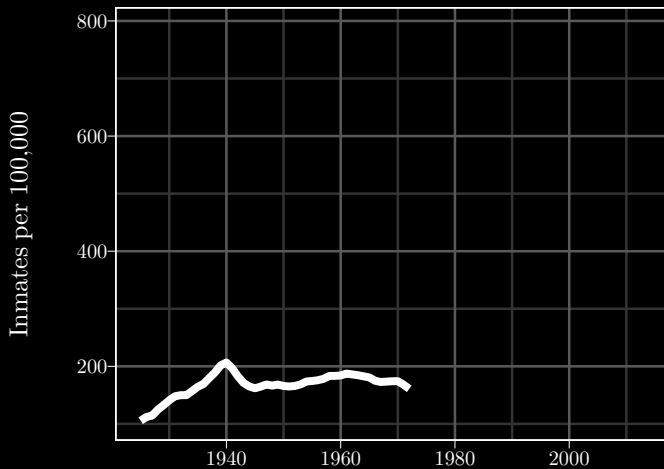


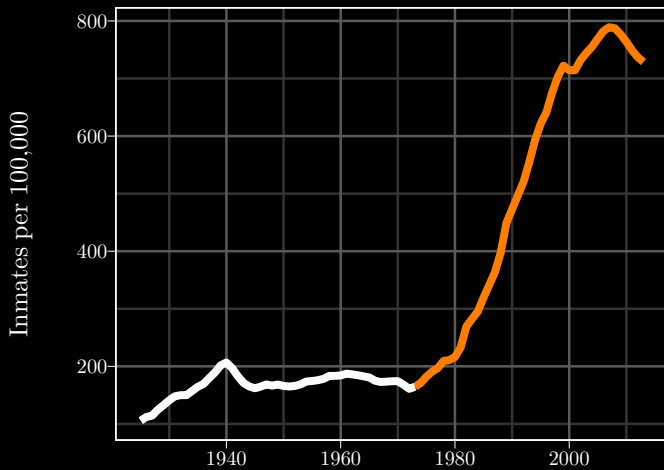
The Origins of Mass Incarceration

Adaner Usmani

Postdoctoral Fellow
Watson Institute
Brown University

November 2018





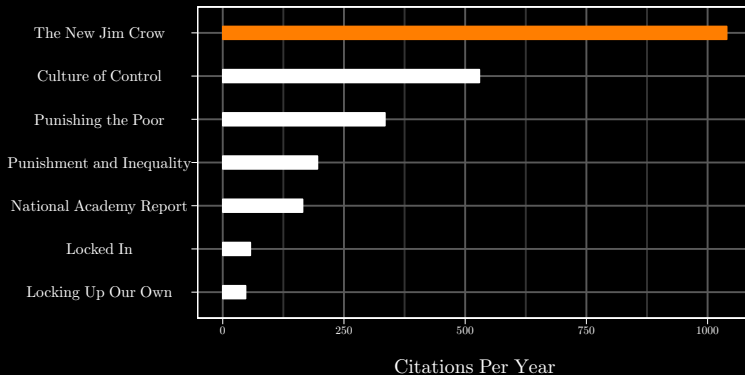
Why the punitive turn?

An Influential View

“Law-and-order campaign appeals combined with a covert emphasis on the links between race and street crime used to overcome Republican electoral disadvantages seem to provide **the most plausible explanations** for the rapid increase in U.S. imprisonment rates...”

Jacobs and Jackson, “...A Review of Systematic Findings” (2010)

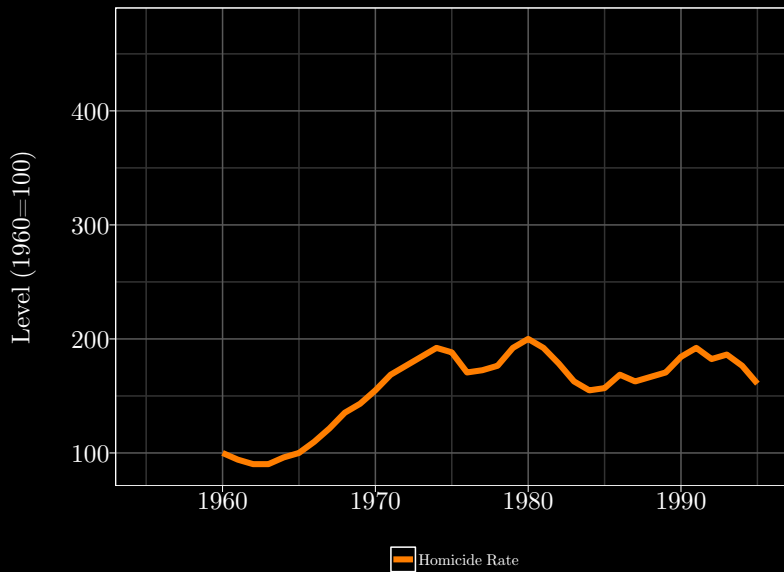
An Influential View



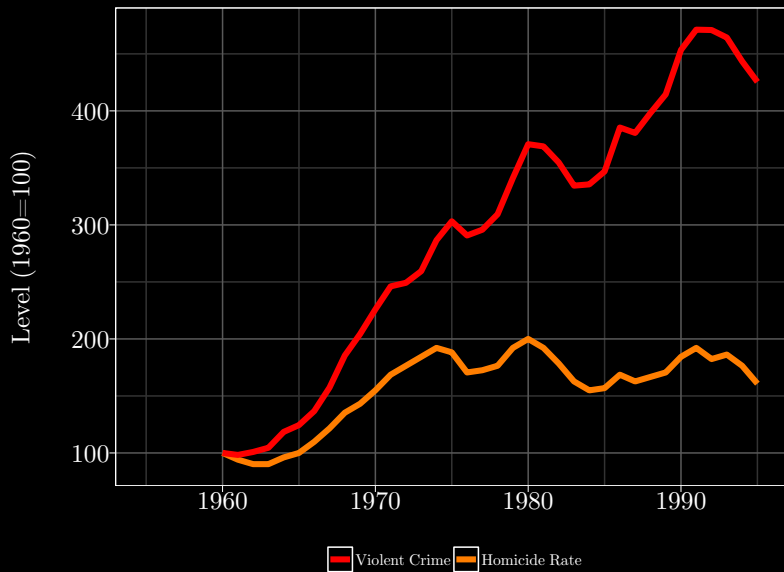
The Assertion



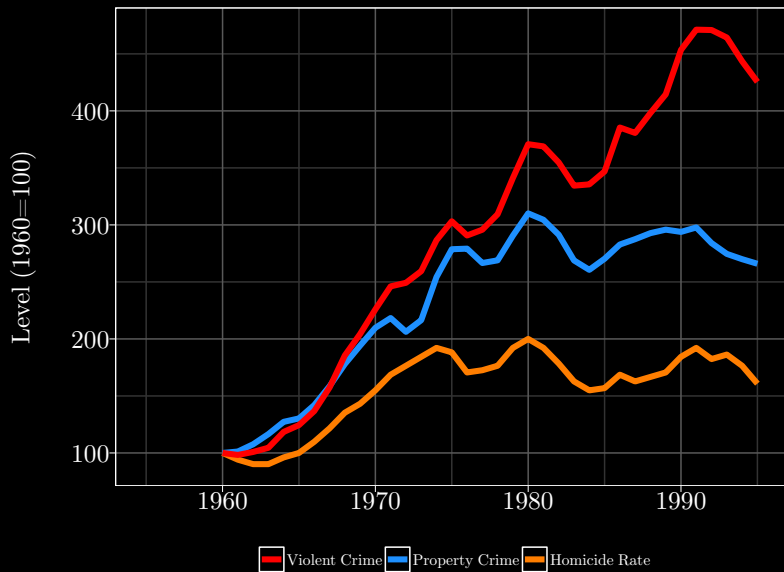
Homicides Rose



Violence Rose



Crime Rose



Most Are Not Drug Offenders



Fewer Are Low-Level Drug Offenders



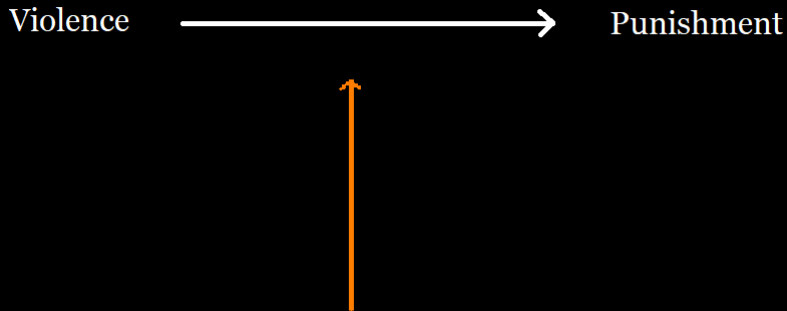
“To omit violence from the analysis was to misunderstand the social inequality on which mass incarceration rests.”

Bruce Western, *Homeward* (2018)

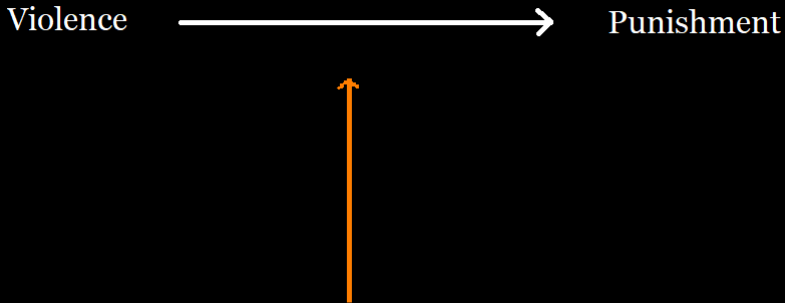
Not The Argument

Violence \longrightarrow Punishment

The Developing View



My Argument



There is no social democracy in the US

Roadmap

1. The Puzzle

2. The Influential View

3. New Evidence

Why did public opinion change?

Why did politicians turn punitive?

Why did prisons and police grow?

Interpretation

4. Refining the Question

5. In Sum

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Five Claims

1. Due to the Civil Rights Movement, black Americans made gains
2. Due to black gains, white Americans grew anxious
3. These racial anxieties led white Americans to fear crime
4. To exploit this fear of crime, white politicians proposed punitive policies
5. Due to white politicians' support of punitive policy, the rate of incarceration and policing increased

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Data: 300,000 respondents to 39 different questions over 176 different public opinion surveys about crime and punishment, 1955-2014

Method:

- Summarize levels and white-black gap
- Estimate trends by race, 1955-2014

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Two Dimensions

Punitiveness, e.g.

- In general, do you think the courts in this area deal too harshly or not harshly enough with criminals?
- Do you favor or oppose the death penalty for persons convicted of murder?

Anxiety, e.g.

- ...I'd like you to tell me whether you think we're spending too much money, too little money, or about the right amount on halting the rising crime rate.
- Is being a victim of crime something you personally worry about?

The Model

Challenge: Different questions in different years

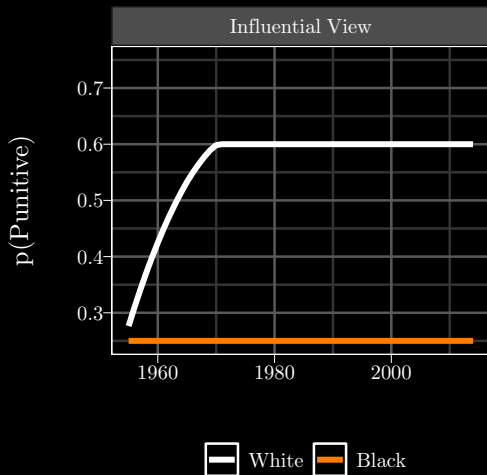
Solution: Multilevel models with (raceX)question-level random effects

As if Nonprobability Sampling

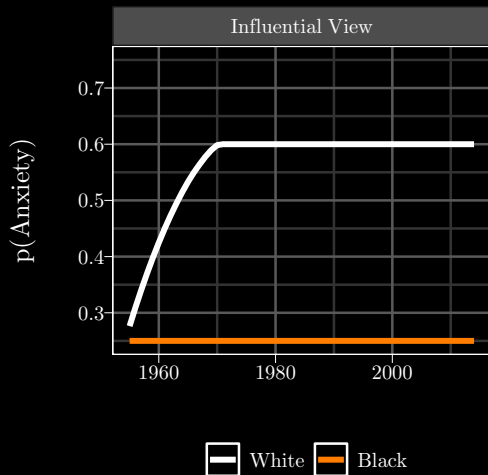
Challenge: Sample weights are difficult to harmonize

Solution: Predictions for $sex \times race \times ed \times age \times year$ cells, weighted by share of population in year t to obtain representative estimate

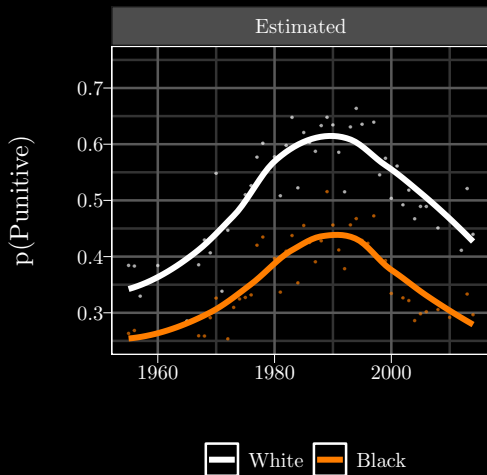
Why did public opinion change?



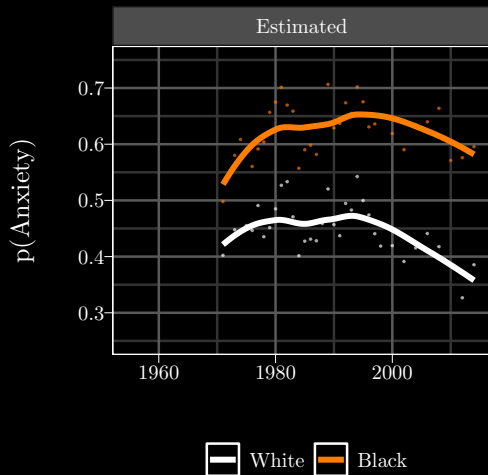
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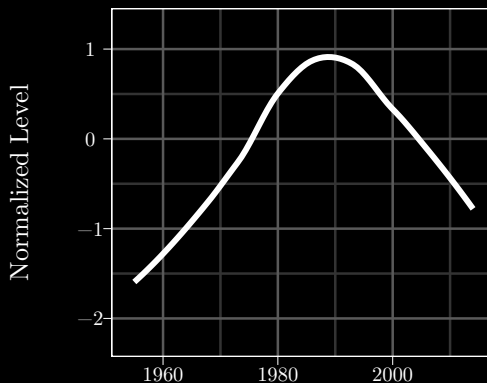
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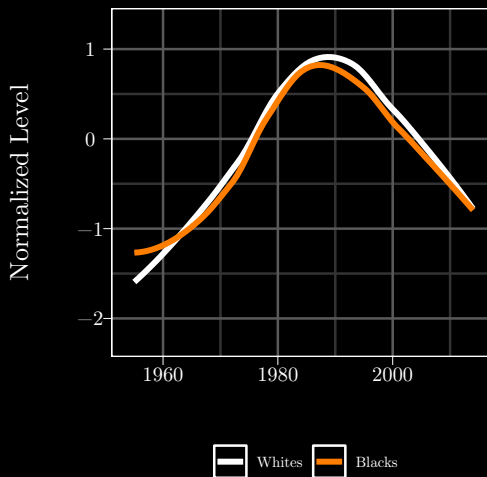


Is *white* punitiveness driven by revanchism?

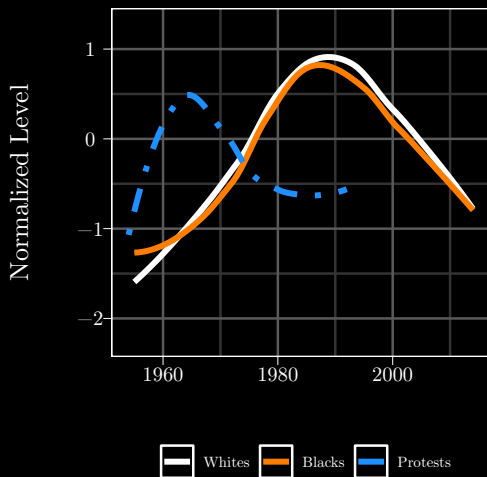


Whites

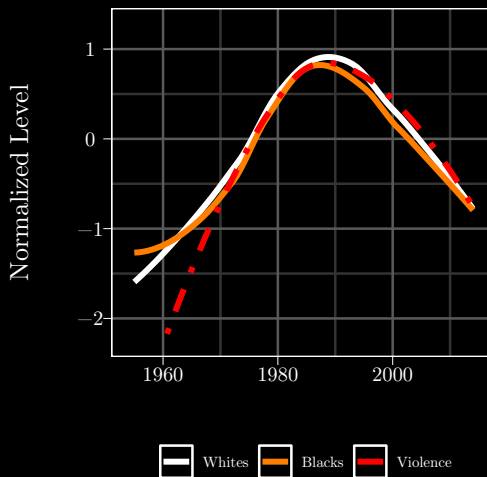
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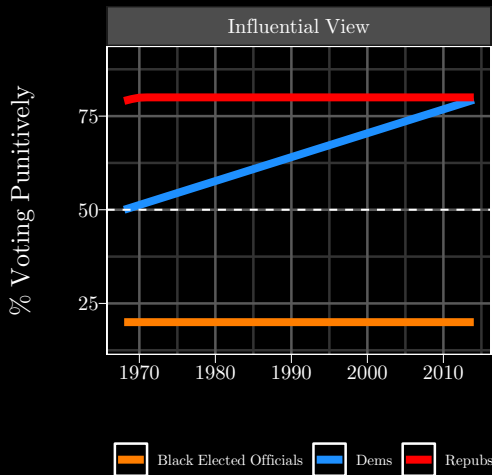
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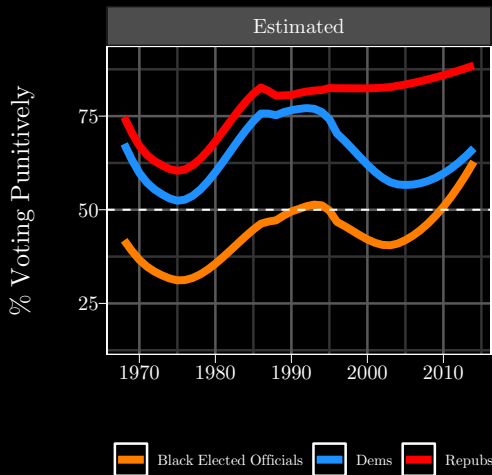
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Why did politicians turn punitive?



Why did politicians turn punitive?



Was this representation or selling-out?

Why support Clinton's 1994 Crime Bill?

- 63% of African Americans supported, only 20% opposed
- Many objections, but “[t]he crime bill’s promise of more police, more prisons and more money for crime prevention was too important to jeopardize by holding out for the racial-justice provision.” (Alan Wheat, D-MO)

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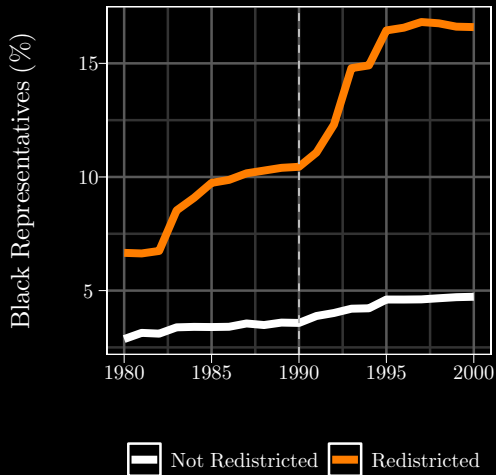
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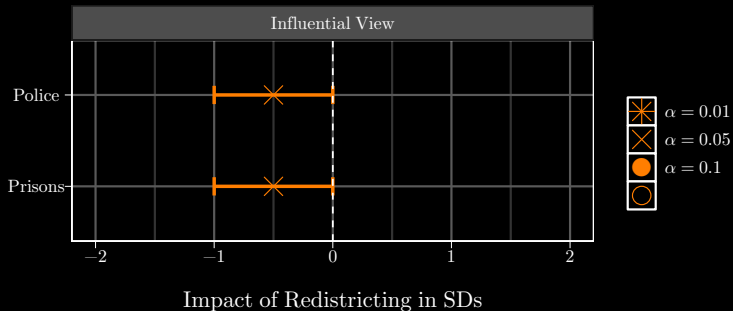
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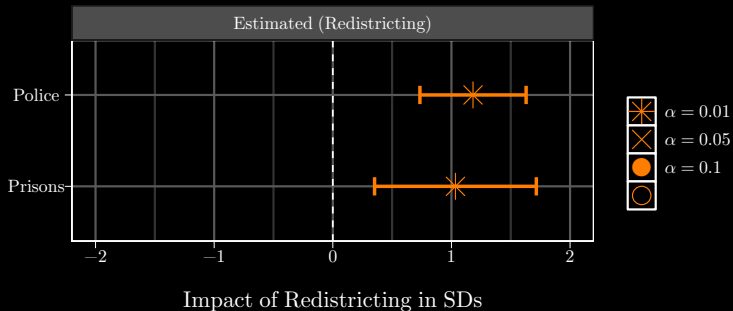
A Natural Experiment



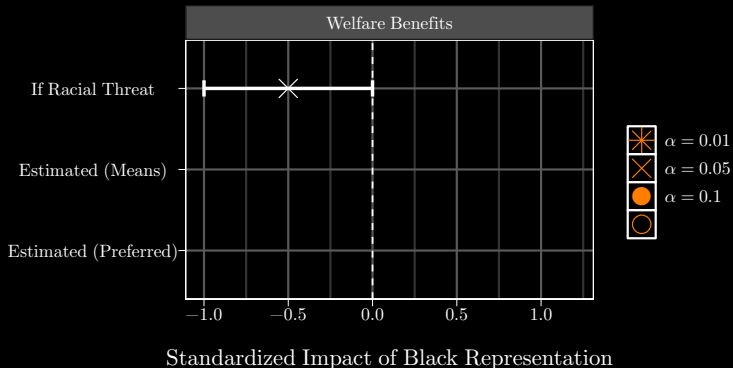
Why did prisons and police grow?



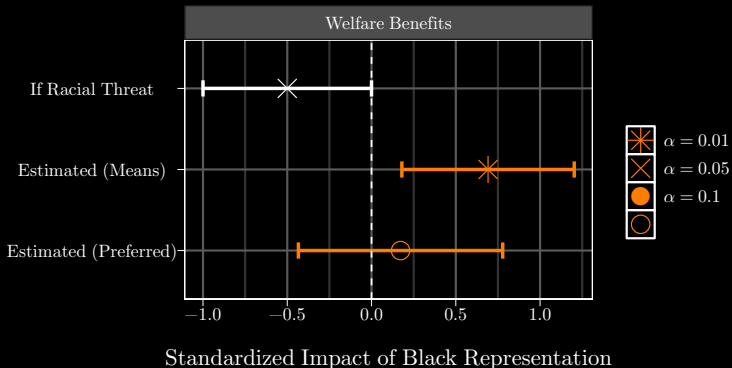
Why did prisons and police grow?



Was this just racial threat?



Was this just racial threat?



The Influential Account

3. These racial anxieties led white Americans to fear crime
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5. Due to white politicians' support of punitive policy, the rate of incarceration and policing increased

My Account

3. The rise in violence drove the rise in public punitiveness
4. As a result, politicians supported punitive policies in greater numbers
5. White *and* black elected officials were responsible for the increase in the rate of incarceration and policing

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My Interpretation

The rise in violence mattered.

Roadmap

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- Why did public opinion change?

- Why did politicians turn punitive?

- Why did prisons and police grow?

- Interpretation

4. Refining the Question

5. In Sum

Why the punitive turn?

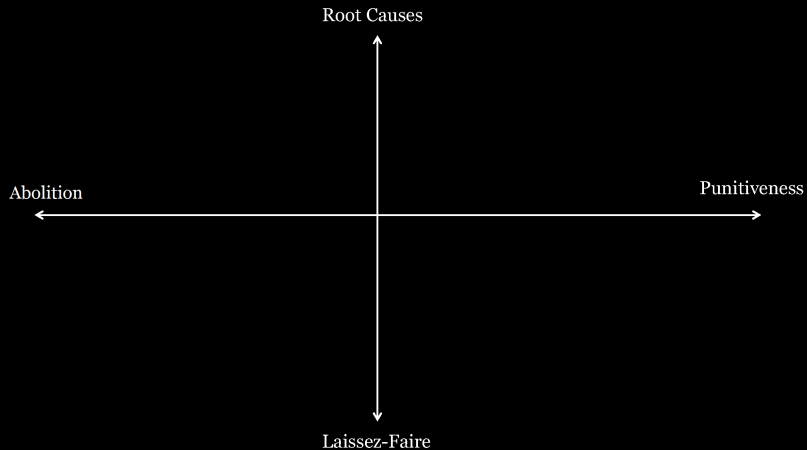
Penal Policy



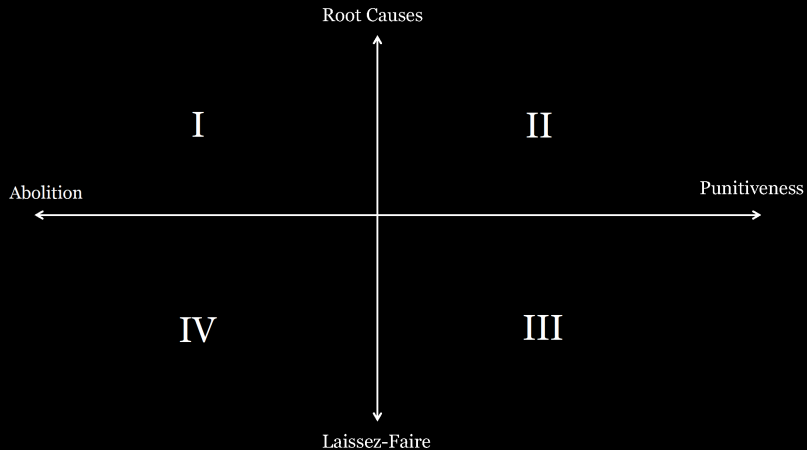
What Is To Be Done?

“The ecological concentration of ghetto poverty, racial segregation, residential mobility and population turnover, family disruption, and... local social organization... are fruitful areas of future inquiry... **Our framework suggests the need to take a renewed look at social policies that focus on prevention.** We do not need more after-the-fact (reactive) approaches.”
Sampson and Wilson, “Towards a Theory of Race, Crime, and Urban Inequality” (1995)

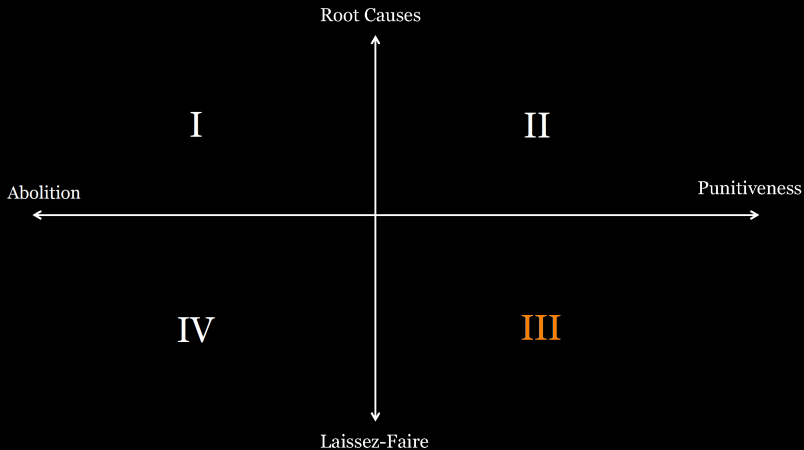
Penal Policy *and* Social Policy



Four Quadrants



Why Quadrant III?



Why the punitive turn?

Why did America fight violence with penal policy?

Penal Policy vs. Social Policy

Penal



Social



Penal Policy vs. Social Policy

Penal

$$\frac{\text{green box with } \$\$}{\text{person icon}} \times \text{person icon} =$$

Social

$$\frac{\text{green box with } \$}{\text{person icon}} \times \begin{matrix} \text{person icon} & \text{person icon} & \text{person icon} & \text{person icon} & \text{person icon} \\ \text{person icon} & \text{person icon} & \text{person icon} & \text{person icon} & \text{person icon} \end{matrix} =$$

Penal Policy vs. Social Policy

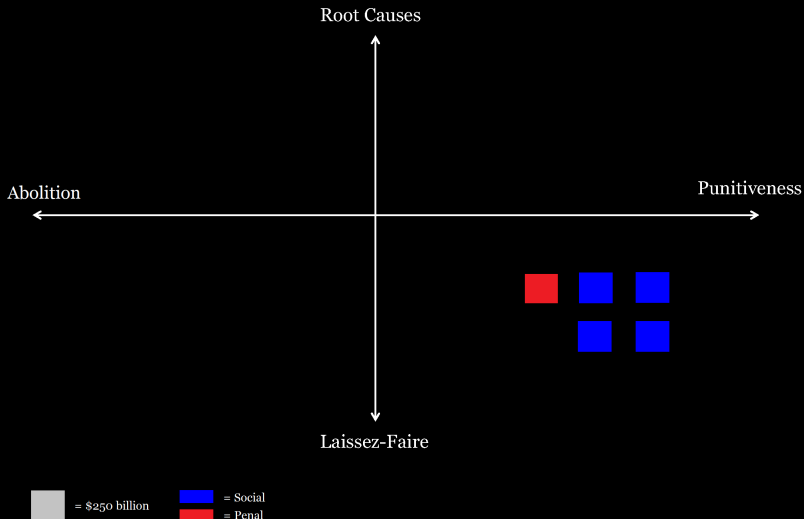
Penal

$$\boxed{\$ \$} / \text{person} \times \text{person} = \boxed{\$250 \text{ billion}}$$

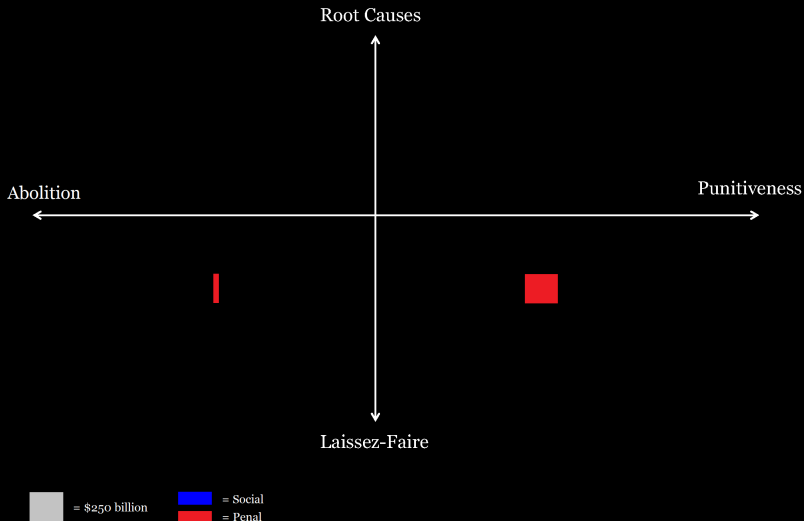
Social

$$\boxed{\$} / \text{person} \times \begin{matrix} \text{person} & \text{person} & \text{person} & \text{person} & \text{person} \\ \text{person} & \text{person} & \text{person} & \text{person} & \text{person} \end{matrix} = \boxed{\$1000 \text{ billion}}$$

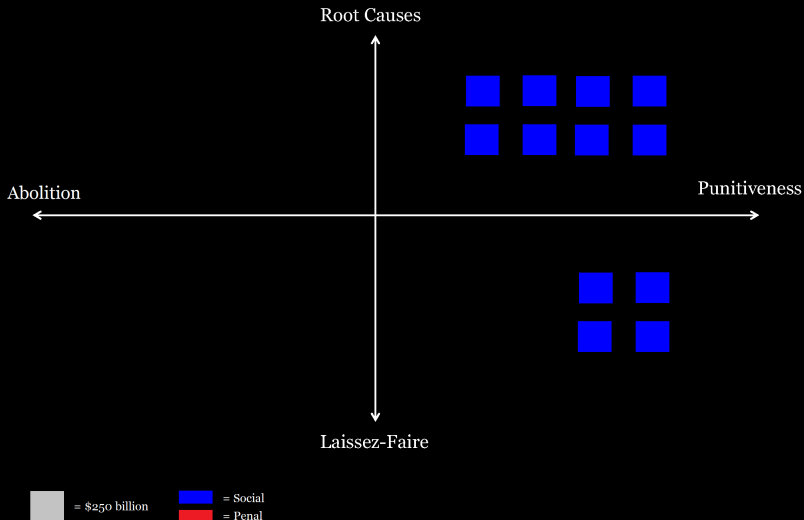
Cost of Quadrant III



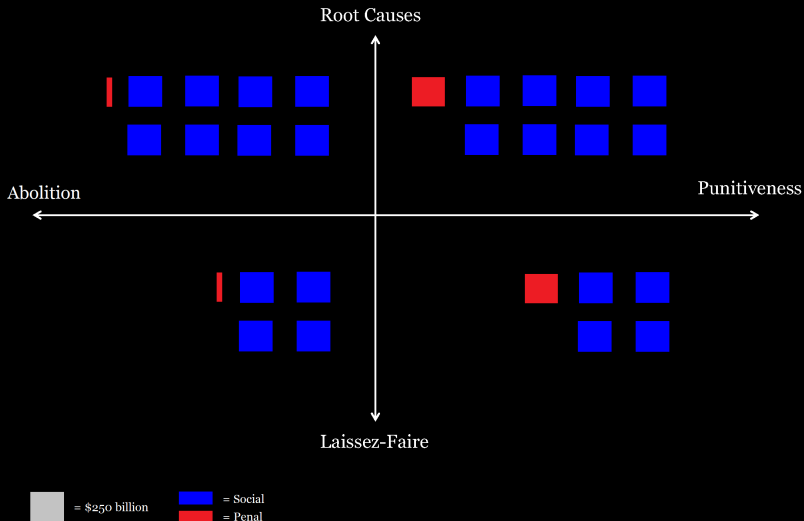
Abolition vs. Punitiveness



Laissez-Faire vs. Root Causes



Cost in Four Quadrants



Why did America fight violence with penal policy?

Why did America fight violence on the cheap?

Some Deductions

1. The state requires economic resources
2. Because the rich have greater capacities to disrupt the economy, they have greater leverage over the state
3. But the poor sometimes gain capacities to disrupt, and so they gain leverage over the state
4. As the poor gain leverage, redistribution from rich to poor becomes more likely

“Democracy and the Class Struggle”, *American Journal of Sociology*, 124(3):1-41

A Conclusion

Redistribution = f(Balance of Disruptive Capacities)

“Those who against the public weal have power cannot be expected to yield save to superior power.”

W.E.B Du Bois, *Black Reconstruction* (1935)

Why did America fight violence on the cheap?

A Hypothesis

The poor lacked the capacity to win social policy.

Longstanding

Balance of capacities is unfavorable

- A working-class divided by race
- Institutions that enable elite veto
(*And behind both, slavery..*)

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Conjunctural

Capacities of the powerless declined

The Civil Rights movement faded, the labor movement ossified

Leverage of the powerful increased

The economy sputtered, Vietnam drained the Federal budget

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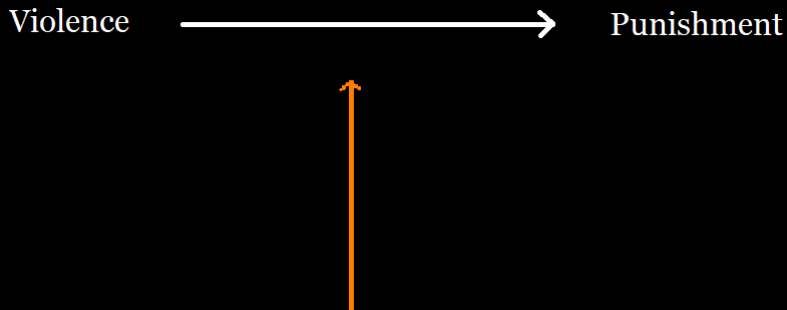
4. Refining the Question

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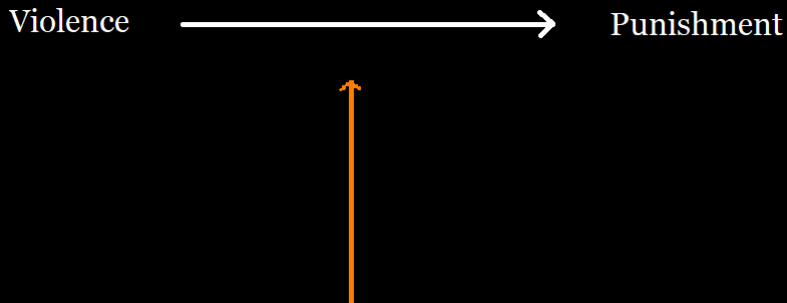
The Influential View



The Developing View



A Tale of Two Exceptions

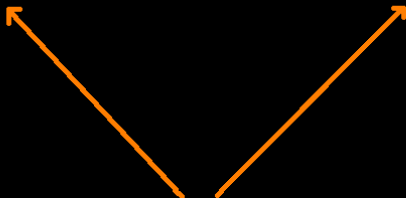


There is no social democracy in the US

A Tale of Two Exceptions

Violence

Punishment



There is no social democracy in the US

A Research Agenda in Six Claims

Punitiveness

1. Risk of Victimization → Public Punitiveness(/Anxiety)
2. Public Punitiveness → Punitiveness of Politicians

Policy

3. Balance of Power → More Social Policy
4. More Social Policy → Less Penal Policy

Outcomes

5. More Social Policy → Less Violence
6. Mass Incarceration → Macrosociological Outcomes

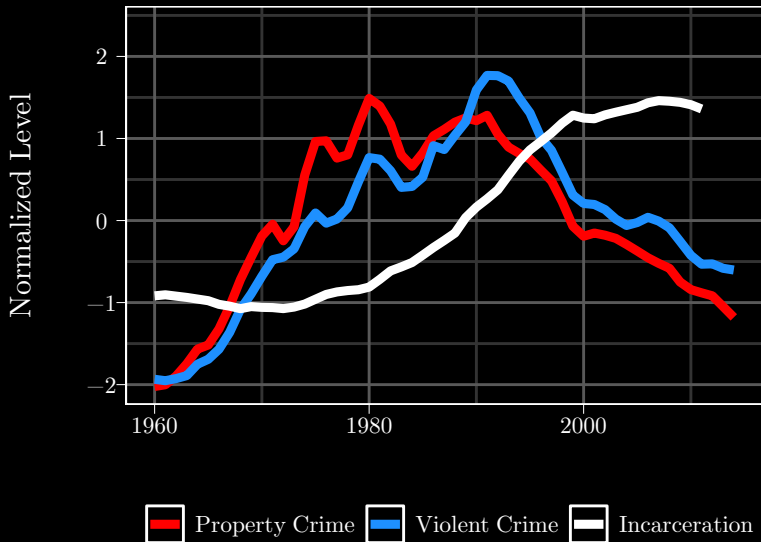
Ideas

1. ML models estimating risk of victimization using $sex \times race \times ed \times age \times year$ info, enter as predictor in $p(anxiety|punitive|mistrustful)$
- 1., 2. Survey experiments to prime respondents to risk of victimization, some given social policy options
3. Analysis of utterances in Congress to place legislators on penal/social 2x2
3. Bartik-like instruments for labor capacity using industry-level growth rates and $county \times industry$ employment shares
- 4., 5. Trade shocks to labor markets, to simulate 'as if' social policy
6. Bartik-like instruments for growth in incarceration using $sex \times race \times ed \times age \times year$ institutionalization rates and county-level demographic shares

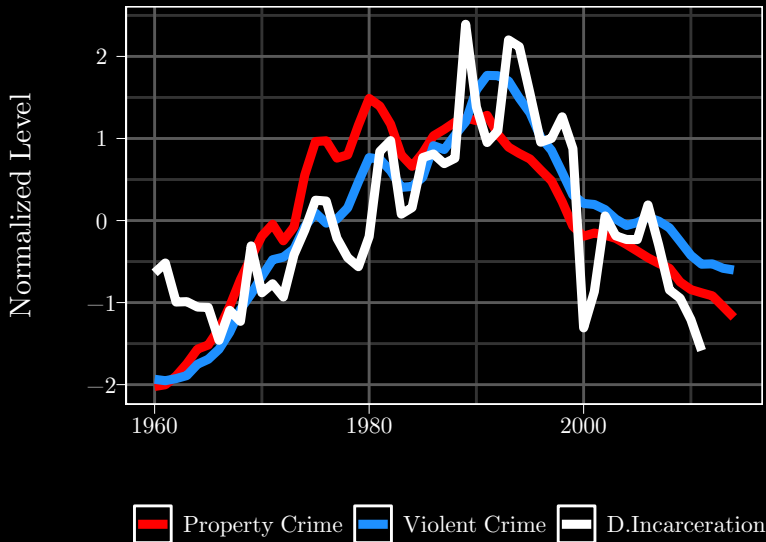
adanner_usmani@brown.edu

Appendix

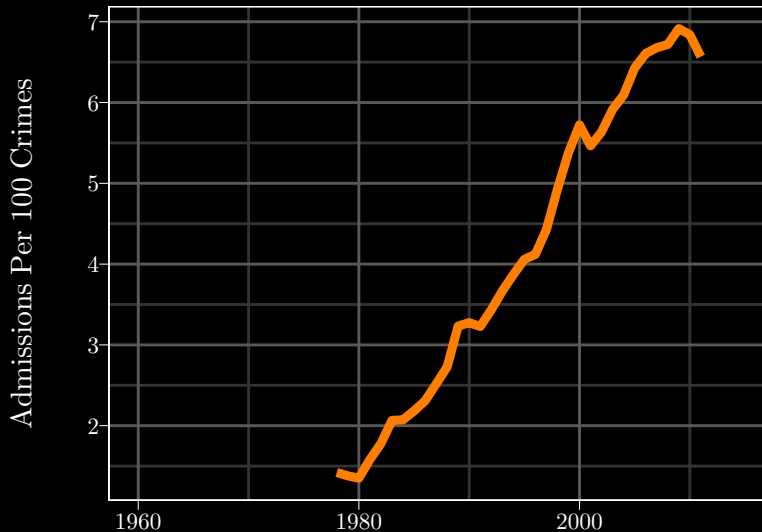
Crime and Punishment, Stock



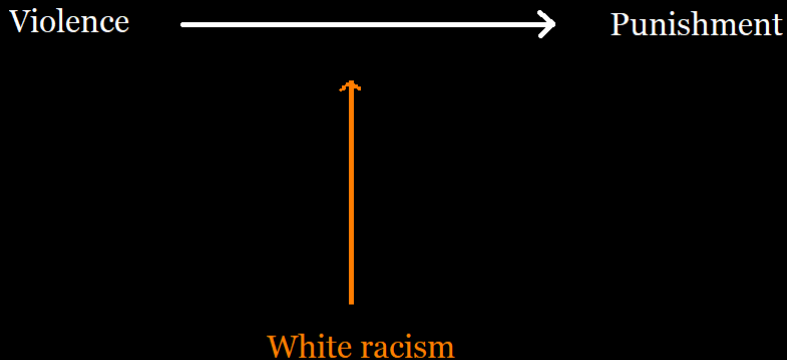
Crime and Punishment, Flow



Admissions Per Crime



The Influential View?



The Developing View

- Racism (Forman Jr, 2017)
- Culture, Legal History (Whitman, 2005; Garland, 2010)
- Media (Enns, 2016)
- Democracy in CJ (Savelsberg, 1994; Lacey, 2008; Garland, 2010; Lacey and Soskice, 2015)
- Discretion in CJ (Pfaff, 2017)
- Federalism (Miller, 2008; Miller, 2016)
- Liberal Market Economy (Lacey and Soskice, 2015; Garland, 2018)

Racial Threat

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Evidence via Racial Threat

- 2-5. Due to Af-Am gains, ... the rate of incarceration and policing increased
- %black correlated with punitive outcomes across and within cities/states

Evidence for Claim 3

3. These racial anxieties led white Americans to fear crime
 - Over-time: The rise in punitiveness is correlated with the success of the Civil Rights movement
 - Cross-individual: More racially-anxious people are more punitive

Evidence for Claim 4

- 4. To exploit this fear of crime, white politicians proposed punitive policies
 - Over-time: The dawn of punitive policy is correlated with the rise of punitive opinion
 - Cross-politician: Those closest to the abandoned white voter are also the most punitive

Evidence for Claim 5

5. Due to white politicians' support of punitive policy, the rate of incarceration and policing increased
 - Over-time, national-level: Richard Nixon and Ronald Reagan played a leading role
 - Cross-state/over-time, state-level: More Republican, more incarceration

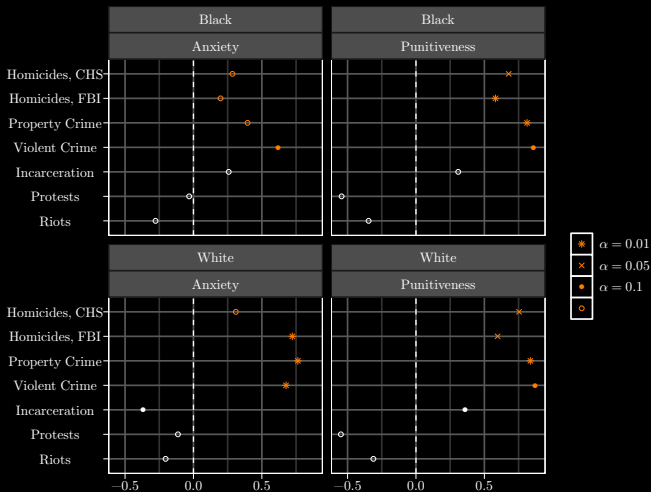
Decomposition, Incarceration Rate

$$\begin{aligned} \text{Incarceration Rate} = & \\ & \text{Behavior} \times \\ & p(\text{Crime}|\text{Behavior}) \times \\ & p(\text{Arrest}|\text{Crime}) \times \\ & p(\text{Charge}|\text{Arrest}) \times \\ & p(\text{Conviction}|\text{Charge}) \times \\ & E(\text{Time Served}) \end{aligned}$$

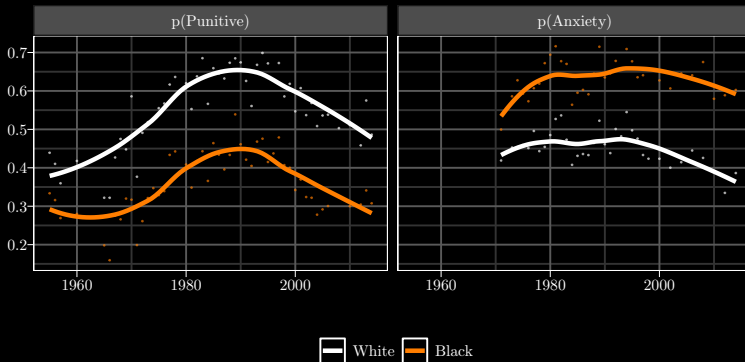
Decomposition, Influential View

$$\begin{aligned} \text{Incarceration Rate} = & \\ & \text{Behavior} \times \\ & p(\text{Crime}|\text{Behavior}) \times \\ & p(\text{Arrest}|\text{Crime}) \times \\ & p(\text{Charge}|\text{Arrest}) \times \\ & p(\text{Conviction}|\text{Charge}) \times \\ & E(\text{Time Served}) \end{aligned}$$

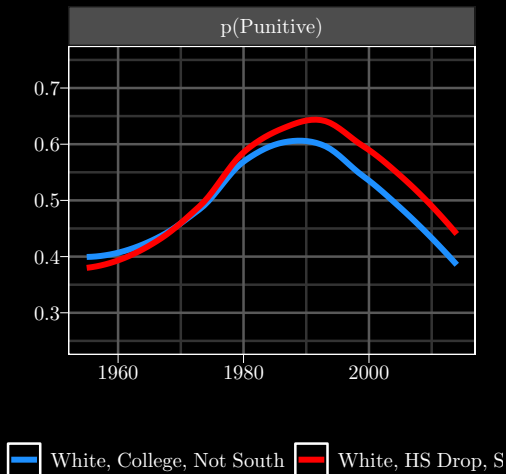
Correlates of Public Opinion



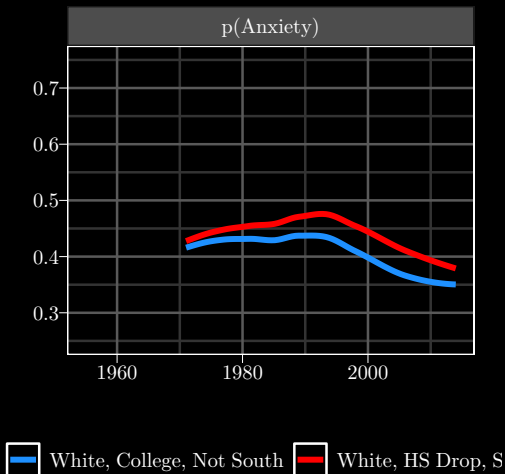
Trends by Race, Subtrends Model



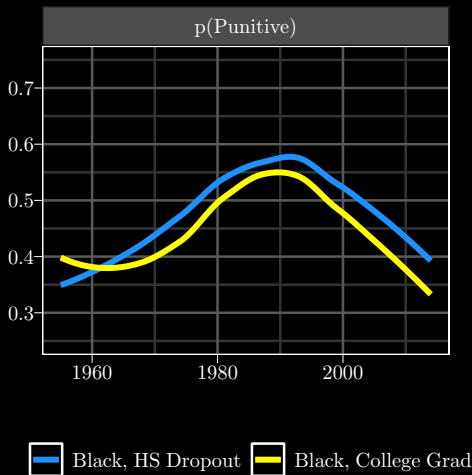
White Southerners vs. White Non-Southerners, Punitiveness



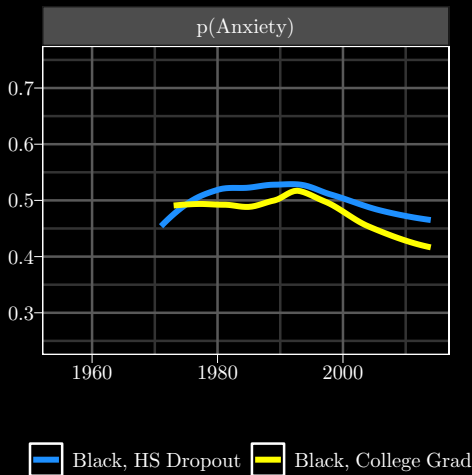
White Southerners vs. White Non-Southerners, Anxiety



Is black punitiveness driven by elites?



Is black anxiety driven by elites?



Public Opinion Model, Standard

$$\begin{aligned} \Pr(y_i = 1) = & \text{logit}^{-1}(\beta^0 + \beta^{race} RACE_i + \beta^{sex} SEX_i + \beta^{ed} ED_i + \\ & \beta_{age} AGE_i + \alpha_{q[i]}^{question} + \alpha_{s[i]}^{division} + \alpha_{t[i]}^{year} + \alpha_{j[i],k[i]}^{race.sex} + \\ & \alpha_{j[i],m[i]}^{race.age} + \alpha_{j[i],q[i]}^{race.question} + \alpha_{j[i],l[i]}^{race.ed} + \alpha_{j[i],t[i]}^{race.year} + \alpha_{j[i],s[i]}^{race.division}) \end{aligned}$$

Public Opinion Model, Subtrends

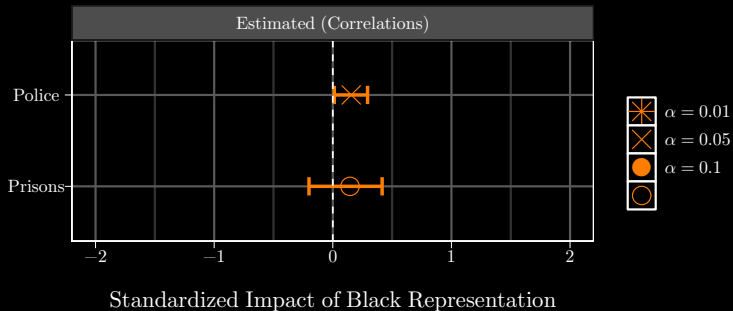
$$\Pr(y_i = 1) = \text{logit}^{-1}(\beta^0 + \beta^{\text{race}} \text{RACE}_i + \beta^{\text{sex}} \text{SEX}_i + \beta^{\text{ed}} \text{ED}_i + \\ \beta_{\text{age}} \text{AGE}_i + \alpha_{q[i]}^{\text{question}} + \alpha_{s[i]}^{\text{division}} + \alpha_{t[i]}^{\text{year}} + \alpha_{j[i],k[i]}^{\text{race.sex}} + \\ \alpha_{j[i],m[i]}^{\text{race.age}} + \alpha_{j[i],q[i]}^{\text{race.question}} + \alpha_{j[i],l[i],t[i]}^{\text{race.ed.year}} + \alpha_{j[i],s[i],t[i]}^{\text{race.division.year}})$$

Differences-in-Differences Model

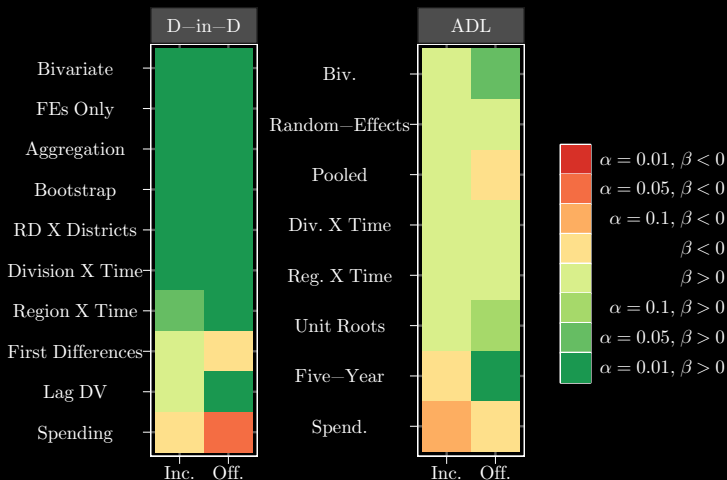
$$DV_{st} = (RD_s \times PD_t)\theta + x'_{st-1}\beta + \delta_s + \mu_t + \epsilon_{st}$$

Controls: Violent Crime, Partisanship, % Black, GDP per capita, Growth Rate, Tax Collections, Gini Coefficient, Enns' Punitiveness Index

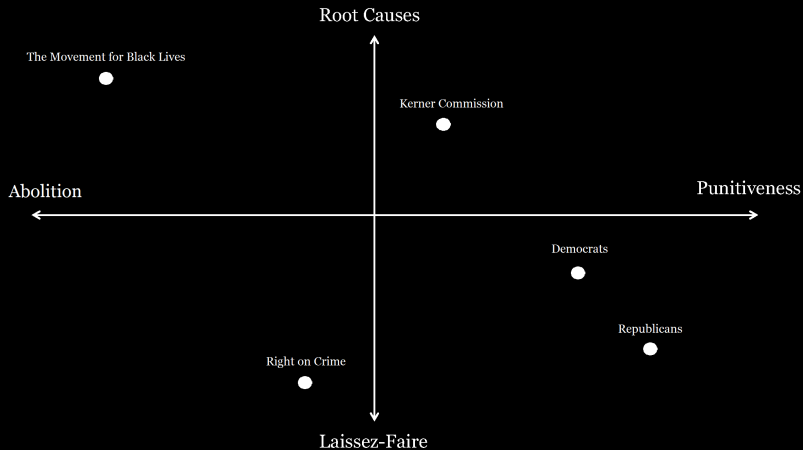
Why did prisons and police grow?



Robustness Tests, Panel Regressions



Penal Policy and Social Policy



Cost in Four Quadrants

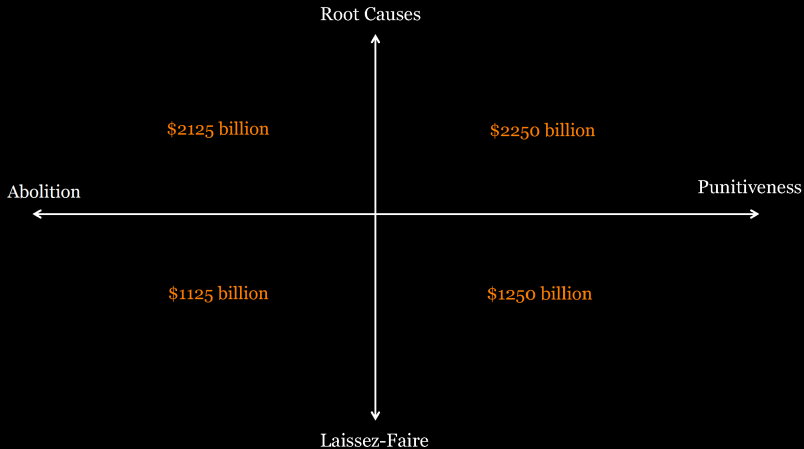
Penal Policy, Punitiveness = \$250 billion

Penal Policy, Abolition = \$50 billion

Social Policy, Laissez-Faire = \$1000 billion

Social Policy, Root Causes = \$2000 billion

Cost in Four Quadrants



The Four Puzzles

1. **Longitudinal:** Why the punitive turn?
2. **Crossnational:** Why the US?
3. **Subnational:** Why some parts but not others?
4. **Cross-individual:** Why some people but not other people?