

Incarceration Nation

The United States incarcerates more of its citizens than any other country in the world. At a time when the public, politicians, and pundits struggle to understand how this came to be, *Incarceration Nation* offers the most comprehensive account of the rise of mass incarceration ever. Peter K. Enns turns conventional wisdom on its head. For decades scholars have argued that conservative politicians like Barry Goldwater and Richard Nixon led the development of the carceral state. The author shows that Goldwater, Nixon, and even Democratic President Johnson were responding to an increasingly punitive public. Enns analyzes why the public became so punitive and why it has had such a commanding influence on criminal justice policy. Just as striking, the focus on the public's punitiveness – and evidence that it has been declining – offers a critical path forward for those seeking to reform the criminal justice system.

Peter K. Enns is associate professor in the Department of Government at Cornell University and executive director of the Roper Center for Public Opinion Research. He is also team leader of the Cornell Institute for Social Science Theme Project on the Causes, Consequences, and Future of Mass Incarceration, and he is a former faculty director of Cornell's Prison Education Program. His research has been funded by the National Science Foundation and the Russell Sage Foundation and has appeared in journals such as the *American Journal of Political Science*, *British Journal of Political Science*, *Journal of Politics*, *Perspectives on Politics*, and *Public Opinion Quarterly*. He edited (with Christopher Wlezien) *Who Gets Represented?*

Incarceration Nation

How the United States Became the Most Punitive Democracy in the World

PETER K. ENNS

Cornell University



Cambridge University Press
978-1-107-13288-7 — Incarceration Nation
Peter K. Enns
Frontmatter
[More Information](#)

CAMBRIDGE UNIVERSITY PRESS

32 Avenue of the Americas, New York, NY 10013-2473, USA

Cambridge University Press is part of the University of Cambridge.

It furthers the University's mission by disseminating knowledge in the pursuit of education, learning, and research at the highest international levels of excellence.

www.cambridge.org

Information on this title: www.cambridge.org/9781316500613

© Peter K. Enns 2016

This publication is in copyright. Subject to statutory exception and to the provisions of relevant collective licensing agreements, no reproduction of any part may take place without the written permission of Cambridge University Press.

First published 2016

Reprinted 2017

Printed in the United States of America by Sheridan Books, Inc.

A catalog record for this publication is available from the British Library.

Library of Congress Cataloging in Publication Data

Names: Enns, Peter (Peter K.), author.

Title: Incarceration Nation: How the United States became the most punitive democracy in the world / Peter K. Enns.

Description: New York, NY: Cambridge University Press [2016]

Identifiers: LCCN 2015040741 | ISBN 9781107132887 (hardback) | ISBN 9781316500613 (pbk.)

Subjects: LCSH: Imprisonment—United States—History. |

Criminal justice, Administration of—United States—History. |

Corrections—United States—History. | United States—Politics and government.

Classification: LCC HV9466.E56 2016 | DDC 365/.973—dc23

LC record available at <http://lcn.loc.gov/2015040741>

ISBN 978-1-107-13288-7 Hardback

ISBN 978-1-316-50061-3 Paperback

Cambridge University Press has no responsibility for the persistence or accuracy of URLs for external or third-party Internet Web sites referred to in this publication and does not guarantee that any content on such Web sites is, or will remain, accurate or appropriate.

Cambridge University Press
978-1-107-13288-7 — Incarceration Nation
Peter K. Enns
Frontmatter
[More Information](#)

To Melissa

With all of my thanks, appreciation, and love.

Contents

<i>Acknowledgments</i>	<i>page xi</i>
1 Introduction	1
1.1 <i>The high costs of mass incarceration</i>	5
1.2 <i>Why did the United States become the world's incarceration leader?</i>	10
1.2.1 <i>The importance of public opinion</i>	12
1.3 <i>Plan of this book</i>	15
2 A forgiving or a punitive public?	19
2.1 <i>Past measures of criminal justice attitudes</i>	20
2.2 <i>The importance of measuring opinion change</i>	23
2.3 <i>How do political actors think about public opinion?</i>	28
2.4 <i>Measuring the public's punitiveness</i>	31
2.5 <i>Public opinion and American exceptionalism</i>	39
2.5.1 <i>A brief consideration of cross-national data</i>	40
2.5.2 <i>The political landscape in the United States</i>	43
2.6 <i>Conclusion</i>	44
A-2 <i>Appendices to Chapter 2: question wording</i>	44
A-2.1 <i>Questions used in Figures 2.2 and 2.3</i>	44
A-2.2 <i>Questions used in Footnote 14</i>	45
A-2.3 <i>Questions used in Table 2.1</i>	45
A-2.4 <i>Questions used in Figures 2.7 and 2.8</i>	48

viii	<i>Contents</i>
3	Who led whom? 49
3.1	<i>Political and public concern for crime</i> 50
3.2	<i>Barry Goldwater's 1964 presidential campaign</i> 52
3.3	<i>Johnson's shift on crime</i> 58
3.4	<i>Opinion polls and Nixon's presidential campaigns</i> 60
3.5	<i>Mass and elite opinion in the 1970s and 1980s</i> 65
3.6	<i>Conclusion</i> 67
A-3	<i>Appendices to Chapter 3</i> 69
A-3.1	<i>Pro-Goldwater comments</i> 69
A-3.2	<i>ANES questions (Figure 3.2)</i> 72
A-3.3	<i>Trust and confidence in Goldwater and Johnson questions (Figure 3.3)</i> 73
A-3.4	<i>Johnson's approval ratings</i> 73
4	Explaining the public's punitiveness 74
4.1	<i>Crime rates over time</i> 75
4.1.1	<i>Implications of similar crime trajectories</i> 80
4.2	<i>Measuring news about crime</i> 81
4.2.1	<i>The rise of crime and news coverage of crime</i> 82
4.3	<i>Crime reporting and the public's punitiveness</i> 85
4.4	<i>The rise of crime dramas on TV</i> 89
4.5	<i>Crime, news, and the development of a law and order society from 1950 to 2010</i> 91
4.6	<i>Conclusion</i> 96
A-4	<i>Appendix to Chapter 4</i> 98
A-4.1	<i>Robustness of the Granger causality analysis</i> 98
5	Democracy at work? Public opinion and mass incarceration 100
5.1	<i>The importance of analyzing changes in the incarceration rate</i> 103
5.2	<i>The public's punitiveness and changes in the incarceration rate</i> 108
5.2.1	<i>Control variables</i> 109
5.2.2	<i>Time series analysis</i> 113
5.3	<i>Conclusion</i> 120
A-5	<i>Appendices to Chapter 5</i> 121
A-5.1	<i>Drug mortality data coding</i> 121
A-5.2	<i>Additional robustness checks</i> 122

<i>Contents</i>	ix
6 Punitive politics in the states	127
6.1 <i>State incarceration rates</i>	131
6.2 <i>Measuring state punitiveness</i>	133
6.3 <i>What explains changes in state incarceration rates?</i>	135
6.3.1 <i>Control variables</i>	138
6.3.2 <i>Incarceration rate results</i>	140
6.4 <i>A second test: state expenditures on corrections</i>	144
6.4.1 <i>Corrections expenditure results</i>	145
6.5 <i>Conclusion</i>	148
A-6 <i>Appendices to Chapter 6</i>	149
A-6.1 <i>Incarceration rate analysis: additional robustness checks</i>	149
A-6.2 <i>Corrections expenditures analysis: additional robustness checks</i>	152
7 Conclusion	156
7.1 <i>The importance of studying change</i>	157
7.2 <i>What might have been</i>	158
7.3 <i>The human toll of mass incarceration</i>	160
7.4 <i>Public opinion as a unifying framework</i>	161
7.5 <i>The future of the US prison system</i>	162
<i>References</i>	165
<i>Index</i>	185

Acknowledgments

Many people have shaped this book, but none more than Mary Katzenstein. Mary, who is my colleague and a founder of Cornell's Prison Education Program, encouraged me to start this project, and she continues to shape my thinking on the topic to this day. I am exceedingly grateful for Mary's influence and support. Marc Mauer, the executive director of the Sentencing Project, was another early influence. Marc met with me in 2009, and his interest and suggestions served as critical catalysts for this book. Since these initial conversations, I have steadily accumulated a long series of additional debts that have made this book possible.

This book could not have been written without the year I spent as a visiting scholar at Princeton University's Center for the Study of Democratic Politics (CSDP). Not only did that year offer time to work on this research, but CSDP and Princeton's Politics Department offered a lively and intellectually engaging atmosphere to develop this research. While I was at CSDP, Michele Epstein, Martin Gilens, Jon Kastle, Amy Lerman, Devah Pager, Markus Prior, and the other CSDP Fellows, Miriam Golden, Isabela Mares, Monika Nalepa, and Jeff Segal, offered friendship and support. My research has also benefited immensely from generous support from the Russell Sage Foundation (RSF). Jim Wilson has been especially supportive, and the results in Chapter 6 could not have been completed without the RSF. Financial support from Cornell University came from a LaFeber Research Grant, a Houston I. Flournoy Fellowship, and the Brett De Bary Mellon Writing Group: Immobility, Surveillance, and Detention.

I am also grateful to Cornell University's Institute for the Social Sciences and its support of the Theme Project on the Causes, Consequences, and Future of Mass Incarceration in the United States. My team members on this project, Maria Fitzpatrick, Anna Haskins, Julilly Kohler-Hausmann, and Chris Wildeman; our research assistant, Alyssa Goldman; ISS directors Kim Weeden

and Dan Lichter; and Lori Sonken and Anneliese Truame have been incredibly helpful. Other colleagues and former colleagues at Cornell – both within the Department of Government and beyond – have also provided crucial input and support. These individuals include David Bateman, Tamar Carroll, Gustavo Flores-Macias, Chris Garces, Armando Garcia, Desmond Jagmohan, Michael Jones-Correa, Sarah Kreps, Adam Levine, Andrew Little, Joe Margulies, Suzanne Mettler, Jamila Michener, Kevin Morrison, Emily Owens, David Patel, Tom Pepinsky, Jim Schechter, Jon Schuldt, Rob Scott, Anna Marie Smith, Jessica Weeks, and Ben Yost.

I was fortunate that the students in my undergraduate course on Public Opinion and Representation read the introductory chapter and gave me valuable feedback. This book also benefited immensely from outstanding research assistance. Kailin Koch and Nikhil Kumar provided research assistance that was central to Chapters 3 and 5, respectively. And Delphia Shanks-Booth and Julianna Koch's research assistance was instrumental for the Chapter 6 analysis. This book would also have been impossible without the Roper Center for Public Opinion Research, which is now at Cornell University.

I have had the good fortune to present the research that went into this book at many universities and conferences. I am grateful to scholars and seminar participants at Columbia University's Population Research Center, George Washington University, McGill University, Princeton University, Stony Brook University, Syracuse University, Temple University, the University of North Carolina at Chapel Hill, the University of Pittsburgh, the University of Wisconsin-Madison, the Annual Meeting of the American Political Science Association, and the Annual Meeting of the Midwest Political Science Association. Many other individuals have provided valuable suggestions, feedback, and support throughout this project. Jamie Druckman's consistent enthusiasm and encouragement have been especially helpful. I am also indebted to Alyssa Goldman, Mary Katzenstein, Sarah Lageson, Willie Marshall, Shadd Maruna, Steve Raphael, Chris Uggen, and Chris Wildeman, who all read and commented on a final draft of the manuscript. Their comments, suggestions, and encouragement are enormously appreciated. Others who have influenced this work include Jason Barabas, Traci Burch, Shawn Bushway, Bill Franko, Amanda Geller, Marie Gottschalk, Michael Hagan, Seth Hill, Jon Hurwitz, Will Jennings, Greg McAvoy, Megan Mullin, Dave Peterson, Mark Ramirez, Bob Shapiro, John Sides, Stuart Soroka, Isaac Unah, Vesla Weaver, and John Zaller. I thank Mark Ramirez for providing presidential rhetoric data used in Chapter 4. I am also grateful to Robert Dreesen, the Senior Editor at Cambridge University Press, and to Brianda Reyes, also at Cambridge.

Of course, I actually began accruing debts before this project began. I could not have written this book without the graduate training I received while earning my PhD in political science at the University of North Carolina at Chapel Hill. My research has been positively influenced by my many graduate school friends and by all of the professors I encountered at UNC. I am especially

Acknowledgments

xiii

grateful to my dissertation committee, Mike MacKuen, Marco Steenbergen, Jim Stimson, George Rabinowitz, and Paul Kellstedt. Jim Stimson's mentorship has been especially valuable. His influence on my research could not be overstated. This is not the book I thought I'd write when I left graduate school. I hope it passes muster. Chris Anderson, Paul Kellstedt, and Chris Wlezien have also been hugely influential mentors. I cannot thank them enough.

I have also benefited immensely from the support of my family and friends – both near and far. Special shout outs go to James and Josh in Princeton, Jon, Kenny, Will, Nick, T.R., and Dan in Ithaca, Adam and Corinna in Copenhagen, Fernando and Dakota in Chicago, Brian and Marybeth in Allentown, Ryan, Evan, and Lex in the Bay Area, Craig, Patty, Mike, and Vince in Kingsburg, Eamonn and Colleen in Chapel Hill, Kevin and Marcela in Pittsburgh, Jody, Marc, Paige, and Scott in NYC, Wendy and Jon in LA, Jenny in Richmond, Ryan in Atlanta, and Mark, Evan, and Toddd.