

## The Politics of Proximity

### *Does Direct Experience Shapes Perceptions of What Carceral Citizens Deserve?*

In September 2024, California's Democratic governor vetoed legislation that sought to end the *de facto* disenfranchisement of eligible incarcerated voters. With no meaningful and systematized way to cast a counted ballot from jail, these Californians made up the largest share of an estimated 500,000 people nationally were unconstitutionally kept from participating in the subsequent 2024 elections (Wang 2024). In California, a majority of those who could participate chose to maintain “involuntary servitude” – slavery – in prisons. In another ostensibly progressive state – Massachusetts – prison and elections officials appeared unwilling to implement a new voting access law. And an estimated 4 million more people were excluded from the elections through *de jure* disenfranchisement while incarcerated on felony convictions, or while on probation or parole – a figure that does not include people who fear or mistakenly believe they have been permanently disenfranchised (Uggen, Willen, and Larson 2024). Scholars have shown these disenfranchisement policies target Black political power (Hinton and Cook 2021) and serve as a critical component of mass incarceration’s broader augmentation of American democracy and racialized social control (Beckett and Western 2001, Simon 2007, 2020, Wacquant 2010, Weaver and Lerman 2010).

In contrast, some particularly punitive, conservative states like Tennessee and Texas are implementation of jail voting programs, which manage the distribution and return of registration materials and mail or absentee applications and ballots, or establish polling locations in jails. Still there are other voices in the debate. While introducing federal legislation to end *de facto* and *de jure* disenfranchisement in January 2023, Congresswoman Ayanna Pressley deliberately centered the voices of incarcerated activists, grounding her support not only in democratic principles and racial equity but in her personal experience with mass incarceration.<sup>1</sup> Her motto that “the people closest to the pain should be closest to the power” directly invokes this epistemic gap between policymakers and affected communities. It also suggests that carceral policies may be among those “driven by social constructions and deception” that warrant investigation into whether “reinforcing feedback mechanisms overwhelm the negative feedback that should come from policy designs that do not

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<sup>1</sup> See: <https://pressley.house.gov/2023/12/06/pressley-welch-unveil-historic-bill-to-guarantee-right-to-vote-for-incarcerated-citizens/>

solve problems, deepen inequalities, and discourage democratic participation" (Schneider and Ingram 2019, 229).

This policy landscape suggests beliefs about what incarcerated people deserve are more than an issue of partisan politics. Understanding what drives these divergent policy paths requires examining how different communities and policymakers conceptualize whether incarcerated people deserve inclusion in democracy. At its core, it highlights a fundamental epistemic problem in criminal legal policy, that may explain those paths and troubles core claims of representative democracy: decisions about carceral citizens' rights and their ability to influence policy are made primarily by legislative bodies that have historically excluded and continue to underrepresent the communities most impacted by incarceration (Hinton and Cook 2021, Pew 2023, Clark and Hansen 2020)<sup>2</sup>.

This paper examines how perceptions of deservingness and related policy preferences differ between those directly impacted by incarceration and those who are not. Scholars have shown that what groups in society are perceived to deserve are institutional and discursive constructions, and others that these constructions may be undergirded by evolutionarily-derived mechanisms (Schneider and Ingram 1993, Petersen 2012, Aaroe and Petersen 2014). These constructions matter because they are understood and translated by policymakers into policy that helps or hinders these groups. And while a broad literature examines public punitiveness, less is known about perceptions of deservingness in the context of incarceration and their translation to policy views and on issues of democratic rights. Drawing on these literatures, I develop and test hypotheses about how affect and identity fundamentally shape perceptions of carceral deservingness in ways that are distinct from other policy domains. Consequently, direct experience with the carceral system will generate more positive and consistent perceptions of what carceral citizens deserve. It disrupts dehumanization of carceral citizens and provides concrete rather than abstract understanding of the complex dynamics that cause crime and confront carceral citizens and punished communities.

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<sup>2</sup> This epistemic gap became clear during my work on carceral voting policy, where I encountered longtime democracy reform advocates who dismissed voting access as 'unserious' or 'absurd.' Some legislators speculated that enfranchised voters in prison would coordinate to manipulate elections. Others claimed voting simply wasn't important to incarcerated people - assumptions that directly contradicted the experiences of incarcerated activists working for voting rights.

This research addresses three interrelated questions:

First, *how do direct experiences with the criminal legal system – experiencing incarceration, being victimized particularly by violent crime, and having social networks that extend into prisons -- shape perceptions of what incarcerated people deserve?*

To answer this question, I consider the contemporary landscape criminal legal landscape in which reforms have primarily helped those serving drug and non-violent offenses. I also consider that Congresswoman Pressley's interjection was notable in its centering of incarcerated *political organizers* – a subset that is rarely centered in a policy debate that typically differentiates people only in terms of their conviction. This leads to the second, or sub-question: *does direct experience inform distinct perceptions of differences in what “carceral subgroups” deserve?* Put differently, do experiences with the criminal legal system impact how people differentiate between, say, incarcerated parents and incarcerated people more broadly?

Finally, deservingness is particularly important to understand in this context, as it may translate into how people think about policy. Thus, I also ask *how experiences with the carceral system shape perceptions of what kinds of policy carceral citizens deserve?*

In this paper, I draw on social construction, deservingness, and punitiveness literatures, to develop and test hypotheses using novel survey data that measures perceptions of deservingness across a wide array of groups, or policy targets. I expect that impacted groups see carceral citizens as more deserving. While existing literature demonstrates how CARIN criteria (control, attitude, reciprocity, identity, need) shape deservingness perceptions for target groups – primarily welfare recipients, I expect in carceral contexts, affect and identity to primarily shape perceptions of deservingness. I consider how these attributes might inform differences in perceptions and policy support for impacted groups. I expect these groups may be more consistent in their support for policies that offer material help to carceral citizens. People who are not impacted may be more reluctant to support policies they perceive as either status-conferring or involving their own expense, and instead support symbolic help and punitive policies.

## **II. Literature Review**

Two converging research streams examine how perceptions of group deservingness shape public policy preferences and outcomes. First, policy scholars who rely on a theory of social constructions

examine how institutional power and discourse shape which groups in society are perceived to deserve help, and how inequality is maintained and tolerated (Smith and Kreitzer, Schneider and Ingram). According to Schneider and Ingram's (1993) foundational typology, policymakers are incentivized by electoral politics to produce policy that helps some groups and punishes others, and that these incentives hinge on two interacting axes. First, policymakers consider the extent to which their constituencies' perceive a group – say, unionized workers or college students – to be socially constructed as “deserving.” Their objective is ensuring their constituencies will broadly approve of policy directed toward that group. Second, they consider that groups' political power – the ability of a group to access, reward, and/or retaliate against policymakers.

As consequence, groups in society and policy that have a disproportionate effect on them fall into four categories. Policymakers are incentivized to help groups who are “advantaged” – both powerful and perceived as deserving -- and “contender” groups, or those who are powerful but constructed as undeserving. In contrast, policymakers offer burdensome policy to “dependents” – those who are seen as deserving but who are not politically powerful, and punish “deviants,” who are seen as neither deserving nor powerful. Political representatives' policy design is also driven by “anticipatory” feedback: policymakers respond to both their perception of groups' political power and social constructions in terms of electoral consequences – for example, by providing “hidden” benefits to contenders, who are constructed as undeserving but powerful, policymakers can avoid political blowback for helping an “undeserving” group while strengthen their own political position. (Schneider and Ingram 2019, Ellis and Faricy 2020).

In responding to social constructions, policies also reinforce them. These group social constructions, which are “value-laden components, including stereotypes, dominant ideologies, and assumptions” about groups operate in dialectic with existing policy. “[P]olicy telegraphs to the public about how target groups should be treated” (Smith and Kreitzer, 2024). As consequence, social constructions are contingent – for example, on local, state, and political and cultural contexts and also the identity and ideology held by the ‘perceiver’ (Smith and Kreitzer 2018). Further, recent work demonstrates policymakers strategically differentiate *within* target populations, recognizing political expediency in providing benefits to some subsets and not to others. For example, Smith and Kreitzer (2018) show that DREAMers are constructed as more deserving than their parents, mirroring the DREAM Act's protections of immigrant children, but not their parents. Criminal legal reform's prioritization of drug offenses over violent crime, for instance, may reflect similar differentiation.

The second deservingness stream examines the contingency and construction of deservingness perceptions through an approach rooted in evolutionary and cognitive psychology. It offers a framework -- ‘CARIN’ – that builds on a conception of deservingness perceptions as quick, heuristic judgements. These judgements stem from the evolutionary advantage of helping “reciprocators” but not “free-riders,” and was thus aimed at distinguishing between the two by quickly “pay[ing] attention to whether welfare recipients are lazy or making an effort” (Petersen 2012, Aaroe and Petersen 2014).

Five ‘CARIN’ dimensions compose these evaluations: *control*, in its original conception, is closely related with *need*, referring to whether someone is perceived as lazy or unlucky – a consideration Oorschot (2006) argues can override all others. More recently, perception of a group or individual’s *need* for assistance has been considered the severity of their neediness and *control* the degree to which they are responsible (SoRelle and Laws 2024). Perceptions of the group’s *attitude* refer to whether the beneficiary is grateful and likeable, and closely related perceptions of the group’s *reciprocity* connote their history or apparent willingness to contribute to society. Last, the *identity* characteristic holds that people will evaluate more generously the deservingness of people whose identity is aligned with their own (Oorschot 2000, 2006).

It is understood these characteristics have varying degrees of salience in -- and thus should not be presumed to operate identically across -- different applications.<sup>3</sup> And while studies of deservingness have found CARIN mechanisms are well supported in the context of healthcare, immigration, and student loan relief (Meuleman, Roosma, and Abts 2020), these settings still are akin to perceptions of welfare desert where the primary question invoked is whether to *help* and offer economic resources to a target group. To my knowledge no/few recent studies apply this framework to “deviant” groups and matters of democratic rights. Recent work also suggests that perceptions of policy beneficiary deservingness may not linearly translate into support for policy overall (SoRelle and Laws 2023) and of a more complicated ‘deviant’ power and feedback dynamics (Schneider and Ingram 2019). I take

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<sup>3</sup> Michael Bang Petersen (2007) for instance, argues that the “lazy or unlucky” determination driving perceptions of need and control override cultural context, as weeding out ‘cheaters’ and helping reciprocators were both evolutionarily advantageous (Peterson 2012, Aaroe and Petersen 2014). Others stress that while the “CARIN” mechanisms constitute a constituent evaluative logic their meaning and salience varies across cultural contexts (Meuleman, Roosma, Abts 2020).

these findings and the ‘peculiarity’ of the carceral system within US democracy to suggest that, applied to carceral context, perceptions of deservingness and implications for policy may be fundamentally distinct.

In the next sections, I zoom out from the CARIN literature to examine key elements that may complicate the deservingness literature, but that also serve to inform my own expectations. First, the literature on affect, particularly as it relates to dehumanization and disgust, adds a needed dimension or layer to the five components understood to compose deservingness assessments. Additionally, as previously noted, identity refers to the proximity to or alignment with one’s own, but there are at two complicating factors with regards to identity.

First, no group is homogenous. Consequently, even as people evaluate groups, there are subsets of a group, which may be more aligned with one’s on than other subsets of the group. Second, identities operate differently in differently policy contexts. That is, both a target’s and “evaluators” own identity might mean different things depending on the policy in question, in in relation to one another. For example, one might perceive a carceral citizen in another state as deserving of parole, but an incarcerated person in one’s own county as undeserving. Third, within the context of the United States, race is not only an identity but an organizing mechanism of society; as such, the dynamics of race and racism, must be called to special attention. As an organizing identity, race also shapes dynamics of policy contexts. Finally, CARIN is assessed in a rather abstract way; the policy context that people are making assessments is likely to influence the way people evaluate CARIN. I address insights from a wider array of literatures, which enrich the theory and hypotheses I offer here.

### **Affect & Dehumanization**

Affect – emotional valence – shapes political judgements (Lodge and Taber 2013) and views about what groups deserve (Fiske, Cuddy, Glick & Xu 2002, Glick and Fiske 1996). Kahneman (2011) frames this readiness of emotional disposition towards an object to both shape and justify opinions as the “affect heuristic” (139), and notes that it is especially pronounced in complicated policy domains, where “the answer to an easy question (How do I feel about it?) serves as an answer to a much harder question (What do I think about it?)”

Where various emotions are important in shaping perceptions of welfare beneficiary deservingness – a process rooted in the evolutionary impulse to help reciprocators and avoid cheaters – or differentiate between the two (Feather 2009), disgust appears to be particularly salient in contexts like immigration or interactions with strangers, where perceptions of deservingness could hinge on, and justifications for deservingness judgements can leverage, claims about personal safety (Petersen 2017).

The evolutionary roots of this process suggest its salience. Disgust is thought to have originated as a defense against poison and disease (Rozin, Haidt & McCauley 2008, Petersen 2017). Through “exaptation,” disgust took on the functional role of identifying and eschewing moral wrongdoers or perceived badness, about which people tend to hold strong intuitive judgements (Rozin et al 2008, Kahneman 2003). Like judgements about cheaters, assessments of ‘badness’ are most negative in contexts of information scarcity – where people attribute blame entirely to an individuals’ moral or inner character. These claims and cues about moral character generate disgust on their own, which trigger a self-reinforcing relationship between disgust -- which “appears to have the unique capacity to foster the social-cognitive dehumanization of outgroup members” (Buckels and Trapnell 2013) -- and dehumanization, which further intensifies disgust (Fincher and Tetlock 2016)

Disgust and dehumanization appear to change how groups are perceived in both broader and specific ways than in terms of moral character. Dehumanized groups are viewed as belonging to a different moral category, or “outside the boundary in which moral values, rules, and considerations of fairness apply” (Opotow 1990, 1, Bar-Tal 1989). This is clearly illustrated in the context of mass violence (Kelman 1976, Staub 1989). Mechanistically, Harris and Fiske (2006) find in a neuroimaging study that people do not perceive and think about individuals who are dehumanized, or “extreme out-groups” as they would otherwise, and instead primarily neurologically react with disgust; this is particularly true when prompted with Black rather than white individuals as cues. Further, dehumanization and disgust can both produce *specific* assumptions about the traits of targets, including higher levels of aggression (Rozin et al 2008), incompetence, and coldness (Fiske, Cuddy, Glix and Xu 2002). Whether automatically or deliberately, affect can strengthen or validate already-held prejudicial views (Harris and Fiske 2006), implicit biases (Dasgupta, DeSteno, Williams and Hunsinger 2009).

In turn, dehumanization and disgust both enable toleration by evaluators of treatment towards the target group they otherwise would not (Bain, Vaes, and Phil 2024, Ellemers 2017). This affect actively generates aggressive behavior and punitiveness, particularly in the US to racial minorities (Bandura 1975, 1999, Bandura, Kteily and Bruneau 2017). Coupled with cultural conditioning, disgust motivates people to attribute blame to moral character akin to Kant's (1790) "internal wickedness" (Nisbett and Ross 1980). This tendency in criminal legal contexts is especially well-established: overassessment of individual culpability and purposeful harm, or *mens rea* in court contexts, appears not just among survey participants (Shen et al 2011) but also among jurists (Severance and Loftus 1982) and trial judges (Fondacaro and O'Toole 2015).

Such outcomes are products, in part, of disgust's ability to inhibit or constrain subsequent deliberative processes (Carlsmith and Darley 2008, Petersen 2014) and make people either uninterested in or override mitigating information (Fincher and Tetlock 2016, Nisbett and Ross 1980) -- particularly information that challenges already established beliefs (Bishops 2009). Further, disgust and dehumanization can prompt feelings of moral superiority for the perceiver (Pizarro Detweiler-Bedell and Bloom 2006), and the punitive impulse appears to be psychologically rewarding (Ellemers 2017, Tajfel and Turner 1979).

### **Subsetting Identities**

Public support for policies and perceptions of what groups and individuals deserve changes depending on what information about a group or individual is available (Feather 1999, 2009). No individual is constituted by a single identity, and groups are internally heterogeneous. Just as well, there is variation in deservingness assessments of "groups within groups," or subsets of groups. For instance, private school teachers, public high school teachers, and special education teachers may be assessed differently. Still more, policy discourse often frames subgroups differently.

Scholars find this is particularly true in the context of policies affecting marginalized groups; policymakers strategically differentiate between subgroups with the effect of enhancing social constructions of some subsets, while further stigmatizing others (Schneider and Ingram 1990, 515). Matos (2019) asks how broad bipartisan support for the DREAM Act – protections for people who were brought to the US without documentation as minors – can coexist with stringent punitiveness towards migrants more broadly. Further, she shows that perceptions of what subsets of immigrants deserve is conditioned on frames and characteristics particular to both the subset and the evaluating



group. She finds that particularly among Democrats, this differentiation between DREAMers and their parents is explained by higher levels of racial resentment and an egalitarianism that negates the role of racial, structural inequalities in the American opportunity landscape. Conservatives, in contrast, are more supportive of protections for DREAMer's when the military service of that subgroup is highlighted.

Within-group differentiation or subsetting of groups is also a product of "othering." Grove and Zwi (2006) also illuminate this point in the context of the treatment of immigrants. Discourses involving threat and order, and of policies that enforce boundaries and symbolize unbelonging are discerning in which subsets are both "set" and held apart from dominant communities. Like punitiveness and moral differentiation, Grove and Zwi note that 'othering' both defines the deservingness of the target, and in contrast, the deservingness or belonging (in-group-ness) of oneself. Conversely, humanization – in discourse and policy – can generate sympathy and inclusivity.

Such 'subsetting' also appears the criminal legal domain. Support for incarcerated political rights idiosyncratically decreases with specificity of sentence and then seriousness of offense type – meaning that among respondents who say they support voting rights for "all" incarcerated people, these same respondents go on to say they would exclude extending voting rights to incarcerated "felons," or people convicted of violent offenses. (Uggen and Manza 2008, MassInc 2020, 2022, Uggen 2023). Thielo and colleagues (2019) find that the public differentiates between incarcerated types – "non-violent offenders" versus "violent offenders." In a different study, Thielo et al (2015) finds that information about redeemability or rehabilitation can decrease support for punitive policies – suggesting that perceptions of innate culpability and affective reactions may drive differentiation, including in perceptions of who does and does not deserve democratic rights.

### **Policy Context**

Perceptions of whether groups deserve policy benefits depend in part on the policy in question. While this may seem self-evident, it is important to point out that contexts can change how people think of policies in relation to themselves. Carlsmith et al. (2002) and Chamberlen (2017) observe that people appear more utilitarian and rehabilitation-oriented in "temporally distant" or general settings, but retributive in proximate situations. Moreover, in some contexts, policies challenge hierarchies, and in others, policies can challenge protect or maintain them (Eubank and Fresh 2022, Soss, Fording, and Schram 2012). Grove and Zwi (2006) show that beliefs about

what immigrants deserve involve the evaluator's perception of self and a desire to preserve their own location on a hierarchy involving deservingness and belonging:

“Othering’ defines and secures one’s own identity by distancing and stigmatizing an(other). Its purpose is to reinforce notions of our own ‘normality,’ and to set up the difference of others as a point of deviance. The person or group being ‘othered’ experiences this as a process of marginalization, disempowerment and social exclusion.” (1933).

An important dimension here is that the “perceiver’s” or “evaluator’s” own self-conception is involved: how a given policy, directed at a given target, impacts the evaluator’s own status, self-conception, and how it makes them feel. As Fanon shows (1952, 1961), the maintenance of exploitative settler and post-colonial practices relied on a hierarchical racial ideology and educational and cultural “improvement” programs around which the colonizer could create narratives of their own benevolent help, to justify or reconcile behavior that deviated from their own (or group/country’s own) held identity and values.

### **Race as Central Identity in American Politics**

These affect and identity mechanisms operate in a context fundamentally linking punishment and race, as punishment in the US is a case of racial disproportionality and decentralization (Michener 2018, Alexander 2010). Race or assumed race of policy recipients shapes what people believe about political preferences with regards to many public benefits, including welfare (DeSante, 2013, Gilens, 1996, Soss et al, 2011, Hancock 2004), college scholarships (Feldman and Huddy 2005) as well as punishment and policing (Israel-Trummel 2022). Across policy literatures, these racialized assessments are linked to evaluations that Black individuals are more *culpable* for their circumstances – whether that circumstance is poverty, illness, or being sexually assaulted -- and punished more harshly, where whites are seen to be victims of circumstances beyond their control (Aaroe and Peterson, 2014; Nazione and Silk, 2013; Donovan, 2007). In a study exposing survey participants to a vignette about police violence, Israel-Trummel and Streeter (2021) find that Black women participants are deemed to be more responsible (“could have done something differently to change the outcome of the interaction”) for their victimization than white women. These racialized perceptions link to policy outcomes and administration; for example, welfare case workers assess Black applicants more than 29% harshly and are twice as likely to sanction them than white applicants (Soss 2011) and elections administrators discriminate against Latinx emailers (White 2018).

While more recent work has found that racial cues may primarily condition support for redistributive policies for respondents with “higher levels of racism,” for whom they “dramatically enlarge the effects of racial cues” (Harell, Soroka, Iyengar 2016), racial attitudes are likely to inform perceptions of carceral deservingness given prevalent underlying associations between Black Americans and carcerality. Americans hold implicit associations between Black carceral citizens and “felons,” those convicted of more serious offenses (Sigelman and Tuch 1997). Similarly, leveraging content analysis of media representations of poverty and welfare from the second half of the 20<sup>th</sup> century, Gilens (1996) concludes that the Black welfare recipient stereotype was developed in large part due to over-representation of Black Americans in stories that cast them as less sympathetic than whites (Gilens, 1996). As a consequence, whites are not amenable to generous welfare policy allocation because they assume are lazy, Black individuals. And Gilliam (1999) found that welfare recipients are stereotyped as Black women; this “narrative script” was constructed through media representation and political rhetoric about welfare recipients and policy in the Reagan era.

Media also discursively shape perceptions of race and carcerality. Not only are “racial minorities [overrepresented] as crime suspects and whites as crime victims,” but media also presents “Black and Latino suspects...in a non-individualized and threatening way,” conditioning the public to both hold racialized perceptions of criminality and to associate information-scarce affective responses with carceral citizens of color (Ghandnoosh 2014). These perceptions about culpability – which translate to both stronger affect and perceptions of need, control, attitudes, and reciprocity – are also shaped by institutional power and outcomes, where Black criminalization and differential associations with culpability are manifest.

Well before the “turn” and mass incarceration, systems of punishment, policing, and disenfranchisement were established to control and curtail Black Americans and Black political power (Fresh and Eubank, Uggen and Manza, Johnston). This racialization presents itself throughout levels of the criminal legal system: police disproportionately target and act more aggressively towards Black men and men of color (Gelman, Fagan, and Kiss 2007, Baumgartner, Epp, and Shoub 2018, Davenport, Soule, and Armstrong 2011), juries seek out mitigating information for white but not Black defendants (Levinson 2007), assume Black men’s guilt (Levinson, Cai and Young 2010) and sentence Black people more harshly (Rehavi and Starr 2014), and feel most confident in guilty verdicts based on pigmentation (Levinson and Young 2010). Trial judges present the same levels of biases as the general public (Rachlinski, Johnson, Wistrich & Guthrie 2009), and critically the public

assigns *culpability* not only more often to Black defendants, but also to Black victims (Donovan 2007, Israel-Trummer and Streeter 2021).

There is some debate about variance in the relationship between racialized appeals, racial attitudes, and policy views – particularly given growing portions of white Americans who may be positively mobilized by appeals to redress structural inequality (Chudy 2021; Sides, Tesler, and Vavrek 2018). In some instances, messages that frame policies as mechanisms to redress structural inequality appear to increase policy support (Niederdeppe et al 2023, Zhirkov and Quintilla 2024). But other recent studies find that racial frames have null or negative effects, including on policies that are generally “race neutral” (English and Kalla 2021).<sup>4</sup> In a study of perceptions of student loan borrower deservingness, Sorelle and Laws (2023) note that perceptions of individuals of color as *more* deserving than whites (in the context of student loans) may reflect underlying assumptions that people of color are in greater need, but an unwillingness to support overall relief; they also find positive racial appeals decrease support for loan relief for Republicans but have no effect on Democrats.

### **Theory and Hypotheses**

In this paper, I ask how direct experience with the criminal legal system shapes perceptions of what incarcerated people deserve. Here, I contribute to the research by ascertaining whether the relationship between perceptions of deservingness and policy preferences differ between those with and without direct experience.

Second, and more broadly, I seek to discern how perceptions of deservingness in the carceral context operate in relation to perceptions in other policy domains – such as welfare, healthcare, or education -- and specifically with respect to how affect (moral disgust/dehumanization) and identity shape deservingness perceptions differently in matters of deserving punishment versus deserving help.

### **Exposure: Social Networks & Victims**

Experience with the carceral system, I expect, shapes how people think about, and what people think, incarcerated individuals deserve. While direct impact can be far more broadly-conceived, here I

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<sup>4</sup> However, the English and Kalla study examines the impact of racialized frames on housing and economic justice/policy. I do note that while these are broadly considered race neutral, both are still racialized and I suspect invoke an “I struggle too” response among white respondents.

consider three forms: being incarcerated, having social ties that include people in prison, and also being victimized. I theorize that personal impact plays a distinct role in deservingness perceptions in carceral contexts as it may impact affective responses to carceral citizens – and because it has important identity attributes of its own.

CARIN mechanisms were developed to explain how people deal with uncertainty and discern between “helpers” and “freeloaders” (Petersen 2012). But whether termed “criminals,” “prisoners,” “felons,” or “inmates,” language most-commonly used to refer to or frame incarcerated people and criminal legal policy is information rich. It communicates a pre-determined norm-violator status – the very definition of “deviance” – and directly invokes dehumanized stereotypes, which both independently generate disgust. Carceral citizens are also a discursively dehumanized (Vasiljevic and Viki 2014). This likely strengthens prejudicial views, bias, support for particularly harsh treatment, and punitiveness (Dasgupta et al 2009, Bain et al 2024, Ellemers 2017). Disgust may override “CARIN” mechanisms. Alternatively, given assumptions of innate culpability, aggression, incompetence, and coldness (Rozin et al 2008, Fiske et al 2002), affective responses could directly inform a perception that the carceral citizen has total control of their status and thus have no need, and further assumptions that incarcerated people are ungrateful (attitude) and unwilling to reciprocate; together, these assessments translate into an undeserving status (Oorschot 2006).

However, affect and dehumanization alone do not explain the complex and sometimes contradictory patterns in public support for criminal justice policies (Schwaeble and Sundt 2020), including support for rehabilitative policies (Thielo et al 2016, Sundt et al 2019). As in the CARIN literature, identity refers to the extent to which a target is perceived as proximate to one’s own group or identity. I offer that identity should also refer to the identity of the carceral citizen, and in particular, what “carceral subset” they are a part as well as a whether the evaluator is directly impacted by the carceral system. I suggest identity may mediate affect.

Impacted groups’ perceptions might involve a different – if only muted – affective response. People with incarcerated family members or friends may rely less on dehumanizing stereotypes that often drive immediate affective responses. Where I suspect that individuals with no incarcerated social network can more readily construct “the prisoner” as a dehumanized abstraction or a stereotype, people who are impacted may instead form judgements drawing on concrete experiences and relationships. A more intimate knowledge of systemic drivers of incarceration and realities of

conditions of confinement, or the myriad costs incurred by families of the incarcerated, may shape perceptions of need, control, attitude and reciprocity. Closeness to the group may, to some degree, reduce susceptibility to information scarcity (Lee, Porter, and Comfort 2014, Christian et al. 2019). Further, “acceptable” punitiveness has changed over time and across contexts (Foucault 1975), and it is important to people to be perceived as moral, particularly by their in-group (Ellemers and Van der Toorn 2015). This may suggest having people whose social networks that include incarcerated people are more likely to experience reflexivity in reaction to their own disgust directed at another person. In other words, these groups could feel shame in response to their own disgusted or punitive reaction (Heffner and Feldman Hall 2019)

Impacted and non-impact people may also experience policy contexts differently. Policy context involves a relational dynamic between the perceiver, policy object, and person or group whose deservingness of the object is in question. As noted, this dynamic may be hierarchical – a perceiver considers how a policy towards a target impacts their own status relative to the target. Such considerations can determine who deserves what, and policy context matters because some policies will challenge these hierarchies and others will not – informing perceptions of deservingness (Fanon 1952, 1961).

In carceral contexts, affective responses may prompt people to want to morally differentiate a carceral target. Some policies will challenge this moral differentiation, and others will not. Prison education policies, for instance, may maintain an evaluator’s sense of moral differentiation, or square with a racially paternalist impulse to a support rights and ‘betterment’ of a still-subordinated group (Jackman 1994, van Cleve). California’s rejected equal-pay ballot question, conversely, suggests the carceral citizen and perceiver are economic and moral equals – instead of being someone who graciously supports “helping the deviant better themselves,” the notion of a “prisoners” entitlement to the same minimum wage as oneself may be perceived as a matter of lowering one’s own position to that of the “deviant.” People whose interest is in reducing recidivism or reducing economic inequality might otherwise lead them to support minimum-wage pay may be blocked from doing so – leaving their values at prison gates.

However, directly impacted groups may be less motivated to differentiate themselves from carceral citizens, and thus less motivated to differentiate in the kinds of policy they support.

While victims' rights groups are often portrayed as drivers of punitive policy, I expect that many victims (particularly of violent crime) have different judgements about what incarcerated people deserve and policy that that narrative might suggest. Perceptions may substantively differ between victims themselves, and friends and family of victims. While being victimized is traumatic and can certainly invoke anger, contempt, and disgust, it also may necessitate time considering offenders, culpability, and fair redress – and more situational notions of culpability or a humanized 'criminal.' This may explain why being victimized does not increase support for harsher punishment (Kleck and Jackson 2016), and instead increases support for policies that address "root causes" of crime (ASJ 2024). Further, it may contribute to sentiment among victims that the criminal legal system is inadequately oriented towards *meaningful* victim safety and justice (see Thompson 2009).

But "victims" versus "offenders" is also a misleading differentiation, if not false binary. An extensive literature shows that people who are incarcerated have disproportionately been victims of crime – one review article cited 31 of 37 papers support this overlap (Jennings et al 2012). While 2% of the general US population report being victims of violent crime, up to 45% of carceral citizens have experienced pre-incarceration physical abuse, and 8.5 to 39.2% of specifically sexual abuse (Azimi et al 2019, Carlson and Shafer 2010, Messina et al 2007, Wolff and Shi 2012, Yoder et al. 2017). Still more experience violence while incarcerated. While a 2004 federally administered study found only 13% of carceral citizens experienced victimization while incarcerated, that number rises to 38% of incarcerated men and 37% of incarcerated women in more recent independent work (Wolff et al 2009). Finally, given victims of violent crime are disproportionately part of communities most impacted by incarceration, and that most victims of violent crime know their offender (Bureau of Justice 2023), victims of violent crime may also be more likely to have social ties that extend beyond prison walls.

I should not overstate this relationship, as racial, moral, and punitive ideologies can still impact subordinated groups (Jefferson 2019, Bonilla-Silva 2003, Jackman 1994, Fanon 1952). I suspect many impacted groups may experience a negative affective response, and personal connections and experience may not overrule both dominant constructions of carceral citizens or deeply held and reasoned beliefs about what people who have broken laws or caused harm deserve. While I do not expect impacted groups to be entirely unreactive to differences between groups of carcel citizens, I do expect to find that they see carceral citizens as more deserving and hold opinions on what policies

carceral citizens deserve that are less contingent on maintaining symbolic punitiveness and a relegated carceral status.

To conclude, I expect that impact matters for how people think about incarcerated people and what they deserve. I expect people who are impacted – victims, and those who have been or know incarcerated people – generally will see carceral citizens as more deserving, and hold more consistent views on what they deserve. In part, this is a result of different affective responses to the idea of an incarcerated person or criminal because it is not an idea, but a known person and because impacted people may disentangle an emotional response from how they think about fair and effective policy.

I offer five interrelated hypotheses.

*(H1A): Groups who are impacted by the criminal legal system perceive carceral citizens as more deserving.*

As noted, personal impact is a distinct component of identity that may mute negative affective responses. Where many who have not been impacted may respond to dehumanized constructions of carceral citizens, impacted groups may not. However, knowing or being incarcerated and being victimized are distinct experiences, suggesting that how they differentiate between different carceral citizens may not be identical, leading to my second hypothesis:

*(H1B): Groups who are impacted by the criminal legal system differentiate between carceral subsets (a) less than those who are not directly impacted and (b) differently from each other – as in, victims versus people with incarcerated friends/family.*

Further, I expect to see differences in particular policy contexts:

*(H2): People impacted by the carceral system's views of what policy help carceral citizens deserve – both material and symbolic policies – will be different than those not impacted.*

In part, I expect that impacted groups have distinct understandings of the causes and consequences of incarceration, and are less willing to revert to affective responses in shaping their decisions about what help or punishment carceral citizens deserve. They may still, to be clear, have negative affective reactions to carceral citizens, and hold views about their overall deservingness that are more negative than when tethered to a particular policy matter or anchor:



*(H2A): People impacted by the carceral system's views of what policy help carceral citizens deserve will be less informed by their overall perception of incarcerated people's deservingness.*

Similarly, impacted groups may be less motivated to self-differentiate from carceral citizens, and willing to extend resources that may be perceived as coming at “a cost” to carceral citizens. In turn, their policy views of what carceral citizens deserve may be more consistent with their views of what people who are not incarcerated deserve:

*(H2B): People impacted by the carceral system's views of what policy help carceral citizens deserve – both material and symbolic policies – will more closely resemble their views of what people who are not incarcerated deserve.*

## **V. Data and Methods**

I propose exploring the application of deservingness to carceral contexts using novel survey data collected in September 2024 by Smith, Bowman, and Mensik. Kreitzer and Smith, previously empirically mapped constructions of power and deservingness of 87 target populations by employing MTurk workers; this new data set mimics the strengths of that data collection strategy, and makes important changes, such as relying on survey respondents recruited from Bovitz proprietary panel and reducing the number of groups individuals assess, to address issues of respondent fatigue.

### *Data Collection Procedures*

This survey targets the US adult general population. 2,716 participants were recruited to complete surveys on the platform Forthright. To be eligible for the study, participants were required to provide informed consent, be at least 18 years old, and be residents of the US. They were paid \$10 for completing the 30-minute survey. Before cleaning, the sample is just under 51% women, and 49% men. The sample is more Democratic than the national average (39% versus 31%), but as Republican (25%). I will apply exclusions for low response quality failing to pass two attention checks, satisficing, and extreme outlier response times. At this stage, I have removed respondents who completed failed attention checks, who spent 5 minutes or less with the expected 30-minute survey, obvious satisfices, and respondents who did not answer dependent variable questions.

My first objective is to understand whether communities who have been directly impacted by the carceral system differ -- in their perceptions of what carceral citizens deserve, views on policies that punish or help carceral citizens, and relationship between the two -- from people who have not been impacted.

### *Variables*

Respondents' perceptions of group deservingness serve first as dependent, and later in the analysis independent variables.

As in Kreitzer and Smith's original empirical mapping of perceptions of deservingness and power, participants are asked to consider the following prompt before reviewing a total of 65 groups:

*Some people, groups, and organizations are viewed as contributing to the general welfare of society and worthy, and thus are deserving of sympathy, pity, or help. Typically, we describe members of these groups as good, smart, hardworking, loyal, disciplined, generous, caring of others, respectful, and creative.*

*Meanwhile, there are many other groups that are viewed as a burden to the general welfare of society, and are believed to be undeserving of sympathy, pity, or help. Typically, we describe members of these groups as greedy, disrespectful, disloyal, immoral, disgusting, dangerous, lazy, and expect others to care for them.*

*Based on what you know about these groups, how deserving or undeserving would you say each of these groups are, generally speaking? Here, 0 means most people in that group are completely undeserving. 100 means most people in that group are very deserving.*

Participants indicate their perception of groups' deservingness using a 0-100 slider scale that was set to 50. In order to include a wide and detailed range of groups, participants were randomly assorted into three sections (A, B, and C).

All three respondent sections evaluated randomized lists of groups that included "criminals," "incarcerated people/prisoners," and "incarcerated women," among other non-carceral groups, providing a sample of approximately 2,244 respondents after cleaning. One-third of respondents were asked to also evaluate "incarcerated parents" and "exonerated/wrongfully convicted."

Another one-third evaluated the deservingness/power of “formerly incarcerated/ex-felons” and “sex offenders.” For these groups, I will use bootstrapping.

I am interested in these groups as separate independent variables. But except when looking at differentiation between groups (incarcerated parents versus criminals, and so on), I use “incarcerated people” as the dependent variable.

### *Impact*

I am interested in how people who have been incarcerated, know incarcerated people, have been victims, and combinations of these differ from those who select “no/don’t know” – those who have not been impacted. I am also interested in how these impacted groups differ between one another – particularly whether those who have been victims of crime are as unlike carceral citizens and their networks as dominant discourses might suggest. Participants are asked whether, “in the past five years,” they or “someone they know well” had any of 12 experiences, including “been incarcerated in jail or prison, and “been a victim of violent crime.” They can select both themselves and “someone they know well.”

I use different measures for impact at different stages in my analysis. First, I create a binary impact variable (Impact) that reflects whether a respondent has been impacted in any way or not at all. While the binary variable reduces distinct and differently cumulative experiences into one, it will allow for a first straightforward comparison of groups, and avoid scaling challenges – particularly that arise given group size variability challenges, as the sample population shrinks/varies across assortments of experiences (for example, I found that 9 participants had both been and know someone incarcerated, and been a victim of violent crime, whereas 206 know someone incarcerated and a victim, but 145 only know a victim and 274 only know someone

Experience	Self/Other	Criminals, Incarcerated People/Prisoners, Incarcerated Women
Total Non-Impacted		1,245
Total Impact		1,005
Incarcerated	Self	29
	Know Well	274
	Both	26
Victim	Self	72
	Know Well	145
	Both	26
Combination Inc, Victim	Self, Know	15
	Both, Know	29
	Know, Know	206
	Self, Self	24
	Both, Self	9
	Know, Self	54
	Both, Both	37

incarcerated). Second, I use indicator variables for been/know incarcerated, and been/know victims.

*Standardization:* Following Kreitzer and Smith (2023), who point out some survey participants' tendency to be "gracious in their evaluations of a range of groups while others...may be dispositionally judgemental," I use standardize deservingness scores adjusted using the "difference between the score a respondent gives to a given group and the average score the respondent gave across all groups."

To explore whether groups who are impacted by the carceral system hold different perceptions of carceral deservingness than one another, and those who are not impacted using regression and ANOVA. To do so, I create control variables:

#### *Control Variables*

Beliefs about what incarcerated people deserve certainly may reflect punitiveness. This impulse to punish and support punitive, rather than rehabilitative policies through retributivist justifications is heightened in the US by cultures of individualism and meritocracy, and conditioned by existing punitive policies and discourse. However, "mushiness" of punitiveness and idiosyncrasies discussed suggest it is not the overriding factor. Punitiveness is usually measured by support for "tough on crime" policies, particularly the death penalty as it is strictly 'expressive' rather than rehabilitative or utilitarian as it has no deterrent effect on homicide rates (Enns 2016, Nagin and Pepper 2012). Studies also measure public punitiveness with self-reports on beliefs about the purpose of incarceration – rehabilitation versus punishment.

I measure punitiveness with a 7-point scale question reflecting respondent's views about the purpose of incarceration, and whether participants see the purpose being about "punishing incarcerated individuals for past actions" or rehabilitation. To ensure that questions about criminal legal policy in the survey do not bias responses to this scale, the order in which respondents see the two question blocks, as well as policy questions themselves, are randomized.

*I will control for partisanship and political ideology.* Democrats, I expect, will vary more than Republicans in their evaluations of sub-groups, as many note that punitiveness is almost pre-determined within conservative ideology (Burton et al 2020, Mancini et al 2021, Wilson et al 2015). While Sniderman and Piazza (1993) contend Democrats' punitiveness reflects ideological beliefs about personal responsibility and the rule of law, Chouhy and colleagues (2022) recently find evidence that Republican opposition may be more reflective of punitiveness, where for Democrats, opposition is more strongly driven by "culture of control" impulses to think of citizenship desert in terms of merits (Miller and Alexander 2016). To control for party affiliation, respondents indicate whether they are Republican, Democrat, Independent, or 'other party.' I will dummy code party, using aggregate independent or other as my reference category, and a Republican dummy variable (1 for Republican, 0 for otherwise) and a Democrat dummy variable (1 for Democrat, 0 for otherwise).

To capture a broader picture of political ideology, respondents are also asked questions about government funding, regulation, and taxation as measures of economic conservatism. They are also asked whether they consider themselves "liberal, conservative, or somewhere in between" on "questions of social policy, such as welfare, infrastructure, health care, education, and minority rights." These allow me to create an ideology scale

I will also control for respondent race and racial attitudes. Respondents are asked whether they are White, Black or African American, Native American/Alaska Native, Asian/Asian American, Native Hawaiian/Other Pacific Islander, Middle Eastern/North African, Hispanic/Latino/a/e, or "my preferred response is not listed." I will use a series of indicator variables (non-Hispanic white, non-Hispanic Black, Hispanic/Latino, and "other" race).

To measure racial attitudes, respondents are asked both the ANES Kinder Scales and FIRE Battery questions.

Finally, I also control for demographic factors. I control for gender with a binary variable where respondents who identified as genderqueer or 'other' (of which there were relatively few) will be randomly assigned to woman (0) and men (1). Location – using information on participants state and county, I will create an albeit overly simplified binary for urban (0) or not-urban (1). Respondents are asked their "with what religious affiliation, if any, [they] most strongly identify." First, I will create

a binary variable indicating whether a respondent is/not religious (1 = non-religious, respondent selected “none,” 0 = religious, respondents selected Protestant, Catholic, Jewish, Muslim/Islam, or Other). If respondents select an option (including ‘other’) besides ‘none,’ are asked “how important religion [is] in [their] life.” A binary variable will indicate whether religion is either “somewhat” or “very” important (0), or “not at all” or “not very” important (1).

### **Analysis 1:**

To test whether groups who are impacted by the criminal legal system perceive carceral citizens as more deserving (H1A), and differentiate less between groups than those who are not impacted (H1B) – both in aggregate, and by carceral ‘type,’ I use ANOVA and regression. As discussed, I will utilize deservingness scores that are standardized using the difference between a respondent’s rating of each group and their mean rating across all groups to redress individual tendencies to be particularly harsh or generous.

Then, I’ll begin with t-tests to compare standardized deservingness ratings between impacted and non-impacted groups, of each carceral subset. This will provide a baseline for whether differences between mean deservingness ratings by non/impacted groups are statistically significant.

I will use one-way ANOVA to look at differences across impacted groups (been/knows incarcerated/victim), using post-hoc pairwise comparisons with Bonferroni corrections to reduce the likelihood of false positives, and look at effect sizes for overall and pairwise comparisons. For coefficients or F-statistics that suggest significant differences between groups, I will use post-hoc Tukey HSD tests to identify which specific impact categories differ from each other. Effect sizes ( $\eta^2$ ) quantify the magnitude of impact's influence on ratings.

To understand the relative importance of impact on perceptions of deservingness compared to other factors, I’ll use regression analyses. I’ll estimate the magnitude of impact's effect on deservingness ratings specifically of “incarcerated people/prisoners” while controlling for demographics and attitudes that might confound the relationship. The impact coefficient represents the expected change in deservingness rating associated with being impacted, holding other factors constant. Second, regression allows testing whether impact remains significant after accounting for variables like racial resentment and punitiveness that my theoretical framework

suggests are important. Third, I can add interaction terms to test whether impact effects vary by respondent characteristics. The “Impact” variable is the binary variable showing all impacted groups (1) versus not impacted (0).

$$\text{DeservingnessScore} = \beta_0 + \beta_1(\text{Impact}) + \beta_2(\text{Location}) + \text{Controls} + \xi$$

This provides a baseline to see how, overall, impact shapes deservingness perceptions. Next, I look at deservingness perceptions of carceral groups (“Carceral\_target”).

$$\text{DeservingnessScore\_Group} = \beta_0 + \beta_1(\text{Impact}) + \text{Controls} + \xi$$

This provides a baseline to see how, overall, impact shapes deservingness perceptions of carceral citizens.

Next, to test whether impacted groups differentiate between carceral subsets less than (a) those who are not directly impacted and (b) differently from each other – as in, victims versus people with incarcerated friends/family, I can use a mixed-effects model, accounting for non-independence of ratings from respondents through random effects.

$$\begin{aligned} \text{DeservingScore\_Differentiations} = & \beta_0 + \beta_1(\text{Been Inc}) + \beta_2(\text{Knows Inc}) + \beta_3(\text{Been Vict}) + \\ & \beta_4(\text{Knows Vict}) + \beta_5(\text{Carceral Target}) + \text{Controls} + (1|\text{RespondentID}) \end{aligned}$$

Because these methods rely on different assumptions, agreement across them would suggest robust differences in perceptions by impacted/nonimpacted groups. These different approaches are also helpful because they indicate different aspects of the relationship between impact and deservingness perceptions. T-tests and ANOVA focus on raw group differences, regression examines relative importance of factors, and mixed-effects models capture differentiation patterns.

*Hypothesis 2:* People impacted by the carceral system’s views of what policy help carceral citizens deserve – both material and symbolic policies – will be different than those not impacted:

To test these next hypotheses, I begin by establishing a baseline comparison of policy preferences between impacted and non-impacted groups. I will conduct independent samples t-tests comparing standardized policy support between impacted and non-impacted groups for

each policy – prison education, prison calls, parole for parents, minimum wage, voting access, restored voting rights, life without parole, and the death penalty. As with deservingness ratings, I then use one-way ANOVA to examine differences across detailed impact with post-hoc Tukey HSD tests identifying which specific impact types differ – whether, for example, there is a significant difference between views of victims than those of incarcerated individuals.

To understand how impact relates to policy support while accounting for other factors, I employ multiple regression analyses:

$$\text{PolicySupport} = \beta_0 + \beta_1(\text{Impact}) + \beta_2(\text{Race}) + \beta_3\text{Party} + \beta_4\text{Gender} + \beta_5\text{Religion} + \beta_6\text{RacialResentment} + \beta_7\text{Punitiveness} + \beta_8\text{DeservingScore} + \varepsilon$$

This model includes the standardized deservingness ratings as a predictor, allowing examination of whether policy views relate differently to abstract deservingness perceptions for impacted versus non-impacted groups.

To test (H2) whether impact status affects differentiation in policy support, I employ mixed-effects modeling:

$$\text{PolicySupport} = \beta_0 + \beta_1\text{Impact} + \beta_2\text{PolicyType} + \beta_3(\text{Impact} \times \text{PolicyType}) + \text{Controls} + (1|\text{RespondentID})$$

I then test how different impact experiences affects differentiation in policy support:

$$\text{PolicySupport} = \beta_0 + \beta_1(\text{Been Inc}) + \beta_2(\text{Knows Inc}) + \beta_3(\text{Been Vict}) + \beta_4(\text{PolicyType}) + \beta_5(\text{Been Inc} \times \text{PolicyType}) + \beta_6(\text{Knows Inc} \times \text{PolicyType}) + \beta_7(\text{Been Vict} \times \text{PolicyType}) + \text{Controls} + (1|\text{RespondentID})$$

The interaction term tests whether impact status changes how people differentiate support across policies. For example, impacted people might show more consistent support across policies (both support prison education and prison wages, etc) while non-impacted people more strongly differentiate between material and symbolic measures.



Next, I explore (H2A) how differentiation in deservingness perceptions informs policies. Here, I introduce a variable to capture the degree to which respondents differentiate between “incarcerated person/prisoner” and other carceral types.

$$\text{PolicySupport\_By Differentiation} = \beta_0 + \beta_1(\text{Been Inc}) + \beta_2(\text{Knows Inc}) + \beta_3(\text{Been Vict}) + \beta_4(\text{PolicyType}) + \beta_4(\text{Desert Difference}) + \beta_5(\text{Impact} \times \text{PolicyType}) + \text{Controls} + (1|\text{RespondentID})$$

After mapping differences, I take these policies one by one to examine (H2B) whether how perceptions of what people deserve changes when those people are incarcerated – again, to glean whether changes in perceptions of people who are impacted are distinct. The survey includes questions about other group’s general and policy deservingness that I use as non-incarcerated/deviant anchors (children, mothers, students, voters, poor families, blue collar workers, working class Americans, labor unions, and parents of undocumented children). Using these anchors allows me to explore whether, for example, beliefs about the importance of worker protections and reducing economic inequality are effectively “left behind” at prison gates.

I use data to create covariates for the following carceral policies: (1) prison education, (2) parole options for parents, (3) voting access in jail, (4) voting rights after prison, (5) prison wages, (6) life without the possibility of parole, and (7) the death penalty.

**Policy 1:** *Increasing funding for accredited GED and college courses in prisons.* Beliefs about access to education in prison normatively should reflect strong support for education and students more broadly. It may also reflect differences in what ‘students’ more broadly deserve, as the question itself may invoke an ‘identity’ of a carceral citizen who is a student or seeking education.

I will create two education/student covariates. The first will be for symbolic views. It will include level of agreement (strongly agree, agree, disagree, strongly disagree) that: “attaining a college degree helps Americans to improve their economic well being;” “more Americans should attend college;” and that “the benefits of college outweigh the financial costs.” It will also include deservingness perceptions of “students” and “women in college.”

The second – a material views covariate – includes three question that either state or imply increases to funding for education: belief in “ensuring that more Americans can attend and pay for college” that “eliminating college debt...would reduce economic inequality,” and that “states should provide more funding to public colleges and universities to ensure that they are more affordable to state residents.”

$$\text{EdInsideOutside} = \beta_0 + \beta_1(\text{Impact}) + \beta_2(\text{SubgroupType}) + \beta_3(\text{Symbolic\_Education}) + \beta_4(\text{Material\_Education}) + \beta_5(\text{Impact} \times \text{Symbolic\_Education}) + \beta_6(\text{Impact} \times \text{Material\_Education}) + \text{Controls} + (1|\text{RespondentID})$$

**Policy 2:** *Eliminating costs for phone calls between people in prison and their families or communities,* **and Policy 3:** *allow(ing) judges to offer parents of young children sentencing alternatives, like parole.* Both policies invoke ‘identities’ of non-incarcerated family members – particularly children – and frame carceral citizens in their identities as family members and, in the latter, parents. Both also may change how “control” and “need” are perceived, in that they are anchored around parents/families/communities/children’s needs to be in contact. In policy 2, eliminating the costs of phone calls technically implies increased expense – whether out of existing department of corrections budgets or in new line items. However, that the question is framed as “eliminating costs,” even for “people in prison” may reduce opposition from some small-budget minded respondents. Policy differs from policy 3 in that carceral citizens are introduced as *in* prison. While individuals facing sentencing are already convicted “criminals,” respondents particularly who lack familiarity with the criminal legal system may not make this connection, and react primarily to a framing in which a “parent” is still getting “punished” – paroled – but able to stay with children.

First, I am able to create a covariate for deservingness perceptions of “children” (although I will need to address/bootstrap that a third of respondents evaluated this group), and “poor families.” A third of respondents also evaluate the deservingness of “non-citizen parents of citizen children.” While, as I discuss in the implications section, this raises broader questions about how personal experiences shape who we believe deserve what, which merits its own paper, testing whether and how non/impacted people differentiate here will give some insight into whether differences are more universal – or applicable to other contexts involving constructed “deviants” -- than just carceral contexts.

$$\text{FamiliesInsideOutside} = \beta_0 + \beta_1(\text{Impact}) + \beta_2(\text{SubgroupType}) + \beta_3(\text{Children}) + \beta_4() + \beta_5(\text{Impact} \times \text{Children}) + \beta_6(\times) + \text{Controls} + (1|\text{RespondentID})$$

As they are framed, both questions are matters of “help,” rather than “status conferring/punishing.”

**Policy 4:** *Allow people convicted of felonies to vote after serving their sentences* **and Policy 5:** *Requiring that jail and election officials ensure that people who are eligible to vote while incarcerated are able to exercise that right.*

The wording of policy questions surrounding voting rights changes how people respond to them, often idiosyncratically when carceral citizens are described as “felons,” “prisoners,” or “inmates,” and when felony convictions or specific crimes are mentioned (Uggen and Manza 2008, MassInc 2020, 2022, Sentencing Project 2022, Uggen 2023).

Policy 4 does not ask about incarcerated people, but formerly incarcerated people. Policy 5 frames carceral citizens as people (firstly) who are already eligible voters. Where questions of “allowing” or “extending” voting “rights,” “privileges,” or “abilities” might invoke a hierarchical response in which the target is a moral and civic “other,” making the question operate as a “status-conferring” matter, in this context it is more a matter of help.

To test whether views on these issues reflect strong views on electoral policy and civic-mindedness, I am able to create a dummy variable for support or opposition to other electoral reforms, including automatic voter registration, making election day a holiday, voter ID, and allowing non-citizen parents with citizen children to vote in local school board elections. I am then able to create a binary composite for those who voted in the 2020 elections versus were eligible but unable, whether they plan to vote in the 2024 elections, and whether they believe or strongly agree/disagree they “feel the government pays attention to what people think when it decides what to do.”

$$\text{VotingInsideOutside} = \beta_0 + \beta_1(\text{Impact}) + \beta_2(\text{SubgroupType}) + \beta_3(\text{Electoral Policy}) + \beta_4(\text{Civic Minded}) + \beta_5(\text{Impact} \times \text{SubgroupType} \times \text{Workers} \times \text{Wagges}) + \text{Controls} + (1|\text{RespondentID})$$

**Policy 6:** *Requiring that prison laborers be paid according to state minimum wage.* Views about prison pay should reflect broader views about worker deservingness, labor policy, and income inequality – including the role economic inequality and hardship play in carceral outcomes. Conversely, while gaps between support for workers, pro-labor policy, or policies to reduce income

inequality outside prison versus inside prison could reflect expressive punitiveness – beliefs that the need to punish outweigh the import of reducing conditions (poverty) that drive criminality – I suggest such gaps inherently reflect affect and an opposition to policies that ‘empower’ or challenge morally or racially differentiated status of people who are *identified* as incarcerated. Finally, this question may suggest elements of ‘control’ – a laborer in prison is working, ‘need’ – sub-minimum wage payment should inherently convey need, and a laborer suggests that people who are incarcerated have economic need, as well as ‘attitude’ or ‘reciprocity’ by virtue of being a somewhat humanized ‘laborer.’

I will create a covariate for minimum wages using deservingness perceptions and policy question(s). about worker deservingness will be created using perceptions of “labor unions” deservingness, “blue collar workers” deservingness, and “working class Americans” deservingness. Because only a third of respondents evaluate the latter two groups, I will use bootstrapping.

Participants are asked their level of belief that, “increasing the federal minimum wage... would reduce economic inequality in the United States” on a 5-point scale from significantly reduce to significantly increase. I will code don’t know/no opinion coded as neutral.

$$\text{WagesInsideOutside} = \beta_0 + \beta_1(\text{Impact}) + \beta_2(\text{SubgroupType}) + \beta_3(\text{Workers}) + \beta_4(\text{Wages}) + \beta_5(\text{Impact} \times \text{Workers}) + \beta_6(\text{Impact} \times \text{Wages}) + \text{Controls} + (1|\text{RespondentID})$$

**Policy 7:** *Maintaining the use of life without the possibility of parole* and **Policy 8:** *Allow the death penalty for people convicted of murder (LWOP)*. Both the death penalty and LWOP are usually understood as matters of punitiveness. But being sentenced to die in prison – whether executed by the state or denied the capacity to be understood as changed are also material. And both are status-conferring: suggesting a status of people who do not have a right to life, being seen as human, or being considered as a victim of a mistake in the criminal legal system.

I use survey items that reflect opposition to, or concern with, preventing death outside of prison. I take level of support or opposition to “require[ing] police to be trained in nonviolent alternatives to deadly force” and “mak[ing] it a crime for police to use chokeholds or strangleholds.”

$$\text{LifeInsideOutside} = \beta_0 + \beta_1(\text{Impact}) + \beta_2(\text{SubgroupType}) + \beta_3(\text{PoliceForce}) + \beta_4(\text{LWOP/DPEN}) + \beta_5(\text{Punitiveness}) + \beta_6(\text{Impact} \times \text{LWOP/Dpen}) + \beta_7(\text{Impact} \times \text{Punitiveness}) + \beta_8(\text{PoliceForce} \times \text{LWOP/DPEN}) + \text{Controls} + (1|\text{RespondentID})$$

## Implications

Policies about carceral citizens – such as whether they deserve to be forced to work without pay or for hourly wages in terms of cents rather than dollars, and roles that include life-threatening work like fighting wildfires,<sup>5</sup> are made in a process that excludes and underrepresents carceral citizens. This may constitute a consequential epistemic problem, particularly if groups who bear none of the punitive burden uniquely see carceral citizens as undeserving, and believe help afforded to them should be limited to kinds that “do not solve problems, to again quote Schneider and Ingram (2019, 229). Further troubling is the possibility that these views diverge from those held by victims, too.

My objective in this project is begin to understand what political exclusion means for criminal legal policy, and how policies like political exclusion continue to be tolerated. I have started by asking how direct interactions with the criminal legal system shape perceptions of carceral citizens’ deservingness generally, and in relation to policy. This findings’ project may have several important implications, and its development has raised additional questions and ideas for future work.

Applying the deservingness framework to the carceral context and developing this proposal raises several questions for future inquiry. First, it raises questions about how, or the extent to which, CARIN attributes explain deservingness in the carceral context, and whether affect plays a distinct role. The deservingness heuristic has been extensively studied in the context of welfare policy (van Oorschot, 2000; Petersen, 2012), and offers a substantive alternative to criminological surveys on public punitive attitudes. However, its application to both criminal justice issues and democratic rights is less developed. Scholars have yet to fully explore how the public evaluates the deservingness of incarcerated individuals, particularly when it comes to non-material rights such as voting, or policy reforms outside of the standard battery of punitive policies (LWOP and the death penalty). This raises important questions about the universality of the deservingness

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<sup>5</sup> See: <https://www.latimes.com/california/story/2025-01-11/how-you-can-help-the-incarcerated-firefighters-battling-l-a-wildfires>

heuristic and how it operates in different policy domains. These questions may best be explored with conjoint designs.

Second, this project – or future iterations -- could contribute to ongoing debate about the relative influence of racial attitudes/resentment versus "principled conservatism" in shaping policy preferences, particularly in the realm of criminal justice (Peffley et al., 2017). Some, including Democrats, minimize the racialization of crime and punishment in the US and instead stress ideological beliefs about personal responsibility and the rule of law play a more significant role (Sniderman & Piazza, 1993) than racial resentment (Alexander, 2010). Further, while literature has explored how racial resentment mediates/moderates punitiveness, in turn influencing views on policy questions like felony re-enfranchisement (Coll 2024), I think those measures fall short. I hope to this debate by examining how racial attitudes interact with other factors in shaping perceptions of incarcerated individuals' deservingness, and views on non-punitive carceral policies.

Further, concepts of identity and within-group subsetting raise questions of their own, and suggest that this only scratches the surface of understanding how carceral citizens and beliefs about what they deserve are constructed and contingent. Policy feedback literature well-establishes that the institution of the American carceral system begets punitive social constructions and policies. Scholars have noticed a changing landscape around incarcerated voting policy, but I have not seen attention paid to how changing carceral policy (for the less punitive, or that signals more inclusive citizenship and constructions of incarcerated people beyond the criminal or various conviction sub-types), and incarcerated coalitional dynamics, may generate feedback effects. I see this project as a first step in a broader project to study feedback effects of existing and changing criminal legal policy surrounding democratic rights, and possibly shifting coalition landscapes that increasingly include and center incarcerated activists. Last, as I suspect that new policy in some states (Massachusetts) is not being implemented, understanding how far and in which directions incarcerated subtypes can move the social construction needle may help explain bureaucratic inaction.