punitive criminal justice contact fosters feelings of political powerlessness, meaninglessness, and cynicism (i.e., political alienation), and that these feelings, combined with the experience of having punitive contact with the criminal justice system, decreases voter turnout. Ultimately, I argue that punitive interactions with the criminal justice system are meaningful experiences that extend beyond the realm of criminal justice and into the realm of

¹This list is only meant to provide a snapshot into the number of studies that examine the legal and empirical issues surrounding the many federal and state collateral consequences of punishment. An overview of the extant research on the collateral consequences to punishment is outside the scope of this study.

politics. When individuals have punitive interactions with the criminal justice system, they learn negative lessons about the goals and nature of government, government decision-making, their relationship to government, and what it means to be a citizen in a participatory democracy (Gottschalk 2008, 2014; Justice and Meares 2014; Weaver, Hacker, and Wildeman 2014). I draw from the political alienation literature in political science and the symbolic interactionist literature in criminology and sociology to explain how I believe people's punitive experiences with the criminal justice system can foster negative definitions of government and politics, and how those in turn, can cause people to disengage in political activities.

The criminal justice system is one of the main pathways through which people interact with the state; however, little is known about the consequences of having punitive contact with the criminal justice system on people's political behaviors (Gottschalk 2008; Manza and Uggen 2008; Weaver et al. 2014). Even less is known about the mechanisms that explain how and in what ways punitive criminal justice contact shapes people's relationship with their government and the political process. Studying the effects of punitive criminal justice contact on people's political behaviors, and the mechanisms through which the effects occur, can help us in understanding the scope of collateral consequences of punishment. Additionally, understanding the political consequences of punitive criminal justice contact can help shed light on matters fundamental to American democracy: civic and political participation.

The paper is organized as follows: I first discuss the extant research on the political and behavioral consequences of punitive criminal justice contact. After this review, I discuss how these studies do not explain why we would expect the experience of a punitive encounter with the criminal justice system to translate into a withdrawal from political participation. I then explicate the political alienation and symbolic interactionism perspectives guiding my study and

hypotheses. Within this explication, I describe the different dimensions of political alienation people can develop from their interactions with the criminal justice system and explain the process through which people develop feelings of political alienation. I argue that at the heart of the process lies the notion that the roles and activities associated with citizenship become unavailable to people who have punitive contact with the criminal justice system. Afterwards, I summarize research that helps explain how the roles and activities associated with citizenship become unavailable to those with punitive criminal justice contact. This summary helps explain how and in what ways feelings of political alienation can emerge out of people's punitive interactions with the criminal justice system. I then identify the hypotheses proposing that punitive interactions with the criminal justice negatively affects voter turnout by operating through feelings of political alienation. Lastly, I describe the methods I use for testing my hypotheses, describe the results of my analyses, and finally discuss the overall conclusions of the study and the directions that future research can take.

Criminal justice contact and political participation

Background literature

Most of the empirical research examining the relationship between punitive criminal justice contact and political participation is in the context of felony disenfranchisement. These studies have been primarily concerned with developing accurate estimates of the disenfranchised felon and ex-felon population (The Sentencing Project 2014; Uggen, Larson, and Shannon 2016) and with estimating the impact of felony disenfranchisement laws on voter turnout (Burch 2011, 2012; Haselswerdt 2009; Manza and Uggen 2004, 2008; Miles 2004; Uggen and Manza 2002). Except for Haselswerdt (2009), these studies used complex statistical techniques to estimate what the voter turnout would have been for the disenfranchised felon and ex-felon population had the disenfranchisement laws not existed. Haselswerdt (2009) used official corrections and voting data from one county in the state of New York. These data covered four elections held in 2004 and 2005. He found that only five percent of the voter-eligible ex-felon population voted, concluding that very few ex-felons actually vote after regaining their rights.

Besides the felony disenfranchisement literature, only a handful of other studies have empirically examined the effects of punitive criminal justice contact on political participation. These studies used a broader definition of punitive criminal justice contact by looking at some combination of arrests, convictions, and incarceration. Uggen and Manza (2006) examined self-reported voting and criminal justice contact data from participants in their Youth Development Study and found that people who had been incarcerated voted significantly less often than those who had never been arrested in the 1996 presidential (i.e., 44% and 71%, respectively) and midterm elections (i.e., 29% and 55%, respectively).

Using self-reported data from the National Longitudinal Survey of Youth 1997

(NLSY97) and the third wave of Add Health, Hjalmarsson and Lopez (2010) found that being arrested and being incarcerated both had deleterious effects on voting. With the NLSY97 data set, they found that, compared to individuals who had never been arrested, individuals who had been arrested were 6.6 percent less likely to report voting in the 2004 presidential election, and individuals who had been incarcerated before were 12.6 percent less likely to report voting. With the Add Health data, they again found that individuals who had been arrested were 6.6 percent less likely to report voting than individual who had never been arrested; however, once they included a series of controls in their model, the incarceration effects were no longer significant.

Weaver and Lerman (2010) also used the third wave of the Add Health survey for their study, as well the Fragile Families survey data. For their study, they examined the effects of being questioned by the police, arrested, convicted, sentenced to jail or prison, and having been sentenced for a long time on people's trust in government, feelings of civic obligation, and civic participation. Their civic participation measures included registering to vote, voting, volunteering, and a binary variable indicating whether individuals participated in any civic activity. Overall, they found significant, negative effects of criminal justice contact on people's trust in government and political and civic participation. Being convicted of a crime and serving time in jail or prison had the strongest effects. They also found declining rates of trust and participation as the level of punitive criminal justice contact increased. In other words, serving time in jail or prison had a stronger and more negative effect on people's attitudes toward government and political and civic engagement. These findings differed from Hjalmarsson and Lopez (2010). Unlike Hjalmarsson and Lopez (2010), who did not find an effect for incarceration on voting, Weaver and Lerman (2010) did. This difference might be a result of the

two studies using very different model specifications and analytic techniques.

The final study by Lerman and Weaver (2014) viewed political participation in a more general way, defining it as a citizen-initiated interaction with government for the purpose of a solving problems. Lerman and Weaver (2014) conducted a study in New York investigating the effects of concentrated policing on people's willingness to call the city government to help solve problems in their neighborhoods. They found that increases in unwarranted police stops lead to significant decreases in calls to the police as well as calls to the city for non-policing matters. In sum, the recent studies discussed above, combined with the felony disenfranchisement literature, as a whole, support the idea that punitive criminal justice contact has negative effects on political participation. However, there are important limitations associated with these studies making the conclusion cautionary.

Conclusion and gaps in knowledge

With respect to the felony disenfranchisement studies, most did not address how having direct experiences with the criminal justice system affects people's voting behaviors. Instead, they used complex statistical techniques to estimate the impact of felony disenfranchisement laws on voter turnout. Haselswerdt (2009) was the only one to examine the actual voter rates of ex-felons. However, he conducted a basic analysis and only looked at one county in one state. Additionally, the felony disenfranchisement literature does not shed light on the extent to which felons and ex-felons who are not disenfranchised vote. Lastly, the literature does not shed light on the impact of having less severe forms of punitive criminal justice contact (e.g., being arrested, convicted) on people's voting behaviors.

The studies that did examine the relationship between less severe forms of punitive criminal justice contact and political participation have important limitations. Hjalmarsson and

Lopez (2010) and Weaver and Lerman (2010) used the same Add Health data set (albeit they used different data sets for their second analyses) but used different model specification in their analyses, resulting in different conclusions about the effects of incarceration on voting.

Additionally, Hjalmarsson and Lopez (2010) did not examine the effects of a criminal conviction on voting while Weaver and Lerman (2010) did. Lastly, Hjalmarsson and Lopez (2010), Weaver and Lerman (2010), and Uggen and Manza (2006) treated arrest, conviction (only Weaver and Lerman's study), and incarceration as separate categories of the same variable with "no punitive contact" as the reference category. Theoretically, this model specification implies that being arrested, convicted, and incarcerated are separate, unrelated experiences and have independent effects on voting. This is problematic. I argue that the more punitive interactions an individual has with the criminal justice system, the more salient those experiences become. This is exacerbated when the additional interactions are more punitive. An arrest can come with a set of collateral consequences. A prison sentence comes with the same collateral consequences ensuing from an arrest, but incarceration can also come with additional consequences. To sum up, the current state of knowledge about the political consequences of having direct, punitive interactions with the criminal justice system is based on studies estimating the relationship, as well as five other segmented studies using different analytic strategies, despite two of those studies sharing a data set. With this backdrop, I propose the following hypothesis:

Hypothesis 1: Punitive criminal justice contact directly affects political participation.

Hypothesis 1a: People with punitive criminal justice contact will have lower voter turnout than people without contact.

Hypothesis 1b: People's likelihood of voting will decrease as the amount and severity of their punitive criminal justice contact increase.

Reexamining the effects of punitive criminal justice contact on voting is only the first part of my study. The second part of my study proposes and tests a mediation process that explains why we would expect that punitive criminal justice contact decreases voting. I believe my main contribution to the literature lies in proposing and testing a potential process that can explain the relationship between punitive criminal justice contact and political participation. In none of the studies listed above did the authors explicitly test a proposed mediation process. I am also not aware of any study that proposes and tests a specific process through which the criminal justice system influences people's political behaviors. The mediation process I propose is known as political alienation. I rely on the symbolic interactionist perspective in sociology and criminology, specifically the societal reaction theory of crime, to explain how and why political alienation links people's experiences with punitive criminal justice contact to their political behaviors.

Theoretical perspectives

Political alienation

Political alienation refers to the breakdown in the relationship between individuals and society's political institutions. There has been a long history of scholars attempting to explicate and clarify this definition. This history dates back to Hegel, Marx, and Durkheim's conceptions of alienation (Smith and Bohm 2008). My study is informed by the way in which Melvin Seeman (1959, 1983) explicated the concept of alienation and the way in which Ada Finifter (1970, 1972) applied Seeman's explication to politics. Seeman (1959, 1983) defined alienation as an attitudinal orientation taken from the standpoint of individuals. In this respect, the focus of alienation was on people's attitudes toward their relationship with social institutions. People were alienated when they felt estranged from society's social institutions. In other words, the relationship between individuals and society's social institutions broke down when individuals felt estranged (i.e., alienated) from the institutions. In his 1959 article, Seeman suggested that alienation should be separated into five primary dimensions: powerlessness, meaninglessness, normlessness (i.e., cynicism), social isolation, and self-estrangement. Finifter and others have suggested that the first four are the most relevant when studying political alienation (Finifter 1970; Southwell 1995, 2008, 2012). However, I can only focus on powerlessness, meaninglessness, and cynicism. Due to data limitations, I can only analyze the relationship between punitive criminal justice contact, political powerlessness, meaninglessness, cynicism, and political participation.

Powerlessness is defined as an individual's expectancy that he or she cannot influence outcomes (Seeman 1959). In the context of politics, powerlessness is defined as the feeling that one cannot affect or influence the decisions and actions of government. Powerless individuals

feel they cannot take part in determining what the underlying principles and values of laws will be. Furthermore, powerless individuals feel they do not have influence over determining the societal conditions that they must live in (Finifter 1970, 1972).

Meaninglessness speaks to situations in which individuals cannot distinguish with any real confidence between different choice options or predict outcomes (Seeman 1959).

Individuals exhibit high levels of meaninglessness when they are unclear as to what they ought to believe or when they feel that they do not understand the situation enough to make decisions.

In the context of politics, meaninglessness is defined as the feeling that one does not understand the process governing the political system, and, as a result, cannot predict political outcomes (Finifter 1970, 1972). This form of alienation operates independently from powerlessness.

Powerlessness speaks to an individual's perception toward his or her ability to control processes and shape outcomes. Meaninglessness speaks to an individual's perception toward his or her level of understanding of situations and ability to differentiate choices. However, powerlessness and meaninglessness relate to each other in the sense that a individual's sense of control is predicated upon his or her level of understanding.

Cynicism denotes a breakdown in trust in the regulatory capacity of systems and processes meant to constrain behavior. Cynicism is derived from Durkheim's conception of anomie, and has been one of the most dominant concepts in sociology and criminology (Seeman 1959; Smith and Bohm 2008). Similar to Merton (1938), Seeman stated that cynicism refers to the breakdown in trust in the institutionally-prescribed means of achieving goals. In the political context, cynicism speaks to the breakdown in trust in the norms and rules governing legal procedure. Under this mode of alienation, individuals believe that public officials violate legal procedures when constructing laws and regulations. In other words, cynics feel that public

officials and political institutions are untrustworthy, unfair, and ultimately, illegitimate (Finifter 1970, 1972; Levi and Stoker 2000; Seeman 1959).

Seeman's (1959, 1983) and Finifter's (1970, 1972) conceptualizations of alienation and political alienation provide a useful framework for understanding the ways in which the criminal justice system can influence politics. The experience of interacting with the criminal justice system can serve as a source of information about one's relationship with the state. One of the main ways individuals learn about their government is by interacting with it (Justice and Mearns 2014; Mettler and Soss 2004; Schneider and Ingram 1993; Soss 1999, 2005). Thus, the attitudes and opinions emerging out of people's punitive interactions with the criminal justice system can bridge across different state settings. Research on social welfare programs found evidence to support the idea that the attitudes and opinions people develop about the agencies they routinely interact with influence their views about the state generally. In his interviews with social welfare recipients, Joe Soss (Soss 1999, 2005) found that the recipients tended to view the specific agency they interacted with as a microcosm of broader government. By doing this, their attitudes about the specific agency became their attitudes about government. I hypothesize that this situation occurs similarly in the criminal justice context. The different dimensions of political alienation are useful, because they can capture the base feelings that emerge out of people's punitive encounters with the criminal justice system.

Symbolic interaction/societal reaction

I propose that punitive contact with the criminal justice system leads to feelings of political alienation, resulting in political disengagement. I argue that the process through which these feelings emerge rests on some of the key principles within the symbolic interactionism (SI) framework (Blumer 1956, 1962, 2004; Maines 2001; Mead 2015; Rose 1962; Ulmer 2017)

Specifically, I draw from the following three principles: (1) people actively interpret and construct meaning of the messages they receive from others during social interactions. People's behaviors are then derived from the definitions they construct; (2) people have "selves"; that is, people can step outside themselves in order to study, reflect, and define themselves. This ability allows people to see how others might perceive them, to see how they differ from others, and to evaluate these differences; (3) people have agency. They have choice; however, their choices are constrained both internally and externally.

Additionally, I believe that two key concepts proposed by Lemert (1951, 1972) in his theory of deviance are crucial for explaining the mechanism through which punitive criminal justice contact fosters feelings of political alienation. These two concepts are: (1) primary and secondary deviance and (2) external and internal limits of behavior. Primary deviance is defined as deviance caused by a myriad of factors, none of which affect people's perceptions of their standing in society and their relationship to societal institutions. Secondary deviance, on the other hand, refers to the type of deviation that is employed as a "...defense, attack, or adjustment..." (Lemert 1951: 76) to the problems created by the societal reactions to deviance. The problems revolve around punishment, stigmatization, isolation/segregation, choice constraints, and the restructuring of self-definitions (Lemert 1951, 1972). External limits of behavior refer to the barriers to social participation and pro-conventional social roles deviants experience. Internal limits of behavior refer to the inner structuring of an individual's personality as it relates to the individual's sense of self. Self-conceptions shape, and are simultaneously shaped by, individuals' judgements about availability and congeniality. Thus, externally imposed restrictions on social participation send messages to deviants regarding their differentiation from others, effectively narrowing the range of roles deviants perceive to be

available to them. This in turn, increases the possibility of the deviant role becoming the primary role. Although Lemert was strictly concerned with the processes that cause deviance, I argue that these same processes operate similarly to the processes that shape people's feelings of political alienation and decisions to withdraw from political engagement.

Lemert (1951) argued that secondary deviance is derived from a series of differentiating and isolating processes. The differentiating processes of societal reaction refer to the sequence of interactions between the deviation of the individual and the societal reaction to deviation that ultimately create, maintain, and strengthen the physical and symbolic separation of deviants from society. These processes interact with the isolating processes of societal reaction, which Lemert (1951) referred as the external and internal limits of behavior. The criminal justice system plays a central role in both processes.

The criminal justice system is one of the primary institutions of social control responsible for protecting society from crime and managing criminal deviants. It fulfills its responsibility by administering punishment on offenders. The criminal justice system has an important role in the differentiating process, because societal definitions of deviance are transferred to offenders through the criminal justice system. These societal definitions often take the form of social stigmas. These stigmas depict offenders as morally opposite to the law-abiding (Lemert 1951, 1972; Mead 1918). Thus, as individuals have punitive contact with the criminal justice system, they receive important messages differentiating them from society. In the political context, the stigmas send the message to offenders that they occupy a different status than a citizen.

With respect to the isolating processes that lead to secondary deviance, Lemert (1951) argued that the interplay between deviance and the societal reaction to deviance, especially when it leads to the development of stigma and criminal justice intervention, results in the offender

being excluded from many pro-conventional roles and from the opportunity structures associated with pro-conventional roles. This refers to the external limits of behavior. In the political context, punitive interactions with the criminal justice system would result in the offender being blocked from the activities associated with citizenship roles. These external limits interact with the internal limits of behavior. The externally imposed restrictions on pro-conventional social participation send messages to offenders regarding their differentiation from others, effectively narrowing the range of roles they can perceive to be available. Subsequently, their self-definitions adjust to match the societal definitions. The deviant role is likely to then become the primary role. The offender then views pro-conventional social activities as not being congenial to their adjusted self-definitions. In the political context, the criminal justice system produces the isolating social conditions which cause offenders to develop feelings of estrangement from society's legal and political institutions, as well as adjustments to their self-definitions (Lemert 1951).

In summary, I propose that punitive contact with the criminal justice system leads to a decrease in political engagement through the process of political alienation. Feelings of political alienation develop because offenders receive negative messages about their standing in civic society from the criminal justice system. These messages not only lead offenders to develop a negative view of themselves, but they also lead them to be seen as morally inferior in the eyes of society. People who have had punitive criminal justice contact become isolated, start to feel powerless and cynical; these feelings, in turn, lead them to withdraw from conventional civic life.

Punitive criminal justice contact and political alienation

Criminal justice and powerlessness

Two underlying messages pervasive throughout the criminal justice process are that criminal defendants do not have an active role in the process, and that they do not have much of a voice. These messages emerge starting with the arrest process. The first thing police say when reading arrestees their Miranda rights is, “you have the right to remain silent.” Furthermore, the social act of an arrest is a one-way interaction and rests heavily on the discretion of the police officer (Walker 1993). After an arrest occurs, defendants have four main stages in which they can take an active role and speak before being incarcerated: guilty plea process, trial, sentencing, and with their council (Natapoff 2005). However, the whole system is designed to encourage silence throughout these stages. In the guilty plea process, defendants give up their right to take the case to trial. Yes, defendants retain the power to reject pleas and to go to trial, but few actually do (United States Courts 2017). During the trial process, defendants have a 5th Amendment right not to speak. By testifying, defendants run the risk of having their criminal pasts exposed. During the sentencing process, defense attorneys are incentivized to speak on behalf of the defendant (Natapoff 2005). Finally, with defense councils, the 6th Amendment right to council only requires defense attorneys to convey information to defendants and speak on their behalf. It does not require that defendants take on a meaningfully active role in the case (Natapoff 2005). Thus, even within attorney-client interactions, defendants have a limited role.

Although the right to free speech is a fundamental right in the United States, protected by the 1st Amendment, criminal defendants are discouraged from speaking. The court system and many legal scholars view this silence as a victory for defendants’ rights. However, as Natapoff (2005) argued, “[I]t is through speech that defendants enter into a relationship with the law”

(1451). It is through speech that defendants are able to tell their stories, express their understanding of the situation, and express their acceptance or rejection of the process and its outcomes. In a broader, political sense, the silencing of defendants means that the criminal justice system discourages defendants from engaging in political discourse with the government. Defendants are discouraged from being active participants in the governing process. Thus, in addition to the fact that punitive interactions with the criminal justice system can result in social barriers to participation in society generally (Lemert 1951), defendants also experience barriers to participation within the criminal justice process. Given this, one could expect that the silencing effects in the criminal process could extend to other state processes, such as voting.

Punitive criminal justice contact is especially likely to lead to feelings and political powerlessness and disengagement when individuals are convicted of a felony. Felony convictions often take away many civic rights associated with citizenship through felony disenfranchisement laws. These laws prohibit individuals convicted of a felony from participating in key civic activities, such as voting, jury service, running for public office, and working as a civil servant. These laws have existed in the U.S. since the country's inception (Behrens, Uggen, and Manza 2003; Ewald 2003; Hull 2006; Pettus 2013; Uggen and Manza 2002). The U.S. Supreme Court has also declared them constitutional (*Richardson v. Ramirez*, 1974) as long as they are not enacted to overtly restrict people's rights on account of their race or ethnicity (*Hunter v. Underwood*, 1985). They also represent one of the most significant external limits to political engagement. Recently, the Sentencing Project has suggested that 6.1 million Americans across the U.S. are disenfranchised due a felony conviction (Uggen et al. 2016). However, felony disenfranchisement laws cannot fully explain why people disengage from political activities. Not all felony disenfranchisement laws permanently ban felons and ex-felons

from participating in political activities. States greatly vary in their disenfranchisement and restoration laws.² Instead, the important takeaway is that felony convictions come with a felony stigma that makes it very difficult for felons and ex-felons to take-on the citizenship role and participate in the activities of citizenship.

Felony stigmas have symbolic effects on people's citizenship identities. In prior studies, felons and ex-felons reported feeling that their felony convictions and felony stigma led to a permanent exile, or civil death. They did not feel like citizens; instead, they felt like permanent outcasts rejected by their communities. Additionally, they felt that society told them that their voice and opinions do not matter (Lerman and Weaver 2014a; Manza and Uggen 2008; Uggen, Manza, and Behrens 2004). These sentiments speak directly to the internal limits of behavior Lemert (1951) discussed. Being an active citizen in the community and participating in various political and civic activities was a role felons and ex-felons felt was inaccessible to them.

Across the criminal justice system, offenders are sent messages that the role of an active citizen who engages with government in a positive way is unavailable to them. Given this, one would expect that punitive interactions with the criminal justice would lead to feelings of powerlessness, and that these feelings would extend beyond the criminal justice system and into politics.

Criminal justice and meaninglessness

As Justice and Meares (2014) and Weaver and Lerman (Lerman and Weaver 2014a; Weaver and Lerman 2010) proffered, individuals receive a form of civic education when

² Maine and Vermont do not have any voting restrictions based on individuals' felony convictions. Fourteen states disenfranchise individuals currently in prison; thirty states disenfranchise individuals while they are on probation; thirty-four states disenfranchise parolees; and, twelve states disenfranchise individuals who have completed their sentences for varying periods of time. Kentucky, Iowa, and Florida permanently disenfranchise everyone convicted of a felony. Delaware, Tennessee, Alabama, Georgia, Wyoming, Arizona, and Nevada also have permanent disenfranchisement laws, although these laws only disenfranchise individuals who meet certain criteria (Uggen et al. 2016).

interacting with the criminal justice system. However, the education they receive is negative and anti-democratic. As I have mentioned in the section on criminal justice and powerlessness, the felony stigma teaches felons and ex-felons about their citizenship status in society. Defining citizenship as "...a status bestowed on those who are *full members of a community* [emphasis added]" (Marshall and Bottomore 1992: 18), felons and ex-felons are considered anti-citizens who deserve to be removed from civic society (Justice and Meares 2014; Lerman and Weaver 2014a; Manza and Uggen 2008; Uggen et al. 2004; Weaver and Lerman 2010). Even when felons and ex-felons regain their rights to vote, many do not realize it (Drucker and Barreras 2005; Ewald 2009; Manza and Uggen 2008; Wood and Bloom 2008). People even receive an anti-democratic civic education when having punitive interactions with the police. As Justice and Meares (2014) suggested, police-initiated interactions can send the message to citizens that they are a dangerous and deserve close surveillance. This message is supported by police policies and practices under a zero-tolerance, "broken windows" policing regime. Receiving the type of civic education just discussed, one would expect that people with punitive criminal justice contact would not be well-informed about the political system and able to distinguish choice options.

Criminal justice and cynicism

A robust body of research by Tom Tyler and his colleagues has demonstrated that people form opinions about the legitimacy of the law and of the state from their interactions with legal authorities (Fagan and Tyler 2005; Sampson and Bartusch 1998; Tyler 1998, 2006; Tyler, Casper, and Fisher 1989; Tyler, Rasinski, and McGraw 1985; Tyler and Fagan 2008; Tyler and Huo 2002; Tyler and McGraw 1986). Believing in the legitimacy of the state is fundamentally important for a democratic society. Perceptions of state legitimacy not only fosters allegiance to

the state but engagement with the state as well (Tyler 2003a). The criminal justice system, however, can have a difficult time building people's allegiance to the state. The problem lies in the essential function the criminal justice system serves for society. As Lemert (1951) discussed, the criminal justice system is one of the primary institutions of social control tasked with the job of managing people who break the law. The fact is that criminal justice actors are often not in a position to solve people's problems; instead, they are often in positions that require them to restrict people's options and give them less than they think they deserve (Tyler and Huo 2002). How does the criminal justice system foster allegiance with the state and engagement while administering punishment?

Research suggests that procedural justice and motive-based trust are two of the most important factors shaping people's perceptions of the legitimacy of the law and of the state (Tyler 2003a, 2003b, 2006; Tyler and Huo 2002). Procedural justice refers to the subjective evaluations people make about the fairness in which criminal justice actors administer their authority. Motive-based trust refers to the subjective evaluations people make about the motivations behind the behaviors of criminal justice actors (Tyler 1988, 2003a, 2003b; Tyler and Huo 2002). As research has shown, perceptions of the legitimacy of the law increase when individuals think criminal justice actors administered their authority fairly and in a trustworthy manner during their interpersonal interactions with criminal justice actors (Tyler 2006; Tyler and Huo 2002). Oppositely, negative interactions with criminal justice actors can erode trust and foster legal cynicism. And when institutional distrust and legal cynicism emerge out of interpersonal interactions with legal authorities, people disengage (Sampson and Bartusch 1998; Tyler 1998, 2003a, 2006, Tyler et al. 1989, 1985; Tyler and Huo 2002; Tyler and McGraw 1986). With these findings, one would expect that cynicism is one of the processes through

which punitive criminal justice contact influences political participation, namely voting.

With the discussion above, I propose the following hypothesis:

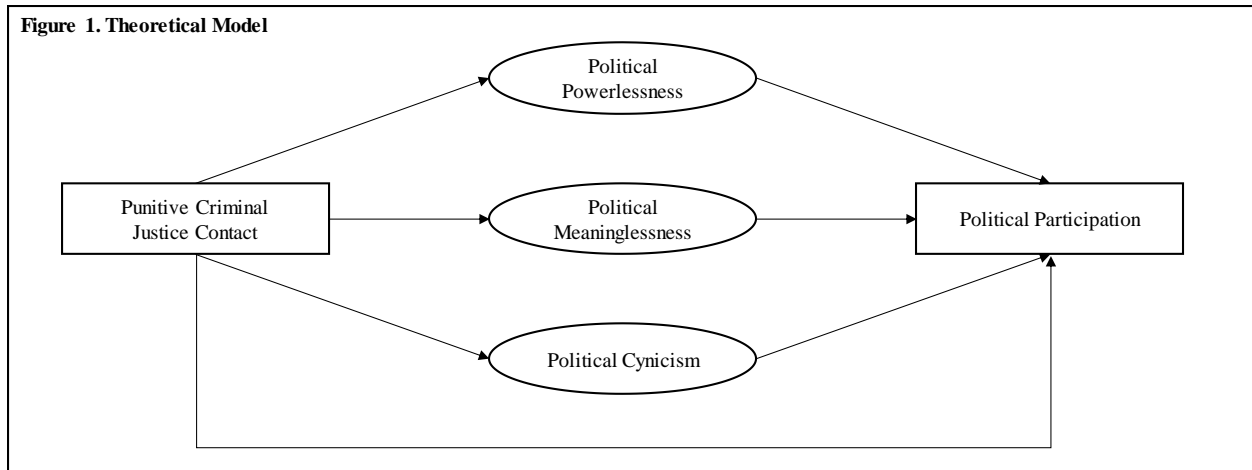
Hypothesis 2: Feelings of political alienation mediate the effects of punitive criminal justice contact on political participation.

Hypothesis 2a: Compared to individuals without punitive criminal justice contact, individuals with punitive criminal justice contact will have stronger feelings of political powerlessness, meaninglessness, and normlessness, which in turn will lower than voter turnout.

Hypothesis 2b: The more punitive criminal justice contacts individuals have, the stronger the feelings of political powerlessness, meaninglessness, and normlessness they will have, which in turn will lower than voter turnout.

Current study

Figure 1 displays the theoretical model guiding my study. As displayed, the model coincides with the theoretical hypotheses discussed above. I hypothesize a main effect for punitive criminal justice contact on people's political participation. I also hypothesize that punitive criminal justice contact associates with political participation via the three dimensions of political alienation. While I believe the three dimensions of political alienation correlate with each other, I do not make any assumptions regarding the nature of the relationship between them.

Figure 1. Theoretical Model

Methods

Data

For my study, I used the 2012 cross-section panel of the General Social Survey (GSS). The GSS is a nationally representative survey of adults living in the United States. The National Opinion Research Center (NORC) has conducted the survey on an annual basis from 1972 to 1993; starting in 1994, NORC has been conducting the survey biannually. NORC uses a stratified multi-stage cluster design to sample the U.S. population (Silver and Pickett 2015). The survey itself is divided into a core module and various topical modules. The core module is in every survey iteration, while the topical modules can change from one iteration to another. The 2012 cross-sectional survey included topical modules on criminal justice contact and attitudes toward government and politics. To my knowledge, the 2012 GSS is the only public dataset to include variables that measure people's self-reported experiences of punitive criminal justice contact, as well as people's political attitudes and behaviors.

The GSS also divides respondents into one of two "forms," one of three "ballots," and one of three "versions." Although each form-ballot-version grouping is nationally representative, many questions from the topical modules are displayed on only one form, two (sometimes three) ballots, and two (sometimes three) versions. Ultimately, this means that many questions went to one-third of the full GSS cross-section sample. For my analysis, this division only affected the questions regarding political alienation. There were twelve questions pertaining to political alienation, six of which were presented to 646 respondents, and the other six were presented to 662 respondents. This means that one-third of the 2012 sample were presented one set of political questions while another one-third were presented the other set of political questions. All the other questions I used for my study were asked of the full 2012 sample.

The 2012 cross-section panel consisted of 1,974 respondents. However, 220 respondents opted out of answering questions pertaining to their punitive interactions with the criminal justice system. I also removed non-U.S. citizens and respondents younger than twenty-two years old from the final sample, since these two groups were ineligible to vote in the 2008 presidential election. With these limitations, the final sample size came to 1,609 respondents.

Variables

dependent variable.

The focal dependent variable for my study was a binary measure indicating whether respondents voted in the 2008 presidential election (1 = voted). This question was part of the GSS's core module.

focal independent variable.

The focal independent variable, which I call *punitive criminal justice contact*, captured respondents' personal experiences interacting with the criminal justice system in which they experienced some form of punishment. The 2012 GSS included four dichotomous measures of punitive criminal justice contact. *Ticket* captured whether respondents had ever received a traffic violation other than a parking ticket. *Arrest* captured whether respondents had ever been arrested for any reason regardless of whether they were found guilty or not. *Convicted* captured whether respondents had ever been convicted of a crime. Finally, *locked-up* captured whether respondents had ever been incarcerated. I used the arrest, convicted, and locked-up measures for my analysis. I created a new dichotomous measure from these three variables, called *experienced any punitive criminal justice contact* (1 = experienced punitive contact). I also created an additive scale of punitive contact with justice to measure the increases in the amount and severity of punishment respondents' experienced. One potential issue with the original

variables is that the GSS did not clarify if and how the arrest, conviction, and locked-up variables related to each other. It is possible that an individual's experience of being arrested, convicted, and incarcerated were three separate events. The GSS also did not indicate that whether the conviction was subsequent to the arrest. Furthermore, the GSS did not clarify whether locked-up meant incarcerated a jail or prison because of a crime or whether it meant being locked-up overnight for some reason, such as being drunk in public.

mediating variables.

political powerlessness.

The 2012 GSS included four questions asking respondents to indicate the extent to which they felt they had power/influence over government. I treated these four variables as indicators of political powerlessness. *Influence-1* was an ordinal measure that asked respondents how much influence they thought the average citizen has on politics. *Influence-2* was an ordinal measure that asked respondents to indicate how much say people like them have over the government's actions. *Influence-3* was an ordinal measure that asked respondents how much they agreed with the statement that the average citizen has considerable influence in the political arena. *Influence-4* was an ordinal measure that asked respondents how much they agreed with the statement that people like them do not have any say in the government's actions. Each measure consisted of five categories.

political meaningfulness.

The 2012 GSS included four questions that asked respondents to rate their political awareness. I treated these variable as indicators of political meaningfulness. *Understanding-1* was an ordinal measure that asked respondents to indicate how good they thought their understanding was of important political issues. *Informed-1* was an ordinal measure asking

respondents how informed they thought they were about politics compared to most people.

Understanding-2 was an ordinal measure that asked respondents how much they agreed with the statement that they understood current political issues. *Informed-2* was an ordinal measure that asked respondents how much they agreed with the statement that most people are more informed about politics than they are themselves. Each measure consisted of five categories.

political cynicism.

I used four variables to capture respondents' cynicism toward government. *Promise-1* was an ordinal measure that asked respondents how often they thought members of Congress kept the promises they made during their election campaign. *Trust-1* was an ordinal measure that asked respondents to indicate the number government administrators they thought could be trusted to do what is best for the country. *Promise-2* was also an ordinal measure that asked respondents to indicate how much they agreed with the statement that members of Congress kept the promises they made during their campaigns. *Trust-2* was an ordinal measure that asked respondents to indicate how much they agreed with the statement that government administrators could be trusted to do what is best for the country. Each measure consisted of five categories.

controls.

I controlled for respondents' basic demographic characteristics: age, gender (reference = male), and race/ethnicity (reference = non-Hispanic white). I also controlled for respondents' level of education (0 = less than a Bachelor's degree, 1 = Bachelor's degree or higher) and relationship status (0 = never married/separated/divorced, 1 = widowed/married). I did not include a measure capturing respondents' annual income, because this question was not presented to the full sample. Including the measure would have reduced my sample size substantially. Instead, I included a measure capturing respondents' subjective class standing.

The original variable, *class*, was a four-category, ordinal measure with low class, working class, middle class, and upper class as the categories. I collapsed these variable's categories and created a binary measure, *subjective class standing*, with low class and working class as the reference category. I also included the measure, *active in religion*, to measure the extent to which people participate in religious activities using a ten-point scale. Lastly, I used two proxy measures to capture respondents' criminality: *ever used crack* and *ever injected drugs*. With these measures, I created a binary variable, *ever used hard drugs* (0 = never used hard drugs, 1 = have smoked crack/injected drugs). I used these variables as proxy measures for criminality, because these were closest variables capturing criminal history. Unfortunately, the 2012 GSS did not ask respondents about their criminal histories.

One final note on the non-demographic controls variables: as a group they are meant to capture respondents' important "stakes in conformity" (Toby 1957). Using criminal justice contact variables as the main independent variables can be problematic without controlling for the factors that increase the likelihood of having a punitive interaction with the criminal justice system. By controlling for different stakes in conformity, I attempted to address issues of spuriousness.

Analytic procedure

The analysis consists of three parts. First, I conducted two logistic regression models analyzing the effects of punitive criminal justice contact on voting. I then used confirmatory factor analysis methods to create my political alienation constructs. Afterwards, I examined the relationship between punitive criminal justice contact and people's feelings of political alienation, as well as, the relationship between people's feelings of political alienation and their likelihood of voting in the 2008 presidential election. Lastly, I used structural equation

modelling techniques (SEM) to build structural path models in order to analyze the effects of punitive criminal justice contact on people's likelihood of voting, mediated through their feelings of political alienation. SEM is the most appropriate method for conducting confirmatory factors analyses and mediation analyses (Lei and Wu 2007). Each punitive criminal justice contact test took two forms: first, I tested whether having any punitive contact, regardless of its severity, influenced people's sense of political alienation and subsequent voting behavior. Second, I tested whether increases in the amount and severity of punitive criminal justice contact influenced people's sense of political alienation and subsequent voting behavior.

With respect to missing data, as I mentioned above, almost all missing data is in the political alienation variables, and this was due to the GSS's sampling methodology. Because the missing data associated with the political alienation variables was missing by design, the missingness can be considered missing completely at random (MCAR). When data are MCAR, complete case analysis can be considered a representative sub-sample of the entire initial sample, allowing the analysis to produce unbiased estimates. However, a complete case analysis would have reduced the sample size by 70 percent, from 1,609 to 461 respondents. To retain my full sample, I used full-information-maximum-likelihood estimation (FIML) to estimate the models. Under the assumptions of MCAR, the FIML estimation method produces estimates that are consistent, asymptotically efficient and asymptotically normal (Allison 2002, 2003; Kline 2015).

Results

Table 1 displays information about the respondents included in this analysis. A little over half the respondents were female. Roughly 70 percent were non-Hispanic whites. Non-Hispanic black and Hispanic respondents made up a quarter of the sample. Most respondents were married or widowed, and about one-third had a Bachelor's degree or higher. Following this, a little less than half self-identified as being middle or upper class. The average age was 48 years-old, but this varied greatly. Most respondents never participated in religious activities (44%), but if they did, it was usually only a few times a year. Respondents also greatly varied in terms of their political affiliation. Thirty-seven percent of respondents identified as Democrat; 39 percent identified more as Independent; and, 24 percent identified as Republican.

Twenty-seven percent of respondents reported experiencing some form of punitive contact with the criminal justice system. Among this group, 21 percent had been arrested, 12 percent had been convicted of a crime, and 15 percent had spent time in jail or prison. Additionally, 11 percent had only one punitive encounter with the criminal justice system; seven percent had two or three encounters. Lastly, 75 percent of respondents reported that they had voted in the 2008 presidential election (73%).

Table 1.

Descriptive Statistics: Sample Characteristics and Criminal Justice Contact

Categorical Variable	Valid N	Valid Percentage
Gender		
Male	722	45
Female	887	55
Race/Ethnicity		
Non-Hispanic white	1118	69
Non-Hispanic black	225	14
Hispanic	192	12
Other	74	5
Education level		
Less than bachelor's	1098	68
Bachelor's or more	511	32

Relationship					
Never					
married/separated/divorced	720				45
Married/widowed	889				55
Class identity					
Lower class/working class	852				53
Middle class/upper class	757				47
Drug history					
Never used drugs	1405				93
Have used drugs	110				7
Active in religion					
Never	704				44
Less than once a year	122				8
About once or twice a year	216				13
Several times a year	159				10
About once a month	95				6
2-3 times a month	113				7
Nearly every week	49				3
Every week	136				8
Several times a week	6				<1
Once a day	9				<1
Political affiliation					
Strong democrat	290				19
Not strong democrat	290				19
Independent, near democrat	189				12
Independent	283				18
Independent, near republican	135				9
Not strong republican	213				14
Strong republican	163				10
Criminal justice contact					
Ever arrested	334				21
Ever convicted	193				12
Ever incarcerated (jail/prison)	239				15
Never experienced contact	1196				74
Have experienced contact	413				26
Voted					
No	429				27
Yes	1180				73
<hr/>					
Scale Variable	Valid N	Min	Max	M	SD
Age	1605	22	89	48	16
Criminal justice contact (Additive Scale)	1609	0	3	.476	.914

Criminal justice contact and voting

Table 2 displays the results from two logistic regression models examining the effects of punitive criminal justice contact on voting. As seen in both models, punitive interactions with the criminal justice system significantly decreased the likelihood of voting. Simply encountering the criminal justice system in a punitive context decreased the odds of voting by 28 percent (model 1). Additionally, as the amount and severity of contact increased, the likelihood to voting decreased by 15 percent (model 2). These effects emerged after controlling for other factors. These findings support the first hypothesis predicting a direct, negative relationship between punitive criminal justice contact and voting.

With respect to respondents' demographic characteristics, the likelihood of voting significantly increased with age, level of education, permanency of relationship, and socio-economic class standing. However, race and ethnicity had opposite effects. Non-Hispanic blacks reported voting significantly more often than non-Hispanic whites, but Hispanics and other non-Hispanic racial groups reported voting less often than non-Hispanic whites. Specifically, non-Hispanic blacks were about 75 percent more likely to vote than non-Hispanic whites. Hispanics and other racial groups were 46 percent and 75 percent less likely to vote than non-Hispanic whites. Respondents' gender did not affect voting patterns. Respondents' level of education had the strongest effect. Having a Bachelor's degree or higher increased the likelihood of voting by 157 percent, net of all other factors.

Lastly, respondents' political affiliation and involvement in religious activities affected their voting behavior. The likelihood of voting decreased the more respondents affiliated with the Republican party. The likelihood of voting increased the more individuals reported being involved in religious activities.

Table 2.

Logistic Regression Models on Relationship Between Punitive Criminal Justice Contact and

Voting (N = 1,609)

Predictors	Model 1		Model 2	
	β	SE	β	SE
Criminal Justice Contact	-0.325*	.147		
Criminal Justice Contact Scale			-0.165*	0.070
Political Affiliation	-0.084*	.036	-0.085*	0.036
Age	0.022***	.004	0.022***	.004
Gender	0.078	.128	0.072	0.128
Non-Hispanic Black	0.571*	.221	0.562*	0.221
Hispanic	-0.612***	.175	-0.614***	0.175
Other	-1.401***	.268	-1.417***	0.267
Bachelor/Graduate Degree	0.949***	.165	0.944***	0.165
Permanent Relationship	0.274*	.133	0.268*	0.133
Middle/Upper Class	0.569***	.139	0.574***	0.139
Active in Religion	0.123***	.029	0.123***	0.029
Ever Used Hard Drugs	-0.141	.234	-0.097	0.240
Constant	0.605*	0.260	0.593*	0.260

Notes.

† $p < .10$, * $p < .05$, ** $p < .01$, *** $p < .001$

Political alienation

To create my political alienation constructs, I used confirmatory factor analysis methods. Tables 3 and 4 display the results of my analyses. The groups in the tables correspond to the two sets of political alienation questions listed in the 2012 GSS. As a reminder, 646 respondents (Group 1) were presented a set of six questions pertaining to their views of government and politics. Another 662 respondents (Group 2), separate from 646 respondents in Group 1, were presented the other six questions pertaining to their views on government and politics.

With respect to Group 1, the results in Table 3 show that synthesizing the variables down to one factor did not fit the data very well, but synthesizing the variables down to three factors did. The results in Table 4 show that the Group-1 variables load well into the three variables. All the Group-1 measures had a loading score above .70. A factor loading score of .70 or higher

indicates good content validity. With respect to Group 2, neither a one-factor nor a three-factor model fit the data well (Table 3). Also, all the Group 2 factor loadings were below the .70 threshold (Table 4). Because of these findings, the remaining analyses are based only on the factors from Group 1.

Table 3.

Global Fit Indices of Political Alienation Models for Group 1 and Group 2 (N = 1,609)

Model	Df	χ^2	RMSEA	SRMR	CFI	TLI
Group 1						
1 Factor	9	916.453***	.250	.138	.076	-.540
3 Factors	6	7.044	.010	0.015	0.999	0.997
Group 2						
1 Factor	9	131.112***	.092	.095	.599	.332
3 Factors ^b	6	35.075***	.042	.050	0.914	0.857

Notes. Each analysis used maximum likelihood estimation with robust standard errors. RMSEA = root mean square error of approximation; SRMR = standardized root mean square residual; CFI = Bentler comparative fit index; TLI = Tucker-Lewis index.

^bfactor loadings constraint to 1.

*** p < .001

Table 4.

Standardized Factor loadings of Political Alienation for Group 1 and Group 2

Indicators	Group 1			Group 2		
	PP	PM	PC	PP	PM	PC
Influence-1	.72					
Influence-2	.82					
Understanding-1		.79				
Informed-1		.94				
Promise-1			.72			
Trust-1			.77			
Influence-3				.54		
Influence-4				.53		
Understanding-2					.62	
Informed-2					.59	
Promise-2						.65
Trust-2						.69

Notes. PP = Political Powerlessness, PM = Political Meaninglessness, PC = Political cynicism; factor indicators

R^2 for group 1: influence-1 = .52, influence-2 = .67, understanding-1 = .62, informed-1 = .88, promise-1 = .52, trust-1 = .59; group 2 measures were constrained to 1; R^2 for group 2: influence-3 = .29, influence-4 = .28, understanding-2 = .38, informed-2 = .35, promise-2 = .42, trust-2 = .48.

political alienation and criminal justice contact.

Table 5 displays the results from two regression models analyzing the effects of punitive criminal justice contact on each dimension of political alienation. Overall, I did not find that interacting with the criminal justice system in a punitive context led to feelings of political alienation. I only found one significant association, albeit a marginally significant association ($p < .10$) between punitive criminal justice contact and political alienation. Every increase in the amount and severity of punitive contact increased the feeling of political powerlessness.

With respect to respondents' political affiliation, the more they identified with the Republican Party the more political cynicism they expressed having. There was a negative association between the religious involvement variable and political powerlessness and meaninglessness. Meaning, the more involved respondents report being in their congregations, the more politically informed they felt and the more influence they felt people have in politics.

I also found that respondents' demographic characteristics did not uniformly shape feelings of political alienation. Age, gender, and relationship status, for example, only affected feelings of political meaninglessness. Respondents felt they understood politics more and were better informed the older they were. Female respondents and respondents who were married/widowed felt less informed and had lower levels of political understanding than their counterparts. Race and Ethnicity were negatively associated with political powerlessness. This means that non-Hispanic whites felt more powerless than non-Hispanic blacks and Hispanics. Respondents' educational attainment was the only characteristic significantly associated with every dimension of political alienation. Having a Bachelor's degree or higher significantly reduced the feeling of political alienation across every dimension.

Table 5.

Regression Results for Effects of Punitive Criminal Justice Contact on Political Alienation (N = 1,609)

Predictors	Model 1			Model 2		
	PP	PM	PC	PP	PM	PC
Any Criminal Justice Contact	.075 (.053)	-.001 (.047)	-.009 (.058)			
Criminal Justice Contact Scale				.094† (.053)	.030 (.050)	.004 (.065)
Political Affiliation	.081 (.056)	-.005 (.048)	.139* (.055)	.082 (.056)	-.004 (.048)	.139* (.055)
Age	.014 (.049)	-.121* (.050)	.035 (.050)	.018 (.049)	-.116* (.050)	.037 (.049)
Gender	-.038 (.049)	.148** (.043)	-.024 (.057)	-.035 (.050)	.153*** (.043)	-.022 (.057)
Non-Hispanic Black	-.204*** (.058)	-.074 (.049)	-.029 (.064)	-.206*** (.058)	-.076 (.049)	-.030 (.063)
Hispanic	-.248*** (.052)	.040 (.043)	.050 (.057)	-.248*** (.053)	.040 (.043)	.051 (.057)
Other	.005 (.068)	.066 (.064)	.036 (.059)	.004 (.068)	.069 (.064)	.037 (.059)
Bachelor/Graduate Degree	-.137* (.057)	-.266*** (.049)	-.221*** (.051)	-.133* (.056)	-.263*** (.050)	-.220*** (.051)
Permanent Relationship	-.046 (.050)	.125** (.046)	-.027 (.056)	-.042 (.050)	.126** (.046)	-.027 (.056)
Middle/Upper Class	-.057 (.054)	-.029 (.051)	-.089 (.058)	-.055 (.054)	-.026 (.051)	-.088 (.058)
Active in Religion	-.087† (.052)	-.103* (.047)	.006 (.053)	-.087† (.052)	-.101* (.047)	.006 (.053)
Used Hard Drugs	.054 (.040)	.030 (.047)	.006 (.051)	.041 (.042)	.019 (.048)	.003 (.055)

Notes. Political Powerlessness, PM = Political Meaninglessness, PC = Political cynicism. Coefficients are fully standardized.

† $p < .10$, * $p < .05$, ** $p < .01$, *** $p < .001$

political alienation and voting.

Based on the results displayed in Table 6, political meaninglessness was the only

dimension of political alienation I found to be associated with voting. Specifically, a one standard deviation increase in political meaningfulness decreased the likelihood of voting by 71 percent.

Table 6.

Regression Results For Effects of Political Alienation On Voting (N= 1,609)

Factor	β	SE	OR	95% CI	Wald Statistic	p-value
Political Powerlessness	0.115	0.221	1.122	[-0.319, 0.549]	0.519	.604
Political Meaninglessness	-1.228	0.205	0.293	[-1.630, -0.827]	-6.003	<.001
Political Normlessness	-0.217	0.336	0.805	[-0.876, 0.442]	-0.645	0.519
Constant	-1.204	0.084	0.300	[-1.368, -1.040]	-14.369	<.001

Full model

Figure 2 displays the full structural equation models testing the effects of punitive criminal justice contact on voting, net of controls. The full models are displayed in Tables 8 and 9 in the appendix. As shown in both models, punitive criminal justice contact had a significant and direct effect on voting. Having any form of punitive criminal justice contact significantly decreased the likelihood of voting ($\beta = -.074$). More importantly, as the amount and severity of contact increased, the likelihood of voting significantly further decreased; however, this effect was only significant at the $p < .10$ level. Increases in the amount and severity of punitive contact with the criminal justice system significantly increased respondents' feelings of political powerlessness, but this too was only significant at the $p < .10$ level. Between the three dimensions of political alienation, only political meaningfulness affected the likelihood of voting. In both models, a one standard deviation increase in political meaningfulness decreased the likelihood of voting by .365 standard deviations (model a) and .359 standard deviations (model b).

Figure 2. Structural Equation Models of the Effects of Punitive Criminal Justice Contact on Voting

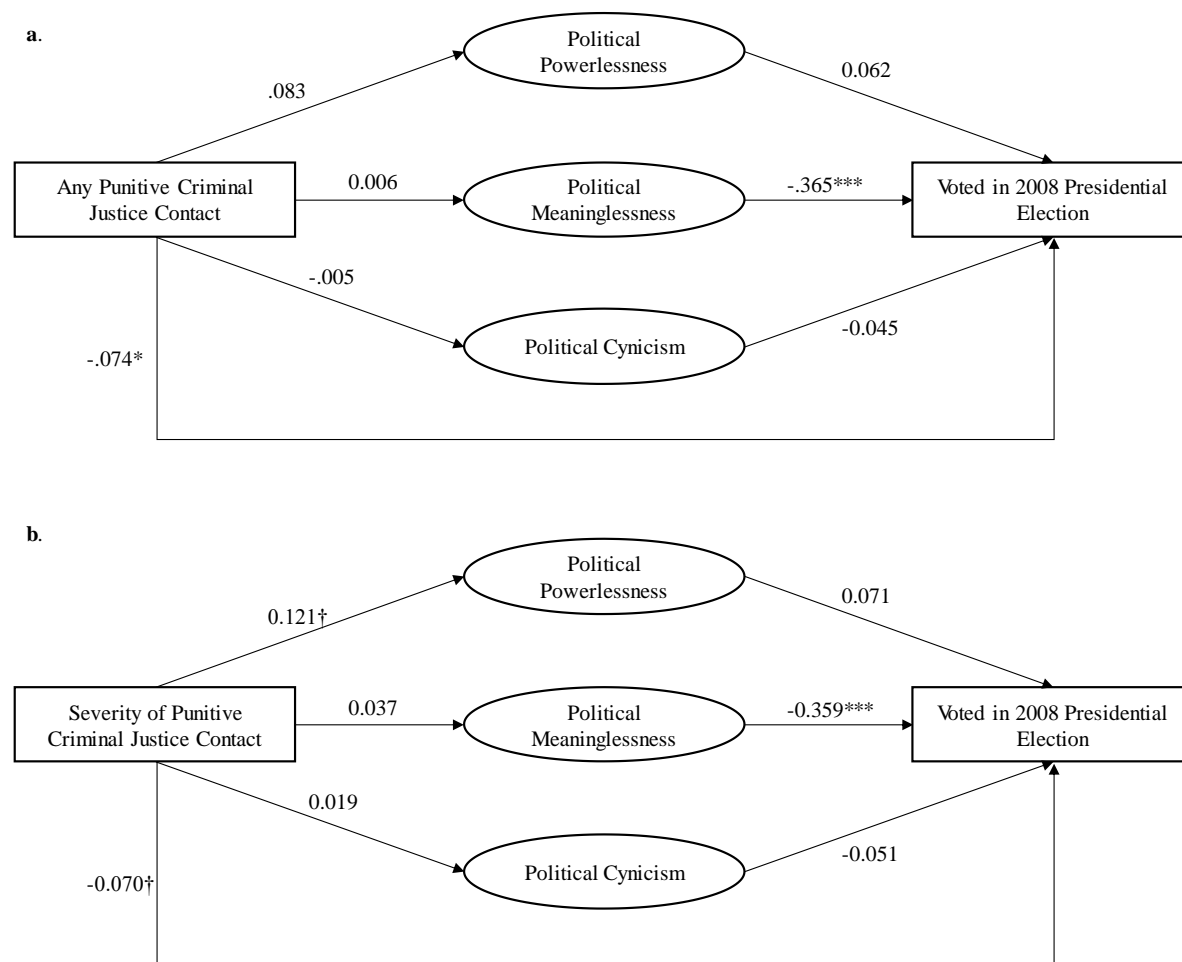


Figure 2. Coefficients are fully standardized. All covariates and pathways connecting covariates to political powerlessness, meaninglessness, cynicism, and voting are not shown; the analysis results for these are found in the appendix.
 † $p < .10$ * $p < .05$, *** $p < .001$.

Although the total effect of punitive criminal justice contact on voting was significant in both models, these effects were driven by the direct effects of contact on voting. As shown in Table 7, none of the political alienation latent constructs mediated the relationship between punitive criminal justice contact and voting. Thus, I did not find support for my second hypothesis.

Table 7.

Total, Direct, and Indirect Effects of Punitive Criminal Justice Contact and Voting (N = 1,609)

Effects	Model A		Model B	
	β	SE	β	SE
Total Effect	-0.070*	0.031	-0.075*	0.032
Direct Effect	-0.074*	0.034	-0.070†	0.036
Total Indirect	0.003	0.019	-0.006	0.025
Indirect Via				
Political Powerlessness	0.005	0.008	0.009	0.011
Political Meaninglessness	-0.002	0.018	-0.013	0.022
Political Cynicism	0.000	0.003	-0.001	0.005

Notes. coefficients are fully standardized; model 1 = any punitive criminal justice contact, model 2 = severity of criminal justice contact.
† $p < .10$, * $p < .05$.

Discussion and limitations

My findings support two conclusions concerning the relationship between punitive criminal justice contact and political participation. First, simply having some form of punitive criminal justice contact reduces people's political participation, as measured by voting. After controlling for the direct and indirect influences of individuals' demographic characteristics, political affiliation, socio-economic status, and major stakes in conformity (i.e., education, relationship status, hard drug use, and participation in religious activities) on people's likelihood of voting, I find that punitive interactions with the criminal justice system significantly decrease voter turnout. Secondly, the results also support the conclusion that political participation diminishes proportionally to the amount and severity of punitive criminal justice contact. As displayed in Table 2, people's likelihood of voting decreases by 15 percent as the number and severity of punitive interactions with the criminal justice system increases by one. Substantively speaking, this means that individuals are less likely to vote the more experience they have being filtered through the criminal justice system (i.e., arrested and convicted/arrested and incarcerated/arrested, convicted, and incarcerated).

These findings are consistent with Lemert's societal reaction theory. According to Lemert, individuals are less likely to embrace pro-conventional roles and behaviors if they continuously experience negative reactions to their behaviors from society. Punishment in the form of arrest, conviction, or incarceration clearly constitute a negative societal reaction. Importantly, as individuals experience more punishment, they also become more isolated from pro-conventional social life (i.e., external limits), which in turn increases the likelihood of those individuals perceiving pro-conventional institutions and activities as unavailable (i.e., internal limits). For my study, under this process, one would expect that people who have had punitive

contact with the criminal justice system, especially people who have been filtered through the criminal justice system, would perceive the election process as less available to them. Thus, lower voter turnout is a behavioral consequence of people's internal limits.

Although I found a main effect for punitive criminal justice contact, the criminal justice contact variables in the 2012 GSS had several limitations which may have contributed to the inconclusive finding for the mediation process. Most importantly, the 2012 GSS did not indicate the nature of the relationship between the arrest, convicted, and incarceration variables. It is unknown whether an individual's experience of being arrested, convicted, and incarcerated was for the same crime incident or for three separate incidents. Thus, theoretically speaking, it would have been possible that an individual was arrested for one non-traffic offense while another individual was arrested three times but only convicted for one of those arrests.

Another limitation of the criminal justice contact variables is that it was not possible to know when individuals were arrested, convicted, or incarcerated relative to the 2008 election. Individuals could have experienced any of these things after the 2008 presidential election. However, given prior literature discussed in the paper and the significant effects found in my analysis, I do not believe this issue substantially affects my conclusions. Both measures of punitive criminal justice contact had predictive validity.

Overall, the analysis supports the conclusion that punitive criminal justice contact matters. But, the analysis assumes the experience is substantively and significantly meaningful for the individuals who have the experiences. Punitive criminal justice contact could have a diminishing effect on individuals' attitudes and behaviors with time. In other words, having been arrested once at age 18 might not be substantively meaningful anymore once the person is fifty years-old. However, having been arrested, convicted, and incarcerated for a misdemeanor

at age 22 is still likely to be a very significant experience when the person is twenty-five. Furthermore, according to Lemert's theory, the process of transferring from primary deviance to secondary deviance is cumulative and, on some level, requires ongoing feedback from society.

With respect to political alienation, my findings are inconclusive. While the three dimensions of political alienation did not mediate the relationship between punitive criminal justice contact and voting, I did find two significant associations. First, I found that increases in the amount and severity of punitive interactions with the criminal justice system significantly increased the feeling of political powerlessness. Substantively, this means that being filtered through the criminal justice system increases people's feelings of powerlessness. Second, I also found a significant association between political meaninglessness and voting. Thus, people who feel that they do not understand politics and feel less informed are less likely to vote. It is surprising that political powerlessness and cynicism were not significant predictors of lower voter turnout. This is inconsistent with the prior literature on political alienation, which has consistently found that political powerlessness and cynicism significantly lower voter turnout (Southwell 1987, 1995, 2008, 2012). My findings might be inconsistent with this literature for three reasons.

One reason that might explain why my political alienation findings are inconclusive and inconsistent with prior literature is theoretical while the other two reasons are analytical. First, it is possible that political alienation is not the process through which punitive criminal justice contact influences people's political participation. However, I still propose that it is. I think the lack of significant findings was a result from data limitations associated with the variables. Most importantly, my data had a lot of missingness. Although this missingness was by design, and I used FIML estimation methods with robust standard errors to account for this, a complete case

analysis would have reduced my sample size to 461. Unfortunately, the twelve political alienation questions in the 2012 GSS were divided into two groups. My mediation process might have produced significant effects had every respondent been presented with all twelve political alienation variables.

Secondly, with respect to the time issue regarding the punitive criminal justice contact variables, without knowing when individuals were arrested, convicted, or incarcerated, it is difficult to know whether the lack of a significant relationship is a result of there being too much time between the experience and people's political orientations. Again, being arrested once in early adulthood might not be meaningful once the individual reaches middle age, but being incarcerated for a misdemeanor in early adulthood is likely to still be meaningful for the individual a two to three years later.

The third reason relates to the political alienation measures themselves. I was only able to use two indicators per political alienation factor. Prior political alienation studies were able to use multiple indicators per factor (Aberbach 1969; Dean 1960, 1961; Finifter 1970; Nachmias 1974; Nettler 1957; Niemi, Craig, and Mattei 1991; Olsen 1969; Southwell 2008, 2012, 1987, 1995). Only using two indicators per factor can pose analytical issues. In structural equation models, using multiple factors can cause the estimates and standard errors to be unstable, particularly when only using two indicators per factor (Kline 2015; Lei and Wu 2007). Furthermore, although the political alienation measures were conceptually consistent with other studies, the measures included in the 2012 GSS captured broad notions of political alienation rather than specific, tangible notions. For example, one question that spoke of powerlessness was: "How much say do people like you have about what the government does?" The response categories were none, a little, some, quite a bit, or great deal. This question is broad. It is

unclear what is meant by “say.” Does that mean direct or indirect involvement? It is also unclear what is meant by the government. Does government refer to the local, county, state, or federal level of government? People’s views toward their relationship with government and public officials can significantly vary depending on the level of government being discussed. This might not have been such an issue, if I had been able to use more than two indicators per political alienation factor.

Conclusion

The experience of being arrested, convicted, and incarceration can a significant one. It can lead to withdrawal from voting, a fundamentally important democratic institution. And, with the substantial growth in punitive criminal justice contact over the last fifty years, the number of people with a troublesome relationship to government has grown. This is because the relationship is defined through the lens of punishment. While other interactions with government institutions are defined through the context of social benefits (e.g., Medicaid), education benefits (education grants), interactions with the criminal justice system exposes individuals to one thing: punishment. The more interactions individuals have with the criminal justice system, the more punishment they experience. Criminology is beginning to understand the scope of the consequences stemming from punitive interactions with the criminal justice system. Trying to understand the political dimension of the consequences resulting from punitive criminal justice contact is an important endeavor because for millions of people, the criminal justice system is the main government agencies they interact with.

I found that having punitive interactions with the criminal justice system lowers people's likelihood of voting; however, I was unable to identify the causal process that explains this relationship. I proposed political alienation as a mediation process. Specifically, I proposed that punitive interactions with the criminal justice system would lead to feelings of powerlessness, meaningless, and cynicism, which in turn, would decrease voter turnout. Unfortunately, my results were inconclusive. Although political alienation as a mediation process did not yield results as expected, I do not think the concept should be abandoned.

The ideas involved in the three dimensions of political are present in the theoretical and empirical literature. As discussed by Lemert (1951), the criminal justice system is one of the

most important institutions of social control responsible for managing deviants and criminals. By interacting with the criminal justice system in a punitive context, individuals are likely to develop stigma and experience barriers to social participation and citizenship roles. Furthermore, the criminal justice system frequently sends messages to offenders that they do not have an active role in advocating for themselves; they are passive participants. Together, these experiences are likely to cause offenders to change the way they see their standing in society and their relationship to key social, legal, and political institutions. The procedural justice literature suggests that negative interactions with the criminal justice actors can erode institutional trust and perceived legitimacy in the law specifically and the state generally. Political disengagement is the one important behavioral consequence of having negative interactions with the criminal justice system and feelings of alienation. However, in order to better test the theory of political alienation as mechanism mediating the negative relationship between punitive criminal justice contact and political participation, future research will need to address the limitations of this study.

Appendix

Full Model

Table 8.

Full Regression Model: Any Criminal Justice Contact (N = 1,609)

Predictors	Mediating Process			Voted
	Political Powerlessness	Political Meaninglessness	Political Cynicism	
Any Criminal Justice Contact	.083 (.053)	.006 (.048)	-.005 (.057)	-.074* (.034)
Political Affiliation	.093 (.057)	.008 (.050)	.146** (.054)	-.074* (.036)
Age	.028 (.051)	-.122* (.054)	.038 (.050)	.128*** (.037)
Gender	-.032 (.050)	.146** (.045)	-.022 (.056)	.075* (.034)
Non-Hispanic Black	-.198** (.058)	-.074 (.050)	-.025 (.063)	.079† (.042)
Hispanic	-.241*** (.052)	.037 (.044)	.051 (.057)	-.066† (.037)
Other	.009 (.068)	.068 (.062)	.038 (.059)	-.117*** (.033)
Bachelor/Graduate Degree	-.136* (.056)	-.276*** (.048)	-.220*** (.051)	.110** (.042)
Permanent Relationship	-.047 (.050)	.117* (.045)	-.032 (.056)	.110** (.035)
Middle/Upper Class	-.052 (.054)	-.011 (.052)	-.086 (.057)	.131*** (.037)
Active in Religion	-.082 (.052)	-.088† (.048)	.011 (.053)	.111** (.038)
Used Hard Drugs	.057 (.040)	.039 (.045)	.010 (.051)	-.006 (.030)
Political Powerlessness				.062 (.086)
Political Meaninglessness				-.365*** (.063)
Political Cynicism				-.045 (.093)

Notes. coefficients are fully standardized.

† $p < .10$, * $p < .05$, ** $p < .01$, *** $p < .001$

Table 9.

Full Regression Model: Severity of Punitive Criminal Justice Contact (N = 1,609)

Predictors	Mediating Process			Voted
	Political Powerlessness	Political Meaninglessness	Political Cynicism	
Severity of Punitive Criminal Justice Contact	.121† (.068)	.037 (.062)	.019 (.084)	-.070† (.036)
Political Affiliation	.109 (.089)	.010 (.051)	.162* (.068)	-.075* (.036)
Age	.063 (.105)	-.109 (.072)	.064 (.096)	.130** (.040)
Gender	-.012 (.071)	.154** (.054)	-.007 (.060)	.074* (.034)
Non-Hispanic Black	-.192** (.063)	-.072 (.051)	-.016 (.068)	.080† (.042)
Hispanic	-.233** (.070)	.040 (.046)	.065 (.057)	-.063 (.038)
Other	.017 (.076)	.069 (.064)	.049 (.060)	-.118*** (.034)
Bachelor/Graduate Degree	-.129* (.059)	-.270*** (.049)	-.215** (.062)	.112* (.044)
Permanent Relationship	-.042 (.051)	.117* (.046)	-.037 (.056)	.108** (.036)
Middle/Upper Class	-.044 (.064)	-.013 (.051)	-.075 (.055)	.132*** (.037)
Active in Religion	-.075 (.054)	-.086† (.050)	.018 (.057)	.113** (.038)
Used Hard Drugs	.040 (.041)	.032 (.047)	.008 (.055)	-.002 (.031)
Political Powerlessness				.071 (.099)
Political Meaninglessness				-.359*** (.070)
Political Cynicism				-.051 (.100)

Notes. coefficients are fully standardized.

† p < .10, * p < .05, ** p < .01, *** p < .001

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