THE EFFECT OF EXPOSURE TO POLITICAL RHETORIC ON

PUBLIC OPINION ABOUT CRIMINAL JUSTICE

By

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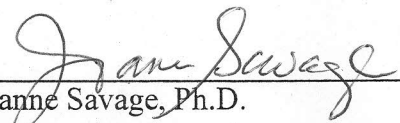
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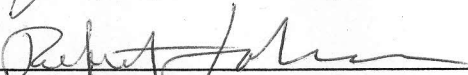
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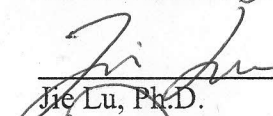
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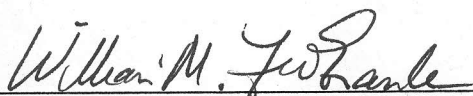
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DEDICATION

To my parents, who have always supported my education.

To my grandmothers, who have always been my enthusiastic cheering squad.

And to Aaron, who should have earned a criminal justice master's degree by now.

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ABSTRACT

Over the past 40 years in the United States, politicians supported harsh criminal justice policies that created an era of "mass incarceration." Politicians justified their actions by saying that the public demanded punitive punishments for criminals. However, according to theories of issue framing, public opinion about political issues can be altered by the manner in which political elites discuss those issues. Framing theories imply that public support for harsh penal policies may be caused by politicians' "tough on crime" rhetoric. If there is, indeed, a causal link between punitive elite rhetoric and punitive public opinion, then politicians' justification of their support for harsh policies becomes tautological.

In order to test this "elite manipulation hypothesis," I used an experiment embedded within a public opinion survey to expose respondents to statements about criminal justice made by members of the House of Representatives. These statements exemplify the "tough on crime" frame traditionally used to support harsher punishment, and a new, "smart on crime" frame that is presently being used by political elites across the country to criticize the high cost of mass incarceration.

Contrary to the elite manipulation hypothesis, I found that exposure to the smart on crime frame did not significantly affect the opinions of respondents, while exposure to the tough on crime frame caused respondents to express *less* punitive responses than respondents in the control group. Further tests revealed moderated results that are more consistent with framing theory. Some findings indicate that higher levels of political awareness inoculate people against the influence of elite frames, while a person's political ideology moderates the manner in which she is affected by a frame. Compared to respondents in the control group who share the same political ideology, evidence indicates that political liberals reject the tough on crime frame and voice less punitive opinions, while political conservatives reject the smart on crime frame and voice more punitive opinions. This finding suggests that elites cannot push people to hold opinions that conflict with their personal values.

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I have received the support of numerous people in my life throughout the years that I spent working on this dissertation project, and I owe a debt of gratitude to each and every one of them.

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CHAPTER 1

ELITE FRAMING, PUBLIC OPINION, AND PENAL POLICY

IN THE UNITED STATES

The Problem of Mass Incarceration

Scholars describe the past 40 years as the era of "mass incarceration" in the

United States of America (Gottschalk, 2006, 2011; Hovde, 2010; Simon, 2007; Useem &

Piehl, 2008). From about 1930 to 1960, the average rate of imprisonment was 115

inmates per 100,000 population. This rate began to exponentially increase in the 1970s,

rising from 102 inmates per 100,000 population in 1972 to 502 inmates per 100,000 in

2009 (Useem & Piehl, 2008; West & Sabol, 2010).[1] As of 2008, over 2.3 million

American adults were incarcerated in prisons or jails (Warren, Gelb, Horowitz, &

Riordan, 2008). The U.S. rate of imprisonment is over five times as high as that of any

other industrialized, Western nation and even dramatically exceeds the imprisonment

rates of other large countries like China and Russia (Pratt, 2009; Tonry, 2004; Warren et

al., 2008; Western, 2006).

Arguably, mass incarceration is justifiable if it is a proportional and efficient

response to changing crime rates. After all, it is the purpose of prisons to incapacitate

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[1] This dramatic increase is evident whether the rate of imprisonment is measured as inmates per 100,000
population or inmates per number of officially-reported crimes (Useem & Piehl, 2008).

and punish criminals and deter potential offenders from committing crimes. In the earliest stages of the prison buildup, most politicians did frame their support for "tough on crime" policies as a reaction to the genuinely rising crime rate of the 1970s (Gottschalk, 2006). However, scholars note that the United States experienced earlier crime waves (such as Prohibition-era crime) that did not result in mass incarceration (Gottschalk, 2006), while other industrialized nations also experienced rising crime rates in the past 40 years without relying upon incarceration as a solution (Tonry, 2004). These facts lead several scholars to argue that the crime and incarceration rates move independently of each other in America; these scholars suggest that crime is not the true cause of mass incarceration (Garland, 2001; Gottschalk, 2006; Hagan, 2010; Scheingold, 1995; Tonry, 2004; Western, 2006; for a rebuttal to this argument, see Useem & Piehl, 2008).

Empirical tests of the relationship between the national, state, and/or county incarceration rates and the crime rate have yielded mixed findings. Once other factors are controlled, some scholars do find a spurious relationship between the crime rate and the imprisonment rate (Nicholson-Crotty & Meier, 2003; Smith, 2004; Western, 2006). On the other hand, several other scholars find that the crime rate does have a statistically significant relationship with the incarceration rate (Greenberg & West, 2001; Jacobs & Carmichael, 2001; Jacobs & Helms, 1996, 2001; Spelman, 2009; Weidner & Frase, 2003; Useem & Piehl, 2008; Yates & Fording, 2005). Using a different approach, Liedka, Piehl, and Useem (2006) present an important caveat to the argument that mass imprisonment is a rational response to crime. Conducting a cost-benefit analysis with state level, time series data, the authors find that the marginal effect of incarceration on

the crime rate begins to rapidly decrease once the incarceration rate passes a certain level. Furthermore, they find that the effect of incarceration on crime eventually reverses and becomes positive if the incarceration rate continues to increase. The authors conclude that most states have already passed the point at which the social benefits of increased incarceration outweigh the associated costs, and the data suggest that the incarceration rate is so high in some states that it actually *causes* additional crime.

Upon reflection, the idea that imprisonment might increase crime is not as counterintuitive as it first seems. Social learning theories of crime suggest that inmates' deviant inclinations might be reinforced through socialization with other criminals in prison (Akers, 1985, 1998; Sutherland, 1947). Social control theories imply that lengthy prison terms could shatter an inmate's bonds to his family and community, leaving him with little reason to desist from crime if he is treated like an outcast once he leaves prison (Clear, 2002, 2007; Clear, Waring, & Scully, 2005; Hirschi, 1969; Rose & Clear, 1998; Sampson & Laub, 1993). Strain theorists would propose that former inmates are "pushed" back into offending by the stress of being unable to secure gainful, legal employment due to their criminal records (Agnew, 1992). At the neighborhood level, social disorganization theorists would argue that mass incarceration could erode informal social control and concentrate joblessness and broken families in offenders' communities (Clear, 2002, 2007; Clear, Waring, & Scully, 2005; Rose & Clear, 1998).

Scholars who empirically study former inmates find that these individuals face reduced economic and employment opportunities (Pager, 2003; Western, 2006), social stigma (Braman, 2002; Clear, Rose, & Ryder, 2001), disrupted familial relationships (Braman, 2002; Clear, Rose, & Ryder, 2001; Western, 2006), and suffer from reduced

political and social efficacy (Mauer, 2002; Uggen & Manza, 2002; Weaver & Lerman,

2010). Travis (2002) refers to these collateral consequences of imprisonment as

"invisible punishments" because they continue to impose hardship upon former inmates

long after the prison term itself is complete. Thus, data suggest that imprisonment makes

it more difficult for former inmates to successfully reintegrate into society than if they

had been given a community-based punishment, such as probation. The more difficult it

is for an offender to reintegrate and reestablish social bonds, the more likely it is that he

will commit further crimes (Sampson & Laub, 1993; Laub & Sampson, 2003). Testing

28 years of state panel data, Vieraitis, Kovandzic, and Marvell (2007) find a positive

relationship between the number of prisoners released from prison and crime rates, an

effect that they attribute to the criminogenic effects of incarceration.

Beyond individual-level effects, the true social cost of mass incarceration lies in

the fact that the collateral consequences of imprisonment are now suffered by millions of

Americans as a result of the incarceration rate's profound growth. Even more disturbing

to some critics is the evidence that the negative effects of imprisonment are

disproportionately concentrated in our nation's most disadvantaged and vulnerable

communities (Clear, 2007; Clear, Waring, & Scully, 2005; Sampson & Loeffler, 2010;

Tonry, 1995; Useem & Piehl, 2008; Western, 2006). Given that these neighborhoods of

concentrated disadvantage are also overwhelmingly populated by African Americans,

mass incarceration creates a self-perpetuating nexus of social harms at the intersection of

race, crime, poverty, and punishment (Gottschalk, 2011; Lyons & Pettit, 2011; Lyons &

Scheingold, 2000; Sampson & Wilson, 1995; Tonry, 1995; Wacquant, 2001, 2010;

Western & Pettit, 2010). Indeed, young Black men are now statistically more likely to be

imprisoned than they are to serve in the military or graduate from college (Western, 2006). Importantly, the racial disparities in imprisonment rates cannot be wholly explained by racial disparities in criminal behavior, particularly in regard to nonviolent crimes (e.g., Harrison & Gfroerer, 1992; Parker & Maggard, 2005). For example, Black men are much more likely to be arrested, convicted, and imprisoned for drug use than White men even though self-report data suggest that Blacks are no more likely to use drugs than Whites (Western, 2006).

The Theorized Causes of Mass Incarceration

The deleterious, collateral consequences of mass incarceration have led many penologists to analyze the factors that instigated and sustain mass imprisonment. Debate continues between scholars who believe that rising crime rates were the primary cause of mass incarceration (Useem & Piehl, 2008) and scholars who believe that socio-political forces were the more important causal factor (Beckett & Sasson, 2004; Garland, 2001; Gottschalk, 2006; Tonry, 2004). Many penologists agree that changes in the crime rate explain only a relatively small amount of the change in imprisonment rates; the majority of the growth in the prison population is explained by changes in public policy that lengthened sentences and curtailed parole (Blumstein & Beck, 1999; Bushway, 2011; Lynch, 2011). Importantly, numerous empirical studies find that political factors, such as partisan (most often Republican) control of the legislature and/or governor's office, state citizen political ideology, and Republican presidential administrations, exert significant effects on the incarceration rate *even when holding the crime rate constant* (Beckett &

Western, 2001; Greenberg & West, 2001; Jacobs & Carmichael, 2001; Jacobs & Helms, 1996, 2001; Smith, 2004; Western, 2006; Yates & Fording, 2005).

Scholars offer several different theories that explain the independent effect of politics on the use of incarceration. Scheingold (1991), Garland (2001), and Simon (2007) argue that the state has turned to a symbolic practice of punishment that is designed to express outrage over crime more so than actually change the crime rate itself. Garland, in particular, argues that the state makes this choice because it lacks real power to eliminate the crime problem, but politicians must do something to alleviate the anxiety that citizens feel over rising crime and changing social norms in postmodern society. Rather than grapple with the intractable social problems of poverty and racial conflict, Scheingold contends that Americans weave a "myth of crime and punishment" in which street crime is identified as the problem and then blamed upon social deviants who violate social norms. By punishing these deviants, we achieve a collective catharsis of anger and fear while avoiding the challenging work of fixing more systemic social ills. Simon posits that politicians facilitate this process by appealing to idealized portraits of the "innocent crime victim" when they discuss crime policy. This rhetorical device inevitably creates a zero-sum game in which a given penal policy is either "for victims" or "for offenders" and tips the balance in favor of punitive outcomes (see also Zimring, 2001).

Similarly, Tonry (2004) posits that our cultural penal sensibilities have shifted away from the rehabilitative mentality of the 1960s to a retributive mentality, and elites have correspondingly reacted to perceived moral panics over crime with increasingly harsh penal policies. Gottschalk (2006) contends that other social movements that

blossomed in the past 50 years, such as the feminist and victims' rights movements, were pressured by politicians to seek criminal justice intervention rather than welfare solutions to the social problems they were fighting, thus indirectly adding support for mass incarceration. Examining the origins of the punitive turn in policy, Weaver (2007) and Murakawa (2008) argue that conservative politicians who opposed the successfully-passed civil rights legislation of the 1960s quickly reframed the national debate to link civil rights protest with riots and lawlessness, thereby confounding civil protest and crime in the public discourse. By equating civil rights with crime, conservative politicians effectively shattered liberals' ability to support further civil rights policies and instead redirected federal resources toward crime control.

Though these theories offer different primary explanations for the rise of the modern "carceral state" in America, they all explicitly or implicitly identify political elites or public opinion as causal components in the transition from a modest, rehabilitation-centered system to a massive, punitive system of "human warehousing" (see Hovde, 2010). Savelsberg (1994), Garland (2001), Tonry (2004), and Simon (2007) each posit that America's political system of democracy and direct electoral accountability formed a context that allowed mass incarceration to flourish (see also Barker, 2009). Politicians say they are responding to the demands of the public when they support tough on crime policies. Goldwater and Nixon frequently spoke of the American people's desire to be free of crime as they made "law and order" central issues in their presidential campaigns (Beckett, 1997; Marion, 1994). Especially since Dukakis's defeat in the 1988 presidential election, elected officials seem to believe that voters will retaliate against politicians who are "soft on crime" (Anderson, 1995; Beckett

& Sasson, 2004; Brennan, 2008; Chernoff, Kelly, & Kroger, 1996; Garland, 2001; Lin, 1998; Roberts, Stalans, Indermaur, & Hough, 2003; Simon, 2001; Tonry, 2004; Windlesham, 1998).[2] As an illustrative example of this mentality, Beckett (1997) cites a Clinton administration official who said, "You can't appear soft on crime when crime hysteria is sweeping the country. Maybe the national temper will change, and maybe, if it does, we'll do it right later" (p. 61). Politicians have engaged in a race to prove their unwavering support for crime victims by supporting increasingly punitive punishments for offenders (Garland, 2001; Gottschalk, 2006; Simon, 2007; Tonry, 2004).

The proposed nature of the relationship between punitive public opinion and changes in criminal justice policy varies across theories. Frost (2010) identifies three primary explanations of this relationship. The first thesis, called "democracy at work," is the explanation voiced by politicians themselves. This thesis holds that American citizens perceived the rise in crime during the latter half of the twentieth century, and they demanded that their elected representatives swiftly attack the crime problem. Politicians responded to the will of their constituents by curtailing parole, lengthening sentences, eliminating prison amenities, etc. This thesis paints politicians in the most favorable light as legitimate vessels of the public will.

Proponents of "penal populism," the second thesis, also hold that punitive public opinion preceded and caused politicians to support harsh penal policies, but this thesis casts politicians in a more negative and cynical light (Bottoms, 1995; Roberts et al., 2003). According to this explanation, "politicians use the crime issue to their advantage,

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[2] Politicians and scholars alike widely believe that Bush's attacks on Dukakis' opposition to the death penalty and support for prison furloughs cost Dukakis the election. To my knowledge, this causal explanation is supported only by anecdotal, rather than empirical, evidence.

advancing policies that are popular with the public with little or no regard for their outcomes in terms of fairness or effectiveness" (Frost, 2010, p. 158). Proponents of this thesis also argue that politicians ignore nuance in public opinion that could be used to support alternatives to incarceration. For example, several scholars note that the extent to which citizens voice punitive sentiments is contingent upon the nature of the question asked and the information provided (Cullen, Fisher, & Applegate, 2000; Durham, 1993; Roberts & Stalans, 1997; Stalans, 2002). Numerous studies find that the mean level of citizen support for the death penalty drops dramatically when people are given the option of a sentence of life in prison without the possibility of parole rather than simply being asked if they favor or oppose the death penalty (Bohm, 1991; Bohm, Flanagan, & Harris, 1989; Bowers, 1993; McGarrell & Sandys, 1996; Niven, 2002; Sandys & McGarrell, 1995).

Similarly, despite the fact that most citizens deride the courts as being overly-lenient with offenders, Rossi and Berk (1997) found that citizens recommend sentences remarkably similar to those prescribed by the Federal Sentencing Guidelines when they were asked to sentence hypothetical offenders described in vignettes; in fact, citizens frequently recommended sentences that were slightly *less* punitive than those prescribed by the Guidelines. Other data reveal that individuals first think about repeat, violent offenders when they answer questions about punishment, which leads them to provide very punitive responses; when people are instructed to consider first-time, nonviolent offenders, support for probation and other non-custodial sentences increases significantly (Roberts & Stalans, 1997).

In fact, numerous surveys conducted over the years of rising incarceration rates reveal that a majority of citizens express strong support for rehabilitation, education, and drug treatment programs for offenders (Applegate, 2001; Cohen, Rust, & Steen, 2006; Cullen, Cullen, & Wozniak, 1988; Cullen, Pealer, Fisher, Applegate, & Santana, 2002; Duffee & Ritti, 1977; Hart Research Associates, 2002; Hartney & Marchionna, 2009; Johnson, 1994; Riley & Rose, 1980). The consistency of these results over time leads Cullen and his colleagues (2000) to conclude that support for tough punishment and support for rehabilitation are not mutually-exclusive in the typical citizen's mind; Americans want criminals to be punished, but once incapacitated, citizens want the criminal justice system to help offenders reform themselves. According to the penal populism thesis, however, politicians choose to respond only to the public's desire for tough punishments without equally supporting their call for robust rehabilitation and education for incapacitated offenders.

The third thesis of the relationship between politicians and public opinion about punishment casts politicians in the most negative light. Beckett (1997; see also Beckett & Sasson, 2004) posited what has come to be known as the "elite manipulation hypothesis." She argued that the American public was not especially concerned about crime until politicians began defining crime as a pressing social problem in their speeches, after which the public became fearful and supportive of harsh punishment. In other words, Beckett contends that punitive elite rhetoric preceded and caused punitive public opinion; her thesis stands in contrast to the democracy at work and penal populism theses, which both hold that politicians reacted to the public.

If valid, the elite manipulation hypothesis has grave implications for the legitimacy of harsh penalties in the modern criminal justice system. As discussed above, data suggest that mass incarceration is imposing significant costs upon American society, the most deleterious of which is its role in widening the social, economic, and political inequality gap between middle- and upper-class White Americans and lower-class Black Americans (Lyons & Pettit, 2011; Lyons & Scheingold, 2000; Western, 2006). Data indicate that political forces fuel mass incarceration to an extent beyond that predicted by the crime problem itself. Politicians have justified their tough on crime votes by saying that the will of a punitive public directed their actions (Beckett, 1997; Chernoff, Kelly, & Kroger, 1996; Roberts et al., 2003; Tonry, 2004; Weaver, 2007; Windlesham, 1998), but if the elite manipulation hypothesis is correct, then the foundation of political support for mass incarceration lies not with the public, but with politicians themselves. Despite the troubling implications of the elite manipulation hypothesis, it has been the subject of limited empirical testing. It is my purpose in this dissertation to provide a rigorous test of the elite manipulation hypothesis and the relationship between politicians and public opinion about criminal justice.

Framing Theory, Elite Rhetoric, and Public Opinion

Is the proposition that political elites manipulate public opinion plausible? Extensive evidence from the political science literature on "framing" indicates that the answer to this question is yes. Chong and Druckman (2007a) explain that framing effects, "occur when (often small) changes in the presentation of an issue or event produce (sometimes large) changes of opinion" (p. 104). They explain the presence of

framing effects in politics, saying "politicians attempt to mobilize voters behind their policies by encouraging them to think about those policies along particular lines. This is accomplished by highlighting certain features of the policy, such as its likely effects or its relationship to important values…" (p. 106). Scholars have empirically demonstrated the power of frames to influence people's opinions about numerous political issues, including welfare (Brewer, 2001), the Patriot Act (Chong & Druckman, 2010), NAFTA and healthcare reform (Cobb & Kuklinski, 1997), gun control policy (Haider-Markel & Joslyn, 2001), and physician-assisted suicide and social security reform (Joslyn & Haider-Markel, 2002), to name just a few.

In his seminal theory of public opinion formation, Zaller (1992) explains how elite framing of issues affects the opinions of citizens. Zaller makes the bold claim that citizens do not possess "true attitudes" about most issues polled on surveys. The average citizen knows little about politics and is too busy living her own life to inform herself about the myriad details of government action and public policy beyond a superficial level.[3] Zaller posits that the responses citizens provide to most survey questions about politics and public policy are not measures of stable, concrete opinions about those topics because it is unlikely that the respondent had previously given the policy issue much thought. Rather, Zaller argues that citizens *construct* opinions about political issues "on the fly" when queried by pollsters.

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[3] For discussions of the low level of political knowledge among American citizens, see Converse (1964), Delli Carpini & Keeter (1996), Lewis-Beck, Jacoby, Norpoth, & Weisberg (2008), and Schattschneider (1960). Other studies confirm the fact that citizens also know little about the criminal justice system (Durham, 1993; Heumann, Pinaire, & Clark, 2005; Roberts & Stalans, 1997).

Zaller explains that the "raw materials" that people use to construct their political opinions are what he refers to as "considerations," which are a mix of cognition and affect that may lead an individual to favor or oppose a political position. For the purpose of the present discussion, the key point in Zaller's theory is his proposition that the flow of elite information and discourse through the mass media determines which considerations are most salient to citizens at a given time. Because of the fact that citizens construct their political opinions based upon whichever considerations are most salient at the time they are questioned, Zaller's theory implies that elite discourse may cause public opinion.

When we apply Zaller's theory to public opinion about criminal justice, we see a pattern of facts that lends credence to the elite manipulation hypothesis. Numerous penologists observe that elite support for rehabilitation in corrections was strong throughout the first half of the twentieth century, but for a variety of reasons, elite opinion experienced a sea-change in the early 1970s.[4] Policy makers and criminal justice practitioners abandoned rehabilitation as a failed enterprise (see Garland, 2001; Marion, 1994; Walker, 1993). In its place, several scholars argue that politicians spoke for decades with a near-unified voice in support of the tough on crime perspective (Mauer, 2011a; Scheingold, 1995; Simon, 2007; Tonry, 2004). According to Zaller's theory, elite discourse about crime and punishment was a "one message model" throughout much of the 1970s, 80s, and early 90s; elite opposition to severe punishment was rare and

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[4] One of the most frequently-cited triggers of the elite backlash against rehabilitation was the publication of a program evaluation report by Martinson (1974) in which he concluded that most of the rehabilitation programs he reviewed were ineffective at reducing recidivism. Despite the fact that Martinson (1979) himself later recanted most of his earlier conclusions, his "nothing works" conclusion became a rallying cry for elites who attacked rehabilitation and judicial discretion in the criminal justice system.

overshadowed by elites' vocal support of the punitive frame (for empirical evidence of these elite frames in the mass media, see Ramirez, 2009).

Zaller hypothesizes that citizens are *most* susceptible to manipulation when elites speak with a bipartisan consensus on an issue, which he describes as a "mainstream message." He states, "the greater a person's level of political awareness, the greater the number of mainstream messages the person would internalize in the form of considerations and hence, all else equal, the greater the person's level of expressed support for the mainstream policy" (p. 98). In other words, all citizens who are sufficiently aware of current events to hear about elite opinion on a consensus issue through the mass media will follow the elites' cue and support the issue, as well. Thus, the hegemony of the tough on crime frame voiced by politicians could have made punitive considerations most salient in the minds of American citizens, which would lead them to voice punitive opinions about criminal justice.

However, it is overly-simplistic to expect that all individuals will react to punitive elite rhetoric in the same way, a nuance to our theoretical expectations that has not been adequately addressed by penologists. The *extent* to which frames can alter opinions, the *conditions* under which frames are most likely to be effective, and the exact cognitive *process* by which frames exert their effects are all matters of extensive debate among political scientists. Of particular importance to the current project, framing scholars debate the moderating role of political awareness, the influence of personal values, and the possibility that the nature of framing effects will vary depending upon the type of political/policy issue in question.

Several political scientists recognize that an individual's level of political awareness may moderate the effect of political frames (Chong & Druckman, 2007a; Cobb & Kuklinski, 1997; Druckman & Nelson, 2003; Slothuus, 2008; Zaller, 1992). Zaller defines awareness by saying, "political awareness…refers to the extent to which an individual pays attention to politics *and* understands what he or she has encountered" (p. 21). According to his theory, political awareness affects both a citizen's likelihood of being exposed to elite messages through the mass media and her ability to contextualize those messages in relation to her personal values.

Zaller posits a positive relationship between political awareness and reception whereby politically-aware citizens are exposed to more elite messages, which also increases their likelihood of experiencing a framing effect. However, not all individuals are equally likely to accept the arguments made by elites. The likelihood that an individual will accept or reject elite frames is an interactive function of her level of political awareness and her personal values/political predispositions. Zaller defines values and political predispositions as relatively-stable, individual-level traits that shape how one interprets political information; the archetypal example is liberal-conservative political ideology, but the construct encompasses any core belief that has been shaped by the individual's life experience (see also Alvarez & Brehm, 2002).

These values are either compatible or incompatible with the content of elite discourse. When elite messages conflict with personal values, politically-aware people will be more equipped to reject contrary elite messages (for example, politically conservative individuals will be able to recognize that an elite message supporting government regulation of business is inconsistent with their personal ideology). As such,

the predicted likelihood that individuals will receive and then accept an elite message

according to Zaller's theory is a function of the nature of the elite message, the

individual's level of political awareness, and the individual's personal values. More

specifically, Zaller posits a *nonmonotonic* relationship between political awareness and

framing effects among individuals whose predispositions conflict with the nature of the

elite message. Individuals possessing low political awareness are unlikely to show

movement in their opinions because they receive such little exposure to elite rhetoric that

it cannot affect them. At the other end of the spectrum, highly-aware individuals possess

enough prior knowledge and considerations to recognize and reject antithetical elite

messages. Thus, Zaller posits that the individuals whose opinions are most likely to be

swayed by elite messages are moderately-aware citizens; they possess enough awareness

to be exposed to elite messages through the media, but they lack sufficient awareness to

contextualize those messages.[5]

In contrast to Zaller, other scholars contend that individuals who possess high

levels of political awareness will be the *most* influenced by elite rhetoric and framing

effects (Chong & Druckman, 2007a, 2007b; Druckman & Nelson, 2003). Druckman and

his colleagues argue that individuals must be able to connect the information that they

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[5] The astute reader may perceive a tension within Zaller's (1992) theory. On the one hand, Zaller argues that greater political awareness leads to greater susceptibility to framing effects under conditions of elite message consensus regardless of the individual's personal values ("Awareness is associated with support for those aspects of government policy that have the consensual support of political and media elites, but is associated with higher levels of polarization over policies on which elites are divided;" p. 107). On the other hand, Zaller argues for the nonmonotonic interaction between awareness and values even under conditions of a one-message model ("A central feature of the reception-acceptance model is that greater political awareness is associated with greater resistance to ideas that are inconsistent with one's political values, and that the amount of added resistance due to awareness increases as value distance from the message increases;" p. 166). Given that Zaller never fully resolves this tension within his theory, I leave it as an empirical question to be answered by my data analysis.

receive from elites to their own, personal values in order for that information to alter their opinions. They argue that political awareness facilitates the ability to make this information-values connection, which means that politically-aware individuals will be the most vulnerable to framing effects. Chong and Druckman (2007a) state, "After controlling for prior attitudes, knowledge enhances framing effects because it increases the likelihood that the considerations emphasized in a frame will be available or comprehensible to the individual" (p. 112). Minimally- and moderately-aware citizens, on the other hand, lack the knowledge necessary to contextualize elite information in reference to their personal values. Consequently, the elite discourse will not "make an impression," so to speak, and the opinions of low-awareness citizens will be unaffected by elite rhetoric. Thus, Druckman and his colleagues posit a *linear* relationship between political awareness and susceptibility to framing effects, in contrast to Zaller's proposed curvilinear relationship.

Zaller is vehement that political awareness is a necessary component of framing effects; he states, "[my] model holds that predispositions have no effect unless the individual is sufficiently politically aware to possess the contextual information that enables resistance to uncongenial messages" (p. 137). It is for this reason that scholars recognize Zaller's model as one of the strongest framing theories in that he attributes to citizens comparatively little power to resist elite manipulation (Brewer, 2001). Even as he outlines the conditions under which citizens will reject arguments that are inconsistent with their predispositions, he states, "this postulate makes no allowance for citizens to think, reason, or deliberate about politics: If citizens are well informed, they react mechanically to political ideas on the basis of external cues about their partisan

implications, and if they are too poorly informed to be aware of these cues, they tend to uncritically accept whatever ideas they encounter" (p. 45). However, there are several reasons to question the moderating role of political awareness.

My first critique of the strictures of Zaller's theory is methodological. Zaller tested his theory using secondary poll data and nonexperimental analysis. Because his method did not allow him to directly expose respondents to elite rhetoric, his measures of political awareness operationalized *two* constructs at once: the likelihood of being exposed to elite rhetoric through the mass media, and the ability to contextualize and accept or reject elite messages. Thus, Zaller's method left him unable to empirically identify which of these two functions drives the effect of political awareness. If political awareness predominantly measures exposure, then it would not be a necessary moderator in an experimental study that directly exposes the participant to elite rhetoric, such as the method I employ here (see Chapter 2).

My second critique is theoretical and concerns the acceptance function of political awareness. Several scholars argue that Zaller gives the average citizen too little credit when it comes to critically evaluating the messages that she hears through the media (Druckman, 2001). Alvarez and Brehm (2002), in particular, contend that Zaller significantly underestimates the degree to which individuals use their values and predispositions to evaluate and judge incoming information. As they put it, "In our view, the Zaller-Feldman perspective excessively minimizes the role of predispositions, which, in their view, affect only a respondent's ability to encode incoming information; they do not affect sampling from considerations. This is not just a matter of quibbling, since *the predispositions approach predicts much greater consistency in answers, and a stronger*

role for predispositions in coloring response" (pp. 8-9, emphasis added). Accordingly, Chong and Druckman (2007a, 2007b) argue that strongly-held prior attitudes and considerations can attenuate the power of a political message to affect a citizen's opinions, and Ramirez (2009) contends that persuasive messages are frequently ineffective when those messages "directly challenge existing stereotypes, self-identities, values, and other predispositions" (p. 51).

A second branch of political science theory casts further doubt upon the necessity of including political awareness in models of framing effects. In a classic piece, Carmines and Stimson (1980) argue that a distinction exists between policies that are "hard" and those that are "easy;" this distinction has implications for the political behavior of citizens. The two types of policies are best explained in contrast to each other. Carmines and Stimson posit that easy issues 1) are symbolic rather than technical, 2) are more likely to deal with policy ends rather than means, and 3) have long been issues on the political agenda. Forming an opinion about hard issues requires the citizen to consciously calculate policy benefits because these policies tend to be complicated and multidimensional. Forming an opinion about easy issues, on the other hand, requires only "gut responses" (p. 78) because these policies tend to be unidimensional and familiar to the public. Importantly, Carmines and Stimson argue that politically-sophisticated voters (i.e., those with high levels of political awareness) are better able to form opinions about hard issues, whereas voters at all levels of political awareness can readily form opinions about easy issues.

To my knowledge, Gaubatz (1995) is the only penologist who has examined the *nature* of crime issues and discussed how that nature might impact an individual's

consideration of crime and punishment.[6] She states, "People tend to have more clearly

defined and better organized ideas about matters that concern them most closely, and

certainly the specter of crime looms physically close to many, and emotionally close to

nearly all. Perhaps, for these reasons, we will find that views about crime also are more

closely tied to individuals' fundamental political beliefs than are views about less

emotional issues" (p. 15). In so many words, Gaubatz classifies criminal justice issues as

easy issues, and she echoes Alvarez and Brehm's supposition that a person's opinions

about an easy issue should be strongly affected by her beliefs and values.

Other scholars put forth evidence that make it reasonable to classify crime and

punishment as easy issues. Scheingold notes that crime is a valence issue that arouses

strong emotions among the public. After all, no one is in favor of crime (except

criminals, of course). It is for this reason that politicians frequently employ rhetoric that

frames punishment as a moral choice of alternatives that will support either the "innocent

victim" or the "evil criminal" (Lyons & Scheingold, 2000; Scheingold, 1991; Simon,

2007; Zimring, 2001; Zimring, Hawkins, & Kamin, 2001). Garland (2001) argues that

public discussion of crime and punishment is really a symbolic debate about appropriate

social norms, and many findings from survey research suggest that values and emotions

are the strongest determinants of a person's opinions about punishment (e.g., Johnson,

2009; Tyler & Boeckmann, 1997). Indeed, various measures of citizens' beliefs and

values (e.g., political ideology, attribution of blame, racism) tend to exert more consistent

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[6] Gaubatz does not use Carmines and Stimson's classification, but she does draw upon an earlier work by
Converse (1975), who discusses "doorstep issues." Carmines and Stimson view their "easy issues" as
parallel to Converse's "doorstep issues" (see Carmines & Stimson, 1980, p. 79), so I treat the distinction as
negligible.

effects on punishment opinions across studies than do citizens' instrumental evaluations of actual crime and risk of victimization (e.g., salience of crime, fear of crime, victimization experience; see Frost, 2010). Finally, while evidence indicates that crime became particularly salient in the 1970s and 80s, some scholars note that issues of crime and punishment have regularly cycled on and off the political agenda for well over 100 years, which means that crime is both personally and publicly familiar to most Americans (Gottschalk, 2006; Miller, 2008; Ramirez, 2009).

Categorizing crime and punishment as easy issues has implications for our theoretical expectations in this study. On the one hand, we have stronger reasons to expect that we will fail to find a significant relationship between exposure to elite rhetoric and public opinion about criminal justice. Given that easy issues are, by definition, easier for citizens to "figure out" on their own, numerous scholars have pondered the possibility that public opinion about easy and/or highly controversial topics will be relatively immune to elite framing effects (Brewer, 2001; Chong & Druckman, 2010; Druckman, Hennessy, St. Charles, & Webber, 2010; Haider-Markel & Joslyn, 2001; Joslyn & Haider-Markel, 2002; Lecheler, de Vreese, & Slothuus, 2009; Sniderman & Theriault, 2004).

On the other hand, the work of Alvarez and Brehm (2002) suggests that the effect of exposure to elite frames and public opinion about easy issues will be moderated by a person's values rather than her political awareness. In this study, we might expect to see that the effect of rhetoric exposure will vary according to the respondent's political ideology because punitive crime rhetoric is consistent with conservative values but antithetical to liberal values. Significant interaction effects with political ideology rather

than political awareness would be evidence *against* the elite manipulation hypothesis because it would suggest that politicians cannot cause citizens to endorse opinions about criminal justice that conflict with their personal values. A moderating role of political ideology would be evidence of a *politicization effect* in which elite crime rhetoric polarizes the public along pre-existing ideological cleavages.

In sum, the elite manipulation hypothesis is consistent with framing theory, and it is plausible to expect that an individual's opinion about criminal justice will be significantly affected by exposure to political rhetoric about crime and punishment. Framing theory further instructs us to anticipate that the effect of rhetoric exposure may be moderated by a person's level of political awareness or political ideology, which means that all people will not experience framing effects in the same way. Finally, a pattern of results in which elite rhetoric exposure is not significantly related to public opinion about criminal justice would support the classification of crime and justice as easy issues about which individuals easily and readily form opinions without deferring to political elites.

The Empirical Status of the Elite Manipulation Hypothesis

The present study is needed because these theoretical postulates about the nature of the relationship between political crime rhetoric and public opinion about criminal justice have yet to be supported by empirical data. In fact, very few scholars have tested the elite rhetoric-public opinion relationship in regard to issues of crime and punishment, and the methods employed by these scholars preclude a proper test of the framing effects hypothesized here.

Beckett (1997) and Oliver (1998, 2002) tested the effect of elite discourse on public concern about crime. Beckett used content analysis to create measures of elite attention to crime reported in the mass media. Oliver measured the number of times that presidents mentioned crime or punishment in their speeches archived in the *Public Papers of the President* (1998) or State of the Union addresses (2002). Both scholars used time-series analysis to examine the percentages of citizens who rated crime as the nation's most important problem, and both found that elite attention to crime preceded and predicted an increase in public concern about crime. Furthermore, Beckett (1997) and Oliver (1998) found no evidence of reverse-causation between public crime concern and elite attention to crime. However, these studies do not demonstrate true framing effects. Recall Chong and Druckman's (2007a) definition of framing as a change in the presentation of an issue that causes a *change* in public opinion. Beckett and Oliver only empirically demonstrated that elites can raise the public salience of crime, which leaves us with the question of whether or not tough on crime frames can alter the *substance* of a citizen's opinions to be more punitive.

Three studies address the relationship between elite discourse and the substance of public opinion about punishment, but they reach contradictory conclusions. Baumgartner, De Boef, and Boydstun (2008) conducted a content analysis of crime and punishment stories in the *New York Times* in order to construct a time-series measure of elite support for capital punishment. They found that elite discussion of flaws in the death penalty process (i.e., a rise in the "innocence frame" that innocent people are being wrongfully executed) was associated with a decline in net public support for the death penalty, indicating that when elites question the use of punitive punishments, citizens

respond by becoming less supportive of those punishments themselves. On the other hand, Nicholson-Crotty, Peterson, and Ramirez (2009) found that the number of times the president mentions crime in his speeches did not significantly affect a measure of global public support for punitive penal policies.

Ramirez (2009) conducted the most thorough and sophisticated test of the relationship between elite crime discourse and public opinion about criminal justice to date. He expands the theoretical discussion of the topic by distinguishing between *agenda-setting* and *persuasion* effects. Elite agenda-setting draws public attention to an issue, raising its salience in the public mind without necessarily changing the valence of public opinion about the issue (e.g., Beckett, 1997; Oliver, 1998, 2002). Persuasion effects, on the other hand, actually alter people's opinions about a topic, causing a change in the balance of citizens who favor or oppose the issue (e.g., Baumgartner, De Boef, & Boydstun, 2008).

Ramirez tested both agenda-setting and persuasion effects. He constructed several different measures of elite discourse about crime using content analysis of *New York Times* stories about crime and punishment published from 1950 to 2006. He created two measures of elite attention to crime. The first measure was the frequency of crime mentions in the speeches of the president. The second was the frequency of words in stories devoted to crime relative to the overall size of the paper in a given year (i.e., a measure of the volume of crime coverage, irrespective of content). His measure of elite rhetoric about crime was the net tone of coverage, measured as the frequency of pro-punitive messages quoted in stories minus the frequency of anti-punitive messages (i.e., a measure of the extent to which messages in support of harsher penalties outnumbered

messages opposed to harsh penalties or supportive of rehabilitation and similar alternatives).[7] His dependent variable was the change in a measure of overall public support for punitive policies, constructed from over 24 different survey questions repeatedly administered over 50 years by a variety of polling agencies (created using the method of Stimson, 1999).

Ramirez found strong support for agenda-setting effects. Presidential mentions of crime demonstrated a positive relationship with public punitiveness starting in the 1970s through the presidency of George H. Bush, after which the relationship noticeably declines in strength and significance. Media coverage of crime demonstrates a consistent, positive relationship with public punitiveness over the entire time period; in fact, the coefficient of media coverage is the largest in the model. These data clearly indicate that the public becomes more supportive of punitive policies as elites draw more attention to crime. He also finds a significant relationship between the tone of elite messages about crime and public punitiveness, but the nature of this relationship does *not* support a persuasion effect. Ramirez finds that as the tone of elite messages becomes more strongly supportive of punitive punishment, public punitiveness slightly *decreases*. This finding suggests that citizens *reject* punitive elite rhetoric, contrary to the elite manipulation hypothesis.[8]

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[7] Note that Ramirez's measure of elite rhetoric about crime does not differentiate the source of the message in a given news story. Thus, his measure uses a very broad definition of "elites," encompassing politicians, bureaucrats, journalists, and other public agenda-setters. While past research indicates that most of these quoted sources are likely to be government officials of some type (Welch, Weber, & Edwards, 2000), this measure cannot specifically isolate the effect of *politicians'* rhetoric, which is of primary concern in this study.

[8] Ramirez (2009) estimated these effects using a Gaussian state-space model that allows the independent variables to vary over time; this model addresses the endogeneity that would be a problem in cross-sectional OLS or MLE models.

The findings of Baumgartner, De Boef, and Boydstun (2008) and Ramirez (2009) are the strongest evidence to date that exposure to elite frames about crime and punishment (both punitive and anti-punitive in nature) can affect the substance of an individual's opinions about criminal justice. However, the aggregate-level analyses utilized by these scholars cannot address several important nuances of framing theory. Notably, individual-level analysis is needed to test whether or not the effect of exposure to different elite frames varies according to an individual's political awareness or political ideology, as well as the basic question of whether or not elite rhetoric exposure significantly affects an individual's opinion about criminal justice once her personal values are controlled.

In order to address these limitations and properly test whether or not a person's opinions about crime and justice are affected by elite framing, I conducted an original public opinion survey with an embedded experiment. I randomly assigned participants to one of two elite rhetoric conditions or a control group. The rhetoric conditions capture the predominant frames used by politicians to talk about criminal justice, and the experimental design allows me to directly measure the effect of exposure to elite rhetoric. I describe this survey in detail in Chapter 2.

CHAPTER 2

METHOD AND DATA

To complete this research project, I created and administered an original public

opinion survey to a sample of adult citizens of the United States. I gathered primary data

because extant data sources lacked the full range of variables needed to test the

theoretical relationships among political knowledge, personal values, and opinions about

punishment.

Survey Administration

The Center for Social Sciences and Public Policy Research (CSSPPR) at Missouri

State University administered the survey on my behalf. The staff of the CSSPPR consists

of Ph.D. researchers and university graduate students, all trained in survey methodology.

My survey was overseen by Dr. Brian Calfano, one of the center's directors.

The CSSPPR purchased the sampling frame of adult mailing address contacts

(eighteen years of age and older) from the marketing research database service InfoUSA.

InfoUSA maintains a regularly-updated database of 230 million households, making it an

ideal source from which to draw a nationally-representative sample of the general adult

population. The CSSPPR also created the sampling frame to include an oversample of

African Americans and Latinos. The oversample parameters were defined as a doubling

of the percentage of each minority group's representation in the population using 2009

estimates from the U.S. Census Bureau. In order to accurately identify racial and ethnic

minority populations, InfoUSA classifies 170 ethnicities, 65 language groups, and 14

ethnic groups into codes. These codes are used to evaluate racial and ethnic identity via

listed first, middle, and surname characteristics, particularly for Hispanic households.

Since African American surnames are often of Anglo origin, InfoUSA eliminates ethnic

names that are highly unlikely to be African American (such as Latvian), followed by a

probability proportional-to-size sampling of U.S. zip codes determined through Census

data to have high densities of African American residents.

I utilized the "total design method" advocated by survey methodologists (see

Dillman, 1991; Dillman, Smyth, & Christian, 2009; Singleton & Straits, 2005). My

method included several elements that have been shown to increase response rates, such

as multiple waves of mailings (Dillman, 1991; Kaplowitz, Hadlock, & Levine, 2004;

Link et al., 2008; Mangione, 1995; Singleton & Straits, 2005), official university

letterhead envelopes with hand-printed addresses (Dillman, 1991), and prepaid return

envelopes (Dillman, Smyth, & Christian, 2009).

Table 2.1. Schedule of Survey Administration

Contact	Date of Contact
Pre-notification postcard	September 30, 2010
Wave 1 survey packet	October 14, 2010
Reminder postcard	November 4, 2010
Phone calls to nonrespondents	December 3 – 10, 2010
Wave 2 survey packet	January 15, 2011
Phone calls to nonrespondents	January 30 – February 12, 2011
Reminder postcard	February 2, 2011
Reminder postcard	February 23, 2011

Table 2.1 reports the schedule of administration, including the date on which we initiated each contact with the sampled subjects. The survey packets included a cover letter that described the study, explained its importance, and guaranteed confidentiality for the respondent; the questionnaire; and the prepaid return envelope. See Appendix A for a discussion of the questionnaire pretest. Also see Appendix B for the contents of the mailed survey packet including copies of the cover letter and reminder postcard.

Sample, Response Rate and Nonresponse Bias

The sample consists of 501 respondents. The racial distribution of the sample is 76.9% White, 9.8% Black, 1.5% Asian, 1.1% Indian, and 5.5% other. Five percent of respondents identified their ethnicity as Latino. The sample is 39.5% female and 60.5% male. The average age of respondents is 57.2 years old with a standard deviation of 15.5 years. Just over 50% of respondents are 60 years of age or older. Twenty percent of respondents have a high school diploma or less formal education, 36.7% have some college education or an associate's degree, 22.7% have a bachelor's degree, and 20.6% have a graduate or professional degree. About 40% of respondents have a pre-tax, gross yearly household income of $50,000 or less, 40.2% have household incomes between $51,000 and $110,000, and 20.2% have household incomes greater than $110,000. Just over 35% of respondents identified as Democrats, 37.3% identified as Republicans, 21.8% identified as Independents, and 5.4% chose no partisan affiliation. The sample includes residents of 48 different states plus the District of Columbia.

The sampling frame of this study contained 3,000 addresses. By the conclusion of data collection on March 12, 2011, 520 surveys were returned to the CSSPPR.

Nineteen of these surveys were either blank (the prescribed means for a respondent to indicate she wanted to be removed from our mailing list) or deemed unusable due to numerous obvious mistakes (such as multiple answers circled within several questions). An additional 228 survey packets were mailed to undeliverable addresses and returned by the Post Office. Excluding the undeliverable addresses, the response rate for this survey was 18.1% (501 / 2,772 contacted, potential respondents).

While this response rate is low, scholars observe that numerous social changes, such as the rise of telemarketing, junk mail, and social norms that condone refusal, have caused survey response rates to decline dramatically over the past 50 years in most industrialized nations (de Leeuw & de Heer, 2002; Dillman, Smyth, & Christian, 2009). For a recent example of a criminal justice survey, Leverentz (2011) surveyed a random sample of citizens in four neighborhoods in and around Boston, Massachusetts to measure their attitudes about crime and punishment. Much like my survey, she also used a multi-wave mail questionnaire based upon the total design method. While Leverentz never reports the actual response rate in her paper, her final sample size was 235 respondents, which is fewer completed responses than I procured from a geographically larger sampling frame.

A low response rate typically raises concerns about sampling bias. Contrary to common assumption, though, a low response *rate* does not guarantee the presence of nonresponse *bias* in the data. Groves (2006) states that nonresponse bias is "a function of how correlated response propensity is to the attributes the researcher is measuring" (p. 649). He explains that the predictors of a person's likelihood of responding to the survey and the predictors of her response to *each individual item* on the survey may be related in

any number of ways; the causes of response and answers may be entirely unrelated, both response and answers may be caused by the same set of factors, or the answers/questions themselves may be the cause of response.

For example, if the small percentage of respondents in a sample with a low response rate nonetheless generates a distribution of answers on a given variable that is not significantly different from the population distribution of answers, that measure is unbiased regardless of the low response rate. Conversely, efforts to increase the response rate may *create* nonresponse bias if those efforts do not increase the odds of response equally across all different people within the sampling frame. For example, if follow-up phone calls increase the response rate by drawing more unemployed than employed people into the sample, then the phone calls generate nonresponse bias in the measure of employment. Several scholars empirically demonstrate that surveys with higher response rates do not necessarily yield more valid data than those with lower response rates (Fricker & Tourangeau, 2010; Groves & Peytcheva, 2008; Kaminska, McCutcheon, & Billiet, 2010; Keeter, Miller, Kohut, Groves, & Presser, 2000).

I evaluate nonresponse bias in my survey through two means. Given that nonresponse bias can vary across measures within a single survey, one way to diagnose nonresponse bias is to compare survey measures to external estimates of the true population values (when possible). First, in Table 2.2, I compare the demographic characteristics of my sample to demographic data of the U.S. population from the 2010 Census.

In spite of the efforts to oversample Blacks and Latinos, these statistics indicate

Table 2.2. Sample vs. 2010 Census Demographic Comparison

Characteristic	Survey Data	Census Data
White/Caucasian	76.9%	72.4%
Black/African American	9.8%	12.6%
Latino	5.0%	16.3%
Male	60.5%	49.2%
Age 18 – 64	63.3%	62.9%
Age 65 and older	36.7%	13.0%
College, graduate, or advance professional degree	43.3%	38.2%[a]

Note: [a] The population estimate of educational achievement is drawn from the 2010 Current Population Survey, accessed via the U.S. Census Bureau.

that my sample of respondents is disproportionately non-Latino White, male, educated, and older compared to the U.S. population as a whole. Some of these dimensions of nonresponse bias are commonly found in surveys; for example, younger citizens are typically less likely to respond to surveys because they are more active and less likely to be at home to receive a phone call or take the time to fill out a mail questionnaire (Keeter et al., 2000). Additionally, some evidence indicates that individuals with low education are less likely to participate in surveys (Kaminska, McCutcheon, & Billiet, 2010); mail format is likely to exacerbate this effect because participation requires a certain level of comfort with reading, as well as a test-like exercise. On the other hand, men are typically less likely to respond to surveys than women, so the fact that my sample over-represents men is unexpected (Groves, 2006).

The fact that my sample over-represents Whites and men might lead me to overestimate the prevalence of punitive sentiment among Americans. Penologists repeatedly demonstrate that African Americans are less supportive of punitive criminal

justice policies than are Whites (Borg, 1998; Chiricos, Welch, & Gertz, 2004; Cohn, Barkan, & Halteman, 1991; Frost, 2010; Leverentz, 2011; Unnever & Cullen, 2005); some evidence indicates that this racial divide is explained by the fact that Whites perceive the criminal justice system to be fair and unbiased, whereas African Americans do not (Johnson, 2008). Similarly, some studies find that men are more punitive than women (Borg, 1998; Chiricos, Welch, & Gertz, 2004; Cook, 1998; Cullen, Golden, & Cullen, 1983; Messner, Baumer, & Rosenfeld, 2006; Niven, 2002), though other studies find inconsistent or statistically insignificant effects of gender (Applegate, Cullen, & Fisher, 2002; Green, Staerkle, & Seers, 2006; Jacoby & Cullen, 1999; Payne, Gainey, Triplett, & Danner, 2004; Unnever & Cullen, 2010).

On the other hand, college-educated respondents are overrepresented in this sample, and numerous studies reveal a negative relationship between education and support for punitive punishment (Chiricos, Welch, & Gertz, 2004; Green, Staerkle, & Sears, 2006; Payne et al., 2004; Sandys & McGarrell, 1995; Tyler & Boeckmann, 1997; Unnever et al., 2010; Unnever & Cullen, 2010; Unnever, Cullen, & Jones, 2008). While the overrepresentation of older citizens is the single greatest source of nonresponse bias in my sample, empirical studies have established no consistent relationship between age and opinions about punishment, so it is hard to predict how the age distribution of my sample will affect my estimates of punitive opinion (Borg, 1998; Chiricos, Eschholz, & Gertz, 1997; Costelloe et al., 2002; Cullen, Golden, & Cullen, 1983; Green, Staerkle, & Sears, 2006; Jacoby & Cullen, 1999; Unnever & Cullen, 2005, 2010). Thus, some characteristics of my sample could lead to overestimation of punitive sentiment while other characteristics could lead to underestimation.

I also chose to gather supplemental data from the nonrespondents in my sampling frame who declined to fill out the paper questionnaire in order to estimate nonresponse bias in three key constructs in this study – punishment preferences, political awareness, and political ideology. The staff of the CSSPPR drew a random subsample of 500 nonrespondents and called these people from March 16 through March 20, 2011. We asked these phone respondents to a) answer whether they preferred fixing social problems or punishing criminals as a means of addressing crime (a global measure of punitive sentiment), b) answer four factual questions about politics (the components of the measure of political awareness), and c) identify their political ideology. We successfully gathered responses from 50 individuals. Using these supplemental data, I conducted a series of two-sample t tests to empirically estimate whether or not my survey respondents significantly differed from nonrespondents in levels of punitiveness (a dependent variable), distribution of political ideology, and extent of political awareness (key independent variables). I present the results of this second test of nonresponse bias in Table 2.3.

This comparison indicates that nonresponse bias does exist in some of my central measures. The difference-of-means tests indicate that the individuals who chose to fill out my questionnaire are, on average, significantly more in favor of addressing social problems than punishing criminals, more politically liberal, and more politically aware than individuals who chose not to participate in my survey. These results are consistent with the overrepresentation of educated citizens in my sample identified in Table 2.2.

The over-representation of politically aware respondents in my sample may threaten the statistical validity of my results (Langbein, 2006). About 53% of my

Table 2.3. Comparison of Respondents vs. Nonrespondents (Standard Deviations in Parentheses)

Characteristic	Respondent Mean	Nonrespondent Mean	*T* Test Result
Punitiveness	3.35	3.87	$t_{(539\ df)} = 1.78,$
	(1.90)	(2.17)	$p = 0.04$
Political	3.20	2.33	$t_{(517\ df)} = -5.43,$
Awareness	(1.06)	(1.16)	$p = 0.00$
Political	4.35	4.82	$t_{(521\ df)} = 2.17,$
Ideology	(1.42)	(1.44)	$p = 0.02$

Notes: Higher values on the punitiveness measure indicate stronger preference for punishing criminals rather than addressing social problems.
Higher values on the political awareness measure indicate higher levels of political awareness.
Higher values on the political ideology measure indicate stronger political conservatism.

respondents answered all four knowledge questions correctly, and an additional 25% answered three questions correctly. Thus, over three-quarters of my respondents fall into the range of high political awareness. The fact that I have so few minimally- or moderately-aware respondents increases the likelihood that I will make a Type II error when testing for differences in framing effects across levels of political awareness.

Variable Construction

See Appendix B for the full text of the survey questionnaire. Here I identify in parenthesis the item(s) from the questionnaire that I use to operationalize each variable.

Dependent Measures: Opinion about Punishment and Criminal Justice

Preference for Punishment. One question asked respondents to indicate which method of reducing crime they believe to be superior: addressing social problems, like bad schools, poverty, and joblessness, or making sure that criminals are caught, convicted, and punished (Q4). I adapt this question from the 2000 American National

Election Study, which has been used by other scholars as a measure of punitiveness (e.g.,

Buckler, Wilson, & Salinas, 2009; Unnever & Cullen, 2010). This question used a six

point scale that allowed the respondent to indicate if she thinks it is 1) much, 2)

moderately, or 3) slightly "better to fix social problems" versus 4) slightly, 5) moderately,

or 6) much "better to punish criminals." I coded this variable such that lower values

indicate a stronger preference for addressing social problems and higher values indicate a

stronger preference for punishment.

   Support for the Death Penalty. Two questions measure support for the death

penalty. The first question asked the respondent to state how strongly she favors or

opposes the death penalty on a six point Likert scale that ranged from "strongly oppose"

to "strongly support" (Q7). The second question asked the respondent to state the degree

to which she does or does not prefer the death penalty to an alternative sentence of life in

prison without parole on a six point scale that allowed the respondent to indicate if she 1)

strongly, 2) moderately, or 3) slightly "prefers the death penalty" versus 4) slightly, 5)

moderately, or 6) strongly "prefers life in prison" (Q8). I included both types of

questions because past research shows that the mean level of public support for the death

penalty measured in surveys varies greatly depending upon whether or not respondents

are asked to evaluate the death penalty without mention of alternative punishments or in

contrast to life imprisonment (Bohm, 1991; Bohm, Flanagan, & Harris, 1989; Bowers,

1993; McGarrell & Sandys, 1996; Niven, 2002; Sandys & McGarrell, 1995). I analyze

these questions separately. I coded Q7 so that higher values indicate stronger support. I

coded Q8 so that lower values indicate a preference for life without parole and higher

values indicate a preference for the death penalty.

Punitive Criminal Justice Policy Priorities. Eight items measured a

respondent's level of support for various criminal justice policies on a six point Likert

scale that ranged from "strongly oppose" to "strongly support."

a. The first set of items asked respondents to evaluate the degree to which they

support or oppose various tactics to reduce crime (Q5). These tactics include

building more prisons, funding prisoner reentry programs, funding prevention

programs for at-risk youth, and hiring more police officers.

c. The second set of items asked respondents to evaluate the degree to which they

support or oppose various means by which to reduce the size and cost of the

prison system (Q6). These include allowing nonviolent prisoners to earn early

release through a) good behavior, b) participation in education programs, or c)

participation in job training[9], and sending nonviolent drug users to community

treatment instead of prison (Q6d).

Within the public opinion about punishment literature, it is common for scholars to

combine a respondent's attitudes toward several different criminal justice policies into a

single scale variable of punitive preferences (e.g., Chiricos, Welch, & Gertz, 2004;

Costelloe et al., 2002; Gilliam & Iyengar, 2000; Johnson, 2009; Leverentz, 2011).

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[9] This item suffered from a typo on the questionnaire. Q6a, Q6b, and Q6d all specify that these
interventions will apply to *nonviolent* prisoners. Unfortunately, Q6c omitted the word "nonviolent,"
technically making it a question about the ability of *all* prisoners to earn early parole through job training.
Theoretically, this omission is problematic because it presents the respondent with a substantively different
question than the surrounding items. However, Q6c was embedded within a sequence of questions under a
set of instructions that all specified nonviolent prisoners, so it is likely that most respondents failed to
notice the omission and answered the question as if it only applied to the same group as the surrounding
items. Responses to Q6c are highly correlated with answers to the other parole questions, Q6a ($r = .62$) and
Q6b ($r = .80$), and responses to all three parole questions share roughly the same correlation with the drug
treatment question, Q6d ($r = .40$-$.44$). In addition, an exploratory factor analysis of Q6a-c using principal
factors indicated that the three parole items all load on a single factor (eigenvalue = 2.06, Cronbach's alpha
= 0.88). These results suggest that the typo did not turn Q6c into an empirical outlier.

Consistent with this past scholarship, I coded each of these variables such that higher

values indicate a more punitive preference; higher values indicate 1) stronger support for

building more prisons and hiring more police officers and 2) stronger opposition to

funding reentry or prevention programs, allowing prisoners to earn parole, and sending

drug users to community treatment.

An exploratory factor analysis of the policy preference items using principal

factors generated a single eigenvalue greater than one (2.72), which suggests that the

items load onto a single factor. The Cronbach's alpha of this scale is 0.74. Because all

of the constitutive items used the same Likert response scale, I summed the eight items

into an index that ranges from 8 to 46 with higher values indicating stronger support for

punitive criminal justice policies. This operational definition is consistent with the

concept of punitiveness as a preference for policies that "increase the potential costs of

crime either by imposing harsher penalties on criminals when they are caught or by

increasing the probability that a criminal will get caught" rather than policies aimed at

rehabilitation or addressing environmental causes of crime (Ramirez, 2009, p. 109).

Independent Variables

Exposure to Elite Rhetoric Frames. An experimental manipulation

operationalized the effect of exposure to elite rhetoric frames about crime and

punishment. I explain the treatment in greater detail later in this chapter.

Political Awareness. Four questions measured a respondent's basic, factual

knowledge about politics, government, and current events (Q14-16, Q18). Zaller (1992)

demonstrated that factual knowledge measures adequately operationalize political

awareness, and they have been used by many scholars of public opinion (e.g., Alvarez &

Brehm, 2002; Druckman & Nelson, 2003; Haider-Markel & Joslyn, 2001). These

questions asked the respondent to identify a) whose responsibility it is to determine the

constitutionality of U.S. laws (Q14), b) the number of justices who sit on the Supreme

Court (Q15), c) the position held by Eric Holder in President Obama's Cabinet (Q16),

and d) the Chief Justice of the Supreme Court (Q18).[10] I combined the four political

awareness items into a scale measure in which the respondent gained one point for each

correct answer; this scale ranges from 0 to 4 with higher values indicating higher levels

of political awareness.

Political Ideology. One question asked respondents to rate their personal, political

ideology (Q32). I operationalize this construct with a standard, seven-point scale that

ranges from extremely liberal (lowest score) through moderate to extremely conservative

(highest score). Penologists recognize political ideology as a core value that influences

people's attitudes about criminal punishment; indeed, Unnever, Cullen, and Fisher (2007)

posit that punitiveness and political conservatism are "two peas in the same pod" (p.

313).

Control Variables

Dispositional and Situational Attribution of Blame. Seven questions measured

the degree to which respondents believe that crime is caused by individual failings or

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[10] I ultimately decided to omit Q17 from the analysis. This question asked respondents to identify the current Speaker of the House of Representatives. The data collection process took longer than I initially anticipated and stretched over two different sessions of Congress. During Wave 1 of data collection, Nancy Pelosi was Speaker, while John Boehner was Speaker during Wave 2. Due to the contingent nature of this question, I felt that including it in the analyses might introduce measurement error.

environmental forces (Q9a-g). I drew these questions directly from Unnever et al. (2010), who demonstrated that most people endorse dispositional and situational attributes of blame concurrently. Consistent with the findings of Unnever and his colleagues, I constructed separate, additive scales for dispositional (Q9a + Q9b + Q9c) and situational (Q9d + Q9e + Q9f + Q9g) attribution of blame. Higher scores on these scales indicate stronger endorsement of each attribution style.

However, exploratory factor analyses using principal factors did not support the validity of the two attribution scales. Neither scale generated an eigenvalue greater than one, and the Cronbach's alpha scores for these scales were only .47 (dispositional) and 0.56 (situational). Given that these measures are only control variables in this study, and several scholars find that attribution of blame is one of strongest predictors of attitudes toward punishment (e.g., Cochran, Boots, & Heide, 2003; Grasmick & McGill, 1994; Green, Staerkle, & Sears, 2006; Johnson, 2009; Peffley & Hurwitz, 2007), I retain the scales as they were designed and tested by Unnever et al. (2010). However, the present results suggest that the findings of Unnever and his colleagues need to be replicated with additional data.

Attitudes about Race Relations/Symbolic Racism. Six questions measured a respondent's opinions about race relations in America (Q26-31). I adapted these items from the 2000 American National Election Study (Q27-29) and the 1998 and 1999 Los Angeles County Social Survey (Q26 & Q30) (see Green, Staerkle, & Sears, 2006; Unnever & Cullen, 2007). An exploratory factor analysis of the racism items using principal factors generated a single eigenvalue greater than one (2.32), which suggests that the items load onto a single factor. The Cronbach's alpha of this scale is 0.79. I

summed these items together into an additive scale with values ranging from 6 to 36. Higher scores on this scale indicate that the respondent more strongly agrees with statements that scholars classify as the manifestations of "symbolic racism," which is a belief that race-based inequalities in society are caused by an inadequate work ethic among minorities rather than structural barriers to social advancement. Numerous scholars show that an individual's opinions about matters of race in America are often strong predictors of public opinion about punishment (Cohn, Barkan, & Halteman, 1991; Hurwitz & Peffley, 2005; Johnson, 2009; Soss, Langbein, & Metelko, 2003; Unnever & Cullen, 2010; Unnever, Cullen, & Jones, 2008; Unnever, Cullen, & Jonson, 2008; Unnever, Cullen, & Roberts, 2005).

Perceived Fairness of the Criminal Justice System. Three questions measured the degree to which respondents perceive the criminal justice system to be fair and unbiased or prone to error and bias against racial minorities (Q23-25). An exploratory factor analysis of the criminal justice system fairness items using principal factors generated a single eigenvalue greater than one (1.45), which suggests that the items load onto a single factor. The Cronbach's alpha of this scale is 0.78. I summed these questions into an additive scale with scores ranging from 3 to 18; higher values on this scale indicate greater trust in the fairness of the criminal justice system. Several studies find that perceptions of racial bias in the criminal justice system affect support for punishment and partially explain some of the differences in attitudes between White and Black Americans (Bobo & Johnson, 2004; Hurwitz & Peffley, 2005; Johnson, 2009; Unnever & Cullen, 2005).

News Consumption. Four questions measured the number of days per week that the respondent is exposed to the news via television, radio, internet, and print sources (Q19-22). I summed these items into an additive index that ranges from 1 to 28; higher values on this index indicate a higher frequency of receiving the news via one or more types of media. Research indicates that frequent consumption of the news affects a respondent's fear of crime (Chiricos, Eschholz, & Gertz, 1997; Chiricos, Padgett, & Gertz, 2000) and punitive attitudes (Gilliam & Iyengar, 2000).

Fear of Crime. One question measured a respondent's fear of crime (Q11a). This question asked respondents if they ever felt afraid of being victimized within the past six months. I operationalize this variable as a dummy that distinguishes between people who report experiencing fear of victimization in the past six months (=1) versus those who felt no fear (=0). I include this control because of past findings that fear of crime is positively related to punitiveness (Cohn, Barkan, & Halteman, 1991; Costelloe, Chiricos, Burianek, Gertz, & Maier-Katkin, 2002; Dowler, 2003; Johnson, 2009; Langworthy & Whitehead, 1986; Peffley & Hurwitz, 2002; Unnever, Cullen, & Fisher, 2007; Unnever et al., 2010).[11]

Victimization. Past studies of public opinion about punishment have yielded mixed results in regard to the relationship between experiencing a crime and opinions about criminal justice. Numerous studies find that victimization has no significant relationship with a person's attitudes toward punishment (Borg, 1998; Langworthy &

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[11] I included a follow-up question on the survey in order to measure the *level* of fear felt by respondents who reported experiencing fear within the past six months (Q11b). However, only 90 people answered the follow-up question, so including it in regression dropped the sample size for each analysis to unacceptably low numbers. Thus, I chose not to use Q11b.

Whitehead, 1986; Rich & Sampson, 1990; Unnever, Cullen, & Fisher, 2007; see also

Frost, 2010), but other scholars do find that victimization affects facets of a person's

attitudes about punishment, such as her willingness to spend tax money on various

programs (Cohen, Rust, & Steen, 2006). Because I am measuring the policy preferences

of respondents, I include a single question that asks respondents if they have ever been

the victim of a serious crime, such as burglary, auto theft, or assault (Q10). I

operationalize this variable as a dummy that distinguishes between people who have (=1)

and have not (=0) been the victim of a serious crime.

Political Party Identification. One question asked respondents to identify the

political party with which they affiliate (Q33). I created a series of dummy variables to

distinguish the different groups of partisans. I grouped together respondents who chose

"strong Democrat" and "lean Democrat," as well as respondents who chose "strong

Republican" or "lean Republican." For the sake of parsimony, I also group together

respondents who chose "Independent" with "None of these." Thus, I am left with three

exhaustive and mutually-exclusive variables: Democrat, Republican, and Independent. I

control for party identification because studies show that Republicans endorse more

punitive punishments than do Democrats (Bjarnason & Welch, 2004; Durham, Elrod, &

Kinkade, 1996; Grasmck, Bursik, & Blackwell, 1993; Messner, Baumer, & Rosenfeld,

2006).

Demographics. Six questions measured the respondent's race, gender, age,

education, and household income (Q34-39). I control for African American race (dummy

variable: 1 = Black, 0 = all other races) in the regression analyses because past research

suggests that the major racial divide in opinion about the criminal justice system among

Americans exists between Whites and Blacks.[12] Gender is a dichotomous variable coded

so that females = 1and males = 0. Age is a continuous variable. Education and gross

household income are each ordinal, categorical variables coded so that higher scores

indicate higher levels of educational achievement and income. Finally, the respondent's

state of residence was recorded, and I created a dummy variable to identify respondents

who live in states categorized as part of the south by the U.S. Census. Past studies show

that each of these characteristics sometimes affects attitudes toward punishment (e.g.,

Applegate, Cullen, Fisher, & Vander Ven, 2000; Borg, 1997; Evans & Adams, 2003;

Soss, Langbein, & Metelko, 2003).

Experimental Manipulation

I operationalized the central independent variable, exposure to elite rhetoric about

crime and punishment, with an experimental manipulation. I randomly assigned

participants to a control group or one of two rhetoric conditions. These experimental

conditions reflect the dominant issue frames employed by politicians in the debates over

penal policy in the past 40 years.

As discussed in Chapter 1, elite support for rehabilitation was supplanted in the

1970s by near-unanimous political support for the "tough on crime" frame (Garland,

2001; Scheingold, 1995; Simon, 2007; Tonry, 2004). Percival (2011) describes the tough

on crime frame by saying,

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[12] Latinos typically hold opinions about the criminal justice system that are slightly more positive than those of Blacks, but not by much. Unfortunately, only 23 Latinos responded to my survey despite the race oversample, leaving me with too few Latinos to form a meaningful control. Members of other race groups (Asian, American Indian) responded in even fewer numbers. Thus, the race control variable is fundamentally a contrast between Blacks and Whites.

> …at the center of the tough on crime movement was an understanding that 1) crime was a result of moral failing of individuals (many of them black and poor) who were at once reprehensible and incapable of being rehabilitated, 2) criminals were deserved of the strongest retributive policy responses, and 3) punishment and incapacitation policy instruments served as the most effective crime deterrent. … (p. 6)

In other words, the tough on crime frame was characterized by endorsement of the dispositional attribution of blame, rejection of rehabilitation, and an embrace of the toughest, harshest punishments possible. The tough on crime frame is central to the present test of the elite manipulation hypothesis, for it was this punitive framing of penal policy that is thought to have fueled the rise of mass incarceration (Beckett, 1997).

However, an exclusive focus on the tough on crime frame would ignore important, recent developments in politics and penal policy. In 2010, the number of persons incarcerated in state prisons declined for the first time since 1972 (Pew Center on the States, 2010). Evidence indicates that political elites are growing increasingly willing to criticize mass incarceration and call for a reduction in the size and scope of the criminal justice system (Mauer, 2011b; Murphy, 2011; Porter, 2012; Ramirez, 2009; Savage, 2011; Steinhauer, 2010; "Too many laws," 2010; Weisberg & Petersilia, 2010; Yoder, 2011). Indeed, within the past five years, several state legislatures have enacted legislation designed to strengthen alternatives to incarceration (Austin, 2010; Greene & Mauer, 2010).

Percival (2011) argues that these policy changes mark the rise of a new rhetoric frame among political elites, one that is explicitly designed to counteract the tough on crime frame. He refers to this new rhetoric as the "smart on crime" frame, which he describes by saying,

> [The smart on crime frame] brings new weight to arguments concerning the broad failures of the tough on crime regime and the penal system it produced. It focuses attention on the high financial cost and inefficiencies of imprisonment and directly challenges the idea that an effective means of crime control simply involves locking up offenders and throwing away the proverbial key. It brings renewed attention to evidence that the prison system does little if anything to prepare offenders to return successfully back into the community (given that almost all prisoners return home). And it highlights the penal system's high rate of recidivism that churns prisoners in and out of the system in a seemingly endless cycle. (p. 8)

In other words, the smart on crime frame holds that the numerous costs of mass incarceration – both monetary and collateral – outweigh any benefits it produces, and it emphasizes evidence that shows alternatives to incarceration to be just as effective as imprisonment at reducing crime rates, if not more so. Importantly, Percival argues that the smart on crime frame is gaining traction because it is being used by conservative Republicans, the very group of actors who used to oppose penal reform with the most vehemence (see Gingrich & Nolan, 2011, as well as the advocacy groups The Prison Fellowship and Right on Crime).

The tough on crime and smart on crime frames are countervailing forces; the former is designed to generate support for harsh punishments, while the latter is designed to generate support for rehabilitation and other alternatives to harsh punishment. If exposure to elite rhetoric can affect a person's opinions about crime and justice, then we should expect exposure to the tough on crime frame to increase punitive preferences, while exposure to the smart on crime frame should decrease punitive preferences.

To construct the two rhetorical frame conditions, I drew quotes from legislators' floor debates in the House of Representatives, as archived in the Congressional Record. For the tough on crime frame, I drew quotes from the 1994 debate about the Violent

Crime Control and Law Enforcement Act. Scholars argue that the tough on crime

movement reached its zenith during the 1990s (Gottschalk, 2006; Ramirez, 2009; Roberts

et al., 2003), and this bill is widely regarded as President Clinton's effort to engage in a

policy arms race designed to prove that Democrats could be even tougher on crime than

Republicans (e.g., Chernoff, Kelly, & Kroger, 1996; Greene, 2002; Lin, 1998;

Windlesham, 1998). For the smart on crime frame, I drew quotes from the 2007 debate

about the Second Chance Act, which channeled federal funds into prisoner reentry

programs designed to help former inmates find housing and employment in their old

communities. Percival (2011) identifies the passage of the Second Chance Act as one of

the major achievements of the smart on crime movement. Table 2.4 presents the text of

the two experimental conditions.

Recall from Chapter 1 the fact that frames are comprised of arguments designed

to present an issue in such a way that the public thinks about certain facets or

implications of that issue while discounting or overlooking other facets of the issue.

Thus, political frames are rarely comprised of a single, specific set of statements; rather,

they are unified by common themes. I chose the quotes included in the experimental

texts because they are representative of several of the dominant themes in each frame. In

the tough on crime text, Representative Pomeroy's statement emphasizes the facts that 1)

offenders deserve long prison sentences and 2) more police and prisons are needed to

fight crime. Representative Stearns' statement condemns prisons as being too "plush," a

rhetorical attack that was common during the 1990s (e.g., Bidinotto, 1994). In the smart

on crime text, Representative Clyburn's statement rejects the "lock 'em up and throw

Table 2.4. Elite Rhetoric Experimental Manipulations

Tough on Crime Frame	Smart on Crime Frame
Members of Congress from both political parties have voiced the need to devote more resources toward the criminal justice system so that more offenders can be caught and punished with tougher sentences.	Members of Congress from both political parties have voiced the need to devote more resources toward preventing crime and helping former prisoners reestablish law-abiding lives in the community.
For example, Representative Pomeroy, a Democrat, has said, "Law enforcement officials told me that getting tough on crime required a system-wide approach. We need more police on the street. We need more prison capacity for the additional criminals we'll be locking up, and for goodness sake we will also need more prosecutors to convict the thugs these new cops bring in under arrest if we are ever going to get them behind bars for the long terms they so richly deserve."	For example, Representative Clyburn, a Democrat, has said, "It is not enough to say we are just going to lock up every offender and throw away the key. Such narrow-mindedness does nothing to prevent our vulnerable youth from being indefinitely trapped in our Nation's correctional system."
Similarly, Representative Stearns, a Republican, has said that Congress should support legislation that "will also abolish country club comforts for prison inmates. No more video games, no more pool tables. Just a requirement to work. Let us put together a bill that focuses on punishing the criminal and fighting crime."	Similarly, Representative Gohmert, a Republican, has said, "As a former judge, I know well that we have got to do a better job of rehabilitating, of educating, with drug treatment and alcohol treatment for those that are incarcerated in our prisons. There is just no question that we should do a better job with those things."
In short, many Democrats and Republicans in Congress have expressed the opinion that making punishments tougher for criminals is the best way to reduce crime and do justice in America.	In short, many Democrats and Republicans in Congress have expressed the opinion that simply making punishments tougher for criminals is not the best way to reduce crime and do justice in America.

Control Group
The control group was exposed to no elite rhetoric text.

away the key" mantra of the tough on crime movement, and Representative Gohmert's statement endorses efforts to improve rehabilitation programs in prisons. These statements echo Percival's (2011) characterization of the tough on crime and smart on crime frames, and I drew them from debates about bills that are considered to be exemplars of their respective frames/political movements.

I chose to use quotes from members of the House because individual representatives are usually less recognizable to the public than senators or presidents due to the fact that the representatives are far more numerous and receive much less media exposure than senators or presidents. If a respondent were to recognize the politician speaking the quote and connect him/her to news about political conflict or scandal, then the effect of the elite rhetoric would become biased by the respondent's feelings about the politician rather than the politician's words. Quoting representatives without identifying their state of origin reduces the likelihood that this bias will confound the results. Furthermore, I attempted to match the tough on crime and smart on crime conditions, quoting one Democrat and one Republican in each condition, and crafting my original text to be as comparable as possible. By presenting a picture of bipartisan support within each condition, I am simulating a one message model that should maximize the likelihood of creating a framing effect (Zaller, 1992).

I embedded the experimental texts at the beginning of the questionnaire so that they were the first thing the respondent read after the cover letter. Respondents assigned to the control group were exposed to no elite rhetoric. Rather, control condition questionnaires began immediately with Question 1.

I operationalized the experimental manipulations as dummy variables in the regression analyses. The tough on crime frame condition and the smart on crime frame condition are each coded such that 1 = frame condition and 0 = control group and opposite frame condition. Including both frame conditions in each regression analysis isolates the effect of the "1" condition against the control group.

I report the descriptive statistics of the variables in Table 2.5.

Assessing Validity

Two countervailing forces affect the overall validity of this study. As discussed earlier in this chapter, the nonresponse biases in my sample decrease my ability to generate estimates of punitive sentiments that accurately reflect the "true," average level of punitive opinion among the American public. While it is important to remember this limitation when reading this study, precisely describing the overall level of punitive public sentiment is not my goal in this work. Rather, it is my goal to accurately measure the nature of the relationship between exposure to elite rhetoric about crime and punishment and public opinion about criminal justice. The present experimental design empowers me to estimate internally valid measures of the relationship between these variables with far higher confidence than estimating simple descriptive statistics about the population.

Social scientists widely agree that experiments are the best possible way to test hypotheses about causal relationships between constructs (Langbein, 2006; Shadish, Cook, & Campbell, 2002; Sherman, 2010). Arguably the single greatest threat to the validity of correlational studies is omitted variable bias, which is created when the

Table 2.5. Descriptive Statistics of Analysis Variables

Variable	*N*	Mean	Std. Dev.	Min.	Max.
Dependent Variables					
Punishment preference	495	3.36	1.90	1	6
Death penalty	493	4.61	1.79	1	6
DP vs. LWOP	490	4.10	1.97	1	6
Punitive CJ Policy Priorities	469	22.92	7.18	8	46
Independent Variables					
Tough on crime (ToC) frame	501	0.28	0.45	0	1
Smart on crime (SoC) frame	501	0.31	0.46	0	1
Political awareness	470	3.20	1.06	0	4
Political ideology	474	4.35	1.42	1	7
Control Variables					
Dispositional attribution	488	11.30	3.41	3	18
Situational attribution	485	16.57	3.81	4	24
Perceived fairness of CJS	480	10.87	4.37	3	18
Symbolic racism	471	21.32	6.88	6	36
News consumption	478	15.55	5.63	1	28
Fear of crime	483	0.18	0.39	0	1
Victimization	486	0.36	0.49	0	1
Democrat	482	0.35	0.48	0	1
Independent	482	0.27	0.45	0	1
Female gender	486	0.40	0.49	0	1
Black race	459	0.10	0.30	0	1
Age	474	57.16	15.47	21	89
Education	480	4.04	1.48	1	6
Income	460	3.28	1.69	1	8

researcher cannot measure a construct(s) that confounds the relationship between the dependent variable and the independent variable of interest. When participants in an experiment are randomly-assigned to receive the treatment(s) or be part of the control group, then we can be confident that no omitted factors confound the relationship

between exposure to the treatment and scores on the dependent variable because chance

alone determined whether or not the participant received the treatment. The participant

did not choose to receive or avoid the treatment; if she had, then we should worry that the

personal characteristics that made her interested in the treatment would cause her scores

on the dependent measure(s) rather than the treatment itself. To use the appropriate

vocabulary, random assignment to conditions in an experiment ensures that measures of

the relationship between treatment exposure and scores on the dependent variable(s) are

internally valid.

A series of diagnostic tests indicate that the participants in my experiment were

successfully randomly assigned to the three different groups. Chi square tests reveal no

statistically-significant differences between participants in the tough on crime, smart on

crime, or control groups in regard to gender (Pearson $\chi^2_{(2\ df)} = 2.47$, $p = 0.29$), race

(Pearson $\chi^2_{(2\ df)} = 2.51$, $p = 0.29$), age (Pearson $\chi^2_{(134\ df)} = 115.19$, $p = 0.88$), education

(Pearson $\chi^2_{(10\ df)} = 7.11$, $p = 0.72$), income (Pearson $\chi^2_{(14\ df)} = 6.07$, $p = 0.97$), political

party affiliation (Pearson $\chi^2_{(4\ df)} = 4.22$, $p = 0.38$), crime victimization (Pearson $\chi^2_{(2\ df)} =$

2.56, $p = 0.28$), or level of political awareness (Pearson $\chi^2_{(8\ df)} = 10.38$, $p = 0.24$). The

one aberrant finding is a marginally significant difference between the groups in regard to

the participants' political ideology (Pearson $\chi^2_{(12\ df)} = 18.57$, $p = 0.10$). However, follow-

up two sample t-tests show no significant difference in the average ideology score

between participants in the tough on crime and control groups ($t_{(319\ df)} = 1.14$, $p = 0.25$) or

the smart on crime and control groups ($t_{(340\ df)} = -0.31$, $p = 0.76$).

All past studies of the relationship between elite rhetoric about crime and

punishment and public opinion/concern about criminal justice utilized correlational (often

aggregate, time series) designs. As such, this study will yield the most internally valid

estimates of this relationship yet produced. Given the fact that the elite manipulation

hypothesis posits a causal relationship between elite rhetoric and public opinion, this

contribution to the literature is important and needed. In addition, I designed this

experiment to generate as much information about the tough on crime and smart on crime

frames as possible. Gaines, Kuklinski, and Quirk (2007) note that many experimental

tests of framing effects contrast the opinions of respondents exposed to one frame against

the opinions of respondents exposed to a different frame without including a control

group exposed to no frame. These authors argue that such designs do not allow the

researcher to determine whether each frame exerts a statistically significant effect *in*

isolation, or whether it takes two frames "pushing people in opposite directions" to

generate a significant difference. By contrasting each frame's treatment group against

the control group, I can test whether or not each frame in the debate about criminal

justice meaningfully affects people's opinions.

Tools of Analysis

I employ ordinary least squares regression to model the factors that influence a

respondent's score on the criminal justice policy priorities scale and ordered logit

regression to model a respondent's preference for punishment versus social intervention,

support for the death penalty, and preference for the death penalty versus life

imprisonment (using the Stata statistical software). OLS is the appropriate tool to

analyze the criminal justice policy priorities scale because the variable is functionally

continuous in nature. The other three dependent variables are ordinal and categorical in

nature. Long (1997) explains several reasons why using linear regression to analyze categorical variables is inappropriate. Notably, Long argues that OLS imposes an incorrect functional form on the relationship between an ordinal outcome and its predictors.

Ordered logit regression is a type of maximum likelihood estimation (MLE), an analysis that estimates the value of a given parameter that maximizes the likelihood of observing the sample data that were actually observed. Long (1997) explains,

> …the ML estimator has a number of desirable properties. First, the ML estimator is consistent. This means roughly that as the sample size grows large, the probability that the ML estimator differs from the true parameter by an arbitrarily small amount tends toward 0. Second, the ML estimator is asymptotically efficient, which means that the variance of the ML estimator is the smallest possible among consistent estimators. Finally, the ML estimator is asymptotically normally distributed…. (33)

Specifically, ordered logit employs a measurement model in which a latent variable y^*, which theoretically possesses no limits, is mapped onto the observed variable y. The latent variable is theorized to be the respondent's level of support for or agreement with the question under study. Ordered logit breaks y into a series of cut points that correspond to the response categories in the data and then estimates the probability that a respondent's answer would fall into each category. Whereas OLS would assume that the distance between adjacent categories in an ordinal scale is equal, ordered logit makes no such assumption (Long, 1997).

The coefficients generated by MLE are "logits," which are a change in the "log of the odds" of the observed event occurring (Britt & Weisburd, 2010; Long, 1997). Given that this metric is not intuitively interpretable for most people, unlike the slope coefficients generated by OLS, it is common practice to express MLE results in an

alternative form. I choose to transform the ordered logit coefficients into odds ratios

(achieved by taking the exponent of the coefficient). For ordered logit models, Britt and

Weisburd (2010) explain, "substantively, the odds ratio using cumulative probabilities

indicates the odds of an outcome less than or equal to category *m* versus the odds of a

category greater than *m*" where *m* is the category of interest from the available response

options (p. 670).

Regression Diagnostics

For reasons explained in Chapter 3, I ran several regression models that

introduced several attitudinal and demographic control variables alongside the treatment

condition variables. These control variables may create multicollinearity in the

regression models. Multicollinearity inflates the standard errors of coefficients and

increases the likelihood of making a Type II error (Fox, 1991; Langbein, 2006). In order

to assess collinearity, I ran all multivariate models in this dissertation (i.e., Model 2 in

Tables 3.1.1 and 3.1.2 and all models in the remaining tables) with OLS and calculated

variance inflation factor scores. No variable in any of the models *without interaction*

terms had a VIF greater than 2.70, which suggests that multicollinearity is not a problem

in these analyses (Fisher & Mason, 1981; Fox, 1991; Langbein, 2006). The VIF

diagnostics unsurprisingly indicated that the interaction terms were collinear with their

component variables (e.g., the tough on crime frame exposure, political awareness, and

tough on crime X awareness variables all had high VIF scores). Jaccard and Turrisi

(2003) emphasize that multicollinearity is an unavoidable side effect of using interaction

terms, and they argue that it does not abrogate the validity of interaction analyses. No

other variable in the interaction models had an unacceptably high VIF score.

Statistical outliers in a data set can also skew results. In order to determine

whether or not outlier responses existed in these data, I again ran the multivariate models

in this dissertation using OLS regression, and I calculated Cook's D statistic (see Fox,

1991; Judd & McClelland, 1989). While some scholars argue that no single "threshold"

value of Cook's D definitively identifies an outlier, other scholars advise that any value

of D greater than one or two should be examined for adverse influence over the results.

The values of Cook's D generated by my tests were uniformly tiny; even the largest

values failed to exceed the hundredth decimal place. These tests indicate that no outliers

skew the results of my regression analyses.

CHAPTER 3

RESULTS

Direct Framing Effects on Attitudes toward Criminal Justice

The first step in evaluating whether or not the tough on crime and/or smart on

crime frames alter people's opinions about criminal justice is to test for a direct

relationship between exposure to an elite rhetoric frame and policy opinions. A series of

regression models, reported in Tables 3.1.1 and 3.1.2, provide support for the existence of

framing effects.

Models 1, 3, 5, and 7 test the bivariate relationship between frame exposure and a

respondent's score on each of the dependent variables; these models are functionally-

equivalent to an ANOVA or a series of difference-of-means t-tests (Langbein, 2006).[13] It

is possible to analyze the results of an experiment with basic bivariate tests because

random assignment to conditions ensures that the relationship between the treatment and

the dependent variable(s) is free of omitted variable bias. These models reveal no

statistically significant differences in the overall level of punitiveness between

respondents exposed to the smart on crime (SoC) frame versus respondents in the control

group. In contrast, the opinions voiced by respondents exposed to the tough on crime

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[13] For the convenience of a reader who may be interested in seeing the mean score on each dependent variable within each group, I also report the results of t-tests between each treatment group and the control group in Appendix C.

Table 3.1.1. Ordered Logit Results of Opinions about Punishment on Frame Exposure and Attitudinal Controls (Odds Ratios with Robust Standard Errors in Parenthesis)

Variables	Punishment Preference		Death Penalty Support		LWOP vs. Death Penalty	
	1	2	3	4	5	6
Treatment Conditions						
Tough on crime frame	0.52 (0.11)**	0.64 (0.16)†	0.44 (0.10)**	0.64 (0.16)†	0.55 (0.12)**	0.70 (0.16)
Smart on crime frame	0.81 (0.15)	0.83 (0.16)	1.13 (0.22)	1.34 (0.29)	1.26 (0.23)	1.39 (0.29)
Attitudinal Controls						
Dispositional attribution	--	1.11 (0.03)**	--	1.09 (0.03)**	--	1.04 (0.03)
Situational attribution	--	0.88 (0.03)**	--	0.94 (0.03)†	--	0.93 (0.03)*
Symbolic racism	--	1.06 (0.03)*	--	1.06 (0.02)**	--	1.09 (0.02)**
Perceived fairness of CJS	--	1.03 (0.03)	--	1.09 (0.03)**	--	1.03 (0.03)
Political ideology (conservative)	--	1.36 (0.10)**	--	1.15 (0.09)†	--	1.01 (0.08)
N	495	442	493	443	490	440
Adjusted count R^2	0.00	0.14	0.00	0.05	0.00	0.09

Note: † $= p < 0.10$ * $= p < 0.05$ ** $= p < 0.01$

(ToC) frame significantly differed from the opinions voiced by respondents in the control

group in regard to all four dependent variables. While these results do indicate the

Table 3.1.2. OLS Regression Results of Support for Punitive Criminal Justice Policies on Frame Exposure and Attitudinal Controls (Coefficients with Robust Standard Errors in Parenthesis)

Variables	Model 7		Model 8	
	b	*β*	*b*	*β*
Treatment Conditions				
Tough on crime frame	- 2.56	- 0.16	- 1.41	- 0.09
	(0.82)**		(0.76)†	
Smart on crime frame	- 1.19	- 0.08	- 0.72	- 0.05
	(0.78)		(0.70)	
Attitudinal Controls				
Dispositional attribution	--	--	0.09	0.05
			(0.10)	
Situational attribution	--	--	- 0.47	- 0.26
			(0.09)**	
Symbolic racism	--	--	0.20	0.20
			(0.07)**	
Perceived fairness of CJS	--	--	0.16	0.10
			(0.10)	
Political ideology (conservative)	--	--	0.50	0.10
			(0.24)*	
Constant	24.02		22.16	
	(0.53)		(2.33)	
N	469		422	
Adjusted R^2	0.02		0.27	

Note: † $= p < 0.10$ * $= p < 0.05$ ** $= p < 0.01$

presence of a framing effect, the nature of this effect is not consistent with the elite

manipulation hypothesis. Respondents in the tough on crime condition voiced *less*

punitive opinions than respondents in the control group on all dependent variables, as

indicated by odds ratios lower than one in Table 3.1.1 and negative coefficients in Table

3.1.2. In other words, these results suggest that politicians' use of the tough on crime

frame may backfire; people exposed to this rhetoric more strongly *opposed* the call for harsh punishment.

Further tests reveal that this framing effect may not be particularly strong. Recall Chong and Druckman's (2007a, 2007b) argument that strongly-held prior attitudes and considerations can attenuate the power of a political message to affect a citizen's opinions. I test this postulate with Models 2, 4, 6, and 8 (Tables 3.1.1 and 3.1.2) by replicating the relationship between frame exposure and opinions about criminal justice while holding constant other attitudes that are commonly related to a person's opinions about punishment, namely a person's attribution of blame (both dispositional and situational), attitudes about race relations (a.k.a., symbolic racism), perceptions of fairness or bias in the criminal justice system, and political ideology.

The results of Models 2, 4, 6, and 8 could be interpreted two ways. On the one hand, controlling for prior beliefs reduces the magnitude of the tough on crime framing effect in the models that test a respondent's preference for punishment versus social intervention (Model 2), support for the death penalty (Model 4), and support for punitive criminal justice policies (Model 8), as well as renders statistically insignificant the framing effect on a respondent's preference for the death penalty versus life imprisonment (Model 6). This pattern of results implies that the tough on crime frame does not create that much change in people's opinions above and beyond the influence of their extant beliefs and attitudes.

On the other hand, the odds ratios of the tough on crime framing effects on the respondents' preference for punishment and support for the death penalty are substantial even when prior attitudes are held constant, indicating that people exposed to this frame

are 36 percent less likely to choose a response that more strongly favors punishment over social intervention or more strongly supports the death penalty. Conversely, it is estimated that tough on crime frame exposure causes a respondent to score about 1.4 units lower on the punitive criminal justice policy preferences scale than respondents in the control group; given that this scale ranges from 8 to 46, the magnitude of this effect is substantively small.

While these analyses present mixed evidence regarding the magnitude of a tough on crime framing effect, they clearly indicate that exposure to the smart on crime frame has no direct effect on attitudes toward criminal justice, and the tough on crime frame cannot overpower the influence of a respondent's related attitudes and beliefs on her opinions about punishment. Of greatest importance, the tough on crime frame appears to alter opinions in a manner that is directly contrary to our theorized predictions. So far, the analyses reveal no support for the elite manipulation hypothesis.

The Moderating Role of Political Awareness

However, the nuances of framing theory instruct us to look beyond simple tests of main effects because the influence of a frame upon public opinion may differ across subgroups of the population. As discussed in Chapter 1, several political scientists argue that a person's level of political awareness moderates the manner in which exposure to an issue frame will or will not affect her policy opinions (Chong & Druckman, 2007a; Cobb & Kuklinski, 1997; Druckman & Nelson, 2003; Slothuus, 2008; Zaller, 1992). I test this theory in multiple ways. First, I introduce the measure of political awareness into the regression models reported earlier in this chapter, as well as various demographic control

variables that are typically related to attitudes toward punishment. I make use of demographic controls in the remaining analyses in order to accurately measure the influence of the moderating variables; because these personal characteristics were not subject to random assignment, they do not share the treatment conditions' protection against omitted variable bias. Second, I create a series of interaction terms by multiplying the treatment condition variables with each of the moderator variables, political awareness and political ideology (Jaccard & Turrisi, 2003).

Models 9, 11, 13, and 15 in Tables 3.2.1 and 3.2.2 indicate that there is no independent relationship between political awareness and opinions about criminal justice; the political awareness coefficient fails to reach statistical significance in all six models. This finding is unsurprising; framing theorists posit that a person's level of political awareness only matters in so much as it conditions her likelihood of being exposed to frames and/or her ability to evaluate and accept or reject the information contained in those frames. Models 10, 12, 14, and 16 test the interactive effect of rhetoric frame exposure and political awareness on punitive opinion. These data provide limited evidence that the influence of elite frames on opinions about criminal justice is moderated by a person's level of political awareness. None of the interaction terms achieved conventional levels of statistical significance ($p \leq 0.05$). Tables 3.2.1 and 3.2.2 reveal marginally significant ($p \leq 0.10$) interactions between smart on crime frame exposure and political awareness such that respondents who both possessed high levels of awareness and were exposed to the smart on crime frame voiced a stronger preference for

Table 3.2.1. Ordered Logit Results of Opinions about Punishment on Frame Exposure Moderated by Political Awareness (Odds Ratios with Robust Standard Errors in Parenthesis)

Variables	Punishment Preference		Death Penalty Support		LWOP vs. Death Penalty	
	9	**10**	**11**	**12**	**13**	**14**
Treatment Conditions						
Tough on crime frame	0.58 (0.16)*	0.50 (0.48)	0.75 (0.20)	1.71 (1.98)	0.73 (0.19)	1.66 (1.55)
Smart on crime frame	0.89 (0.20)	0.26 (0.20)†	1.58 (0.39)†	0.70 (0.45)	1.51 (0.35)†	1.47 (0.99)
Attitudinal Controls						
Dispositional attribution	1.15 (0.04)**	1.15 (0.04)**	1.07 (0.04)*	1.07 (0.04)*	1.03 (0.04)	1.03 (0.04)
Situational attribution	0.88 (0.03)**	0.88 (0.03)**	0.95 (0.04)	0.95 (0.04)	0.92 (0.04)*	0.92 (0.04)*
Symbolic racism	1.06 (0.03)†	1.06 (0.03)†	1.06 (0.03)*	1.06 (0.03)*	1.09 (0.03)**	1.09 (0.03)**
Perceived fairness of CJS	1.03 (0.04)	1.04 (0.04)	1.12 (0.04)**	1.12 (0.04)**	1.06 (0.04)†	1.06 (0.04)
Political ideology (conservative)	1.31 (0.14)*	1.32 (0.14)**	1.10 (0.12)	1.09 (0.11)	0.96 (0.09)	0.95 (0.09)
Demographic Controls						
Victimization	0.85 (0.18)	0.86 (0.19)	1.19 (0.26)	1.17 (0.25)	0.98 (0.21)	0.96 (0.21)
Fear of crime	1.10 (0.29)	1.14 (0.29)	1.52 (0.41)	1.59 (0.42)†	1.68 (0.48)†	1.71 (0.48)†
News consumption	1.00 (0.02)	1.00 (0.06)	1.01 (0.02)	1.02 (0.02)	1.03 (0.02)	1.03 (0.02)
African American	0.91 (0.39)	0.91 (0.39)	1.70 (0.71)	1.78 (0.77)	1.49 (0.57)	1.53 (0.58)
Female	0.87 (0.19)	0.87 (0.19)	0.97 (0.22)	0.97 (0.22)	0.70 (0.16)	0.69 (0.16)

Variables	Punishment Preference		Death Penalty Support		LWOP vs. Death Penalty	
	9	10	11	12	13	14
Age	1.00	1.00	1.01	1.01	1.00	1.00
	(0.01)	(0.01)	(0.01)†	(0.01)	(0.01)	(0.01)
Education	0.84	0.86	0.93	0.94	0.92	0.92
	(0.06)*	(0.06)	(0.07)*	(0.07)	(0.08)	(0.08)
Income	1.01	1.00	1.09	1.08	1.02	1.02
	(0.07)	(0.07)	(0.08)	(0.08)	(0.01)	(0.07)
Southern residence	1.47	1.49	0.88	0.86	0.87	0.86
	(0.31)†	(0.31)†	(0.20)	(0.19)	(0.19)	(0.19)
Democrat	0.84	0.86	1.02	1.00	0.95	0.93
	(0.26)	(0.27)	(0.32)	(0.31)	(0.27)	(0.27)
Independent	0.53	0.51	1.52	1.47	1.35	1.34
	(0.15)*	(0.15)*	(0.45)	(0.43)	(0.39)	(0.39)
Political awareness	1.13	0.94	1.02	0.96	1.12	1.18
	(0.13)	(0.18)	(0.12)	(0.14)	(0.12)	(0.19)
Interaction Terms						
ToC frame X	--	1.05	--	0.79	--	0.78
Awareness		(0.29)		(0.26)		(0.21)
SoC frame X	--	1.48	--	1.30	--	1.01
Awareness		(0.34)†		(0.26)		(0.20)
N	372	372	373	373	370	370
Adjusted count R^2	0.14	0.13	0.05	0.03	0.12	0.12

Note: † $= p < 0.10$ * $= p < 0.05$ ** $= p < 0.01$

punishment versus fixing social problems (Model 10) and stronger support for punitive

criminal justice policies (Model 16).

In order to facilitate the interpretation of these interactions, I calculated a

respondent's predicted scores on the punishment preference question and punitive policy

support scale across different levels of political awareness and treatment conditions,

holding constant the other variables in the model (Long & Freese, 2006). For ease of

interpretation, I present these results graphically in Figures 3.1.1, 3.1.2, and 3.2.

Table 3.2.2 OLS Regression Results of Support for Punitive Criminal Justice Policies on Frame Exposure Moderated by Political Awareness (Coefficients with Robust Standard Errors in Parenthesis)

Variables	Model 15		Model 16	
	b	*β*	*b*	*β*
Treatment Conditions				
Tough on crime frame	- 0.54	- 0.03	- 1.70	- 0.11
	(0.81)		(2.83)	
Smart on crime frame	0.47	0.03	- 3.94	- 0.27
	(0.74)		(2.63)	
Attitudinal Controls				
Dispositional attribution	0.22	0.11	0.21	0.10
	(0.11)*		(0.11)*	
Situational attribution	- 0.44	- 0.24	- 0.42	- 0.23
	(0.11)**		(0.11)**	
Symbolic racism	0.15	0.15	0.15	0.15
	(0.08)†		(0.08)†	
Perceived fairness of CJS	0.17	0.11	0.18	0.11
	(0.11)		(0.11)	
Political ideology (conservative)	0.45	0.09	0.41	0.08
	(0.27)†		(0.27)	
Demographic Controls				
Victimization	- 0.83	- 0.06	- 0.82	- 0.06
	(0.66)		(0.65)	
Fear of crime	2.05	0.12	2.18	0.13
	(0.79)**		(0.78)**	
News consumption	- 0.01	- 0.01	- 0.01	- 0.01
	(0.07)		(0.07)	
African American	- 0.32	- 0.01	- 0.36	- 0.02
	(1.01)		(1.00)	
Female	- 0.76	- 0.05	- 0.75	- 0.05
	(0.73)		(0.73)	
Age	- 0.02	- 0.05	- 0.02	- 0.05
	(0.02)		(0.02)	
Education	0.16	0.03	0.21	0.04
	(0.24)		(0.25)	

Variables	Model 1		Model 2	
	b	**β**	**b**	**b**
Income	0.19	0.04	0.15	0.04
	(0.20)		(0.20)	
Southern residence	- 0.43	- 0.03	- 0.42	- 0.03
	(0.68)		(0.66)	
Democrat	- 0.86	- 0.06	- 0.85	- 0.06
	(0.95)		(0.93)	
Independent	- 2.77	- 0.17	- 2.86	- 0.18
	(0.82)**		(0.81)**	
Political awareness	- 0.38	- 0.06	- 1.02	- 0.15
	(0.37)		(0.60)†	
Interaction Terms				
ToC frame X Awareness	--	--	0.38	0.09
			(0.84)	
SoC frame X Awareness	--	--	1.40	0.32
			(0.78)†	
Constant	23.45		25.19	
	(3.39)		(3.71)	
N	352		352	
Adjusted R^2	0.29		0.29	

Note: † $= p < 0.10$ * $= p < 0.05$ ** $= p < 0.01$

According to Zaller's (1992) curvilinear model, we should see that individuals in the smart on crime condition who posses moderate levels of political awareness (in this study, answering three questions correctly) have the highest probability of saying that it is much better to fix social problems and the lowest probability of saying that it is much better to punish criminals; i.e., moderately-aware individuals should be the most influenced by the smart on crime frame and voice the least punitive opinions out of all respondents in the treatment group. Instead, we find that the effect of political awareness is linear. Minimally-aware respondents who were exposed to the smart on crime frame
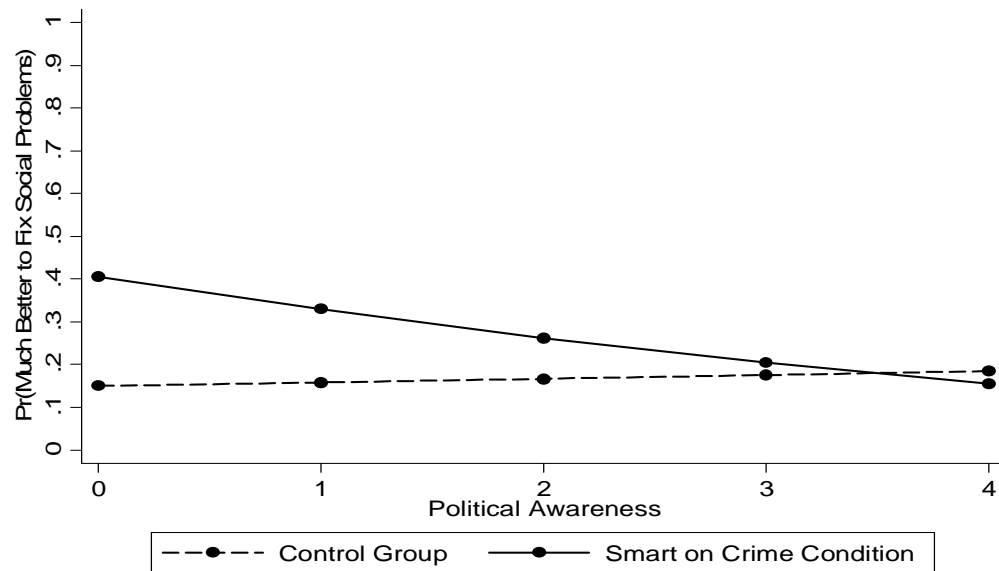
Figure 3.1.1. Interaction effect of political awareness and smart on crime frame exposure on punishment preferences: Predicted probability of choosing "much better to fix social problems."
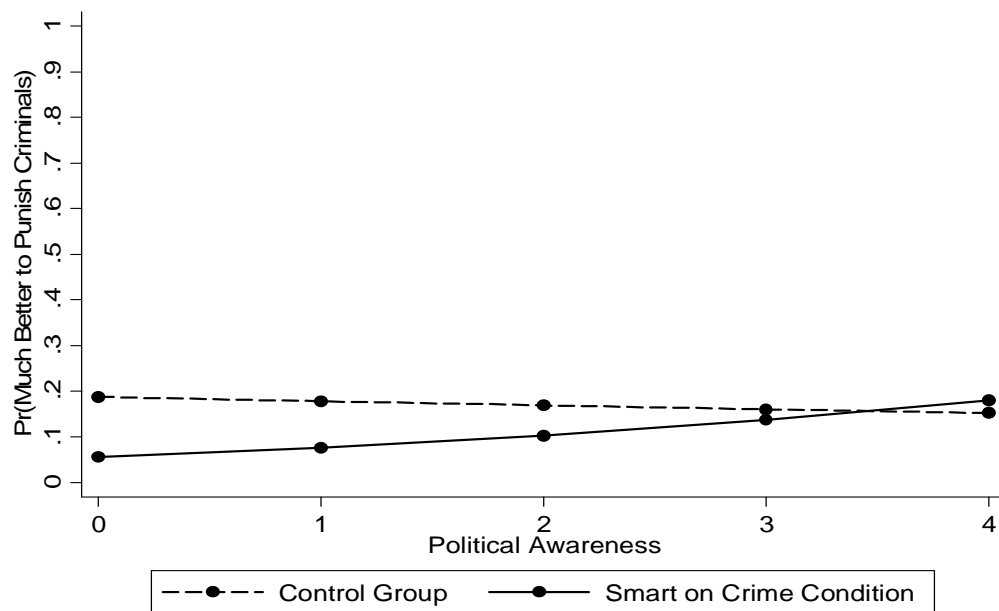
Figure 3.1.2. Interaction effect of political awareness and smart on crime frame exposure on punishment preferences: Predicted probability of choosing "much better to punish criminals."
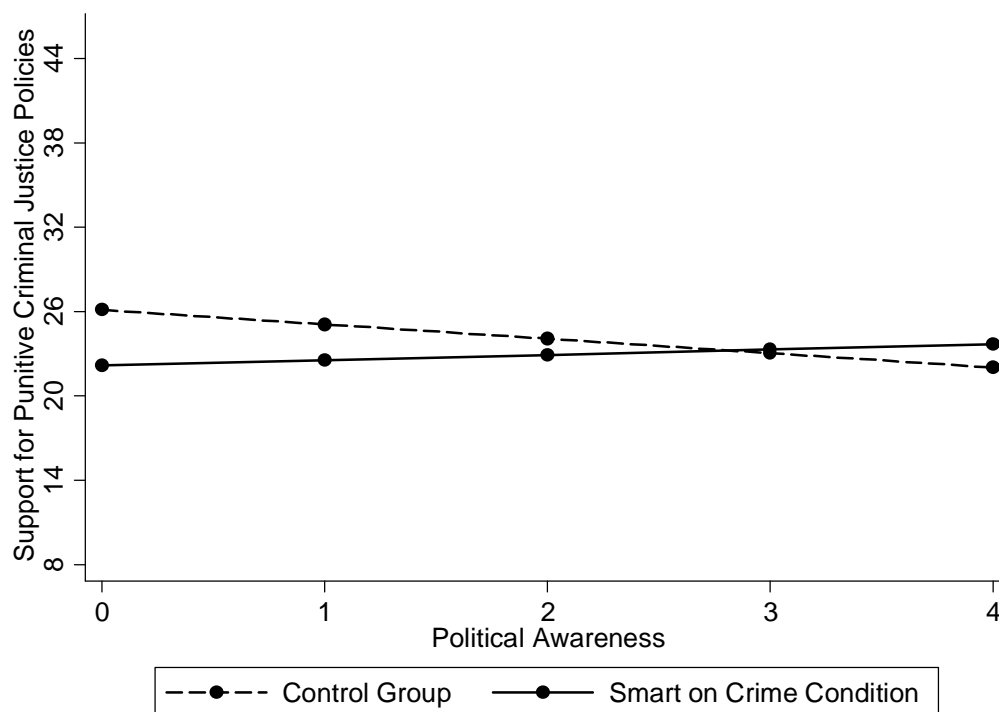
Figure 3.2. Interaction effect of political awareness and smart on crime frame exposure on support for punitive criminal justice policies: Predicted score (*y* value) on response scale.

were the most likely to advocate fixing social problems and the least supportive of

punitive policies. In contrast to Zaller (1992), Chong and Druckman's (2007a, 2007b)

model is linear, but they argue that political awareness *enhances* framing effects;

however, these results reveal that more politically-aware respondents were more *resistant*

to the frame. The probability that a respondent would prefer fixing social problems over

punishing criminals *decreases* as political awareness increases among respondents

exposed to the smart on crime frame (holding constant other attitudes and demographic

characteristics).

Figure 3.2 presents a respondent's predicted score on the punitive criminal justice policy preferences scale (i.e., the *y* value on the continuous response scale predicted by OLS regression). Recall that higher scores on this scale indicate a higher level of support for more punitive policies and a lower level of support for rehabilitation and prevention policies. We see a linear, positive relationship between awareness and support for punitive policies among respondents exposed to the smart on crime frame. As with the negative, direct framing effect of tough on crime rhetoric, individuals who possess moderate and high levels of political awareness appear to reject the smart on crime frame and voice more punitive opinions (keeping in mind the lack of a significant smart on crime framing effect – direct or moderated – on respondents' opinions about the death penalty).

It is possible to interpret these results as an indication that minimally-aware respondents were the most affected by exposure to the smart on crime frame. Across all three figures, we see that minimally-aware individuals in the treatment group voiced less punitive opinions than comparably-aware respondents in the control group. While this pattern of results does not fit predictions from the theories of Zaller (1992) or Chong and Druckman (2007a, 2007b), other scholars have found framing effects to be most pronounced among individuals who possess low political awareness (e.g., Haider-Markel & Joslyn, 2001; Kinder & Sanders, 1990).

It could be argued that the models presented in Tables 3.2.1 and 3.2.2 are not adequate tests of Zaller's (1992) theory because they do not incorporate the role of political ideology. Zaller argues that not all highly-aware individuals will resist an elite

Table 3.3.1. Ordered Logit Results of Opinions about Punishment on Frame Exposure Jointly Moderated by Political Awareness and Political Ideology (Odds Ratios with Robust Standard Errors in Parenthesis)

Variables	Punishment Preference	Death Penalty Support	LWOP vs. Death Penalty
Treatment Conditions			
Tough on crime frame	0.00 (0.00)**	2.53 (8.80)	19.63 (63.20)
Smart on crime frame	0.00 (0.00)**	0.10 (0.27)	0.35 (1.15)
Attitudinal Controls			
Dispositional attribution	1.15 (0.04)**	1.08 (0.04)*	1.03 (0.04)
Situational attribution	0.87 (0.03)**	0.95 (0.04)	0.92 (0.04)*
Symbolic racism	1.05 (0.03)	1.06 (0.03)†	1.08 (0.03)**
Perceived fairness of CJS	1.04 (0.04)	1.13 (0.04)**	1.07 (0.04)†
Political ideology (conservative)	0.40 (0.17)*	0.87 (0.34)	0.65 (0.27)
Demographic Controls			
Victimization	0.89 (0.19)	1.16 (0.26)	0.95 (0.22)
Fear of crime	1.06 (0.28)	1.57 (0.43)	1.65 (0.48)†
News consumption	1.00 (0.02)	1.02 (0.02)	1.03 (0.02)†
African American	0.88 (0.39)	1.80 (0.79)	1.51 (0.59)
Female	0.91 (0.21)	0.98 (0.23)	0.70 (0.16)
Age	1.00 (0.01)	1.01 (0.01)	1.00 (0.01)
Education	0.85 (0.06)*	0.94 (0.07)	0.91 (0.07)
Income	0.99 (0.07)	1.08 (0.08)	0.86 (0.19)
Southern residence	1.60 (0.35)*	0.88 (0.20)	0.86 (0.19)
Democrat	0.92 (0.29)	1.04 (0.33)	0.99 (0.29)
Independent	0.51 (0.15)*	1.49 (0.44)	1.39 (0.41)
Political awareness	0.22 (0.12)**	0.77 (0.41)	0.82 (0.45)
Interaction Terms			
ToC rhetoric X Awareness	8.84 (7.96)*	0.71 (0.71)	0.35 (0.33)
SoC rhetoric X Awareness	8.59 (6.25)**	1.66 (1.28)	0.89 (0.81)
ToC rhetoric X Ideology	6.12 (4.67)*	0.91 (0.70)	0.56 (0.40)
SoC rhetoric X Ideology	4.65 (2.76)**	1.55 (0.99)	1.37 (1.02)
Awareness X Ideology	1.41 (0.18)**	1.05 (0.13)	1.09 (0.14)

Variables	Punishment Preference	Death Penalty Support	LWOP vs. Death Penalty
ToC rhetoric X Awareness X Ideology	0.61 (0.13)*	1.03 (0.23)	1.20 (0.26)
SoC rhetoric X Awareness X Ideology	0.66 (0.11)*	0.95 (0.17)	1.03 (0.21)
N	372	373	370
Adjusted count R^2	0.14	0.03	0.05

Note: $\dagger = p < 0.10$ $* = p < 0.05$ $** = p < 0.01$

frame; rather, it is only highly-aware individuals whose personal values conflict with the content of the frame whom we would expect to voice opinions that reject the frame's message. Thus, testing Zaller's theory with the present data calls for a three-way interaction: treatment condition X political awareness X political ideology. I construct these interaction terms and add them to the previous models; I follow the model specification advice of Jaccard and Turrisi (2003) and include in the model all combinations of the lower-order, two-way interactions that are components of the higher-order, three-way interactions.

As reported in Tables 3.3.1 and 3.3.2, only two of the eight three-way interaction terms were statistically significant. Both tough on crime frame exposure and smart on crime frame exposure appear to significantly interact with political awareness and political ideology to affect respondents' preference for punishment versus fixing social problems. Due to the difficulty of interpreting a three-way interaction in a manner that is meaningful to the reader, I chose to simplify the analysis. Following the method of Slothuus (2008), I broke the sample according to level of political awareness, and I ran three separate replications of the ordered logit model predicting preference for

Table 3.3.2. OLS Regression Results of Support for Punitive Criminal Justice Policies on Frame Exposure Jointly Moderated by Political Awareness and Political Ideology (Coefficients with Robust Standard Errors in Parenthesis)

Variables	b	β
Treatment Conditions		
Tough on crime frame	- 3.38 (9.10)	- 0.22
Smart on crime frame	6.43 (8.97)	0.43
Attitudinal Controls		
Dispositional attribution	0.21 (0.10)*	0.10
Situational attribution	- 0.39 (0.11)**	- 0.22
Symbolic racism	0.16 (0.08)†	0.16
Perceived fairness of CJS	0.16 (0.11)	0.10
Political ideology (conservative)	0.42 (1.12)	0.09
Demographic Controls		
Victimization	- 0.89 (0.66)	- 0.06
Fear of crime	2.38 (0.80)**	0.14
News consumption	0.01 (0.07)	0.01
African American	- 0.58 (1.04)	- 0.02
Female	- 0.85 (0.73)	- 0.06
Age	- 0.02 (0.02)	- 0.05
Education	0.15 (0.25)	0.03
Income	0.13 (0.20)	0.03
Southern residence	- 0.37 (0.67)	- 0.03
Democrat	- 0.95 (0.94)	- 0.07
Independent	- 2.84 (0.81)**	- 0.18
Political awareness	- 0.27 (1.47)	- 0.04
Interaction Terms		
ToC rhetoric X Awareness	- 0.67 (2.62)	- 0.15
SoC rhetoric X Awareness	- 2.68 (2.64)	- 0.62
ToC rhetoric X Ideology	0.31 (1.94)	0.09
SoC rhetoric X Ideology	- 2.42 (1.99)	- 0.80
Awareness X Ideology	- 0.18 (0.34)	- 0.17
ToC rhetoric X Awareness X Ideology	0.28 (0.58)	0.28
SoC rhetoric X Awareness X Ideology	0.95 (0.59)	1.07
Constant	25.08 (5.88)	

Variables	*b*	*β*
N	352	
Adjusted R^2	0.30	

Note: † = $p < 0.10$ * = $p < 0.05$ ** = $p < 0.01$

punishment versus social intervention – one model comprised of minimally-aware

respondents (those who answered zero, one, or two political knowledge questions

correctly), one comprised of moderately-aware respondents (those who answered three

questions correctly), and one comprised of highly-aware respondents (those who

answered four questions correctly). This tactic allowed me to examine the interplay of

frame exposure, political awareness, and political ideology by interpreting the simpler,

two-way interaction of frame exposure X ideology. I present the results of this

replication in Table 3.3.3.

The results of these models complicate the findings presented in Tables 3.3.1 and

3.3.2. Whereas the models run on the full sample indicated that the effect of exposure to

both the tough on crime and smart on crime frames is jointly moderated by a person's

level of political awareness and her political ideology, only the smart on crime frame X

ideology interaction reached statistical significance in the replication ($p \leq 0.10$), and this

interaction was only significant in the model comprised of minimally-aware respondents.

The fact that the tough on crime frame X ideology interaction was not statistically

significant among respondents at any level of political awareness contradicts the results

of the three-way interaction tests in the previous models.

This discrepancy between models may be a methodological artifact. Breaking the

sample according to levels of awareness is a method with limitations. Notably, this tactic

Table 3.3.3. Ordered Logit Results of Preference for Punishment vs. Social Intervention on Frame Exposure and Political Ideology Interaction: Parallel Regressions across Political Awareness (Odds Ratios with Robust Standard Errors in Parenthesis)

| | Political Awareness | | |
| | (Number of Knowledge Questions Correctly Answered) | | |
Variables	Low (0, 1, 2)	Moderate (3)	High (4)
Treatment Conditions			
Tough on crime frame	0.01 (0.02)†	1.16 (2.24)	0.78 (0.87)
Smart on crime frame	0.00 (0.00)*	0.27 (0.34)	1.56 (1.68)
Attitudinal Controls			
Dispositional attribution	1.30 (0.14)*	1.22 (0.08)**	1.07 (0.05)
Situational attribution	0.81 (0.07)**	0.85 (0.07)†	0.92 (0.05)†
Symbolic racism	1.02 (0.08)	1.06 (0.07)	1.06 (0.05)
Perceived fairness of CJS	1.06 (0.12)	1.06 (0.09)	1.06 (0.07)
Political ideology (conservative)	0.71 (0.25)	1.03 (0.23)	1.83 (0.36)**
Demographic Controls			
Victimization	2.18 (1.67)	0.53 (0.28)	1.11 (0.37)
Fear of crime	2.35 (1.80)	0.70 (0.39)	0.84 (0.33)
News consumption	1.10 (0.06)†	0.99 (0.05)	0.99 (0.03)
African American	0.26 (0.42)	1.52 (1.74)	1.12 (0.75)
Female	1.87 (1.28)	0.80 (0.44)	1.02 (0.33)
Age	0.97 (0.02)	1.01 (0.02)	1.01 (0.01)
Education	1.01 (0.15)	0.88 (0.15)	0.75 (0.10)*
Income	0.89 (0.22)	1.06 (0.17)	0.90 (0.09)
Southern residence	2.20 (1.28)	2.19 (0.96)†	1.15 (0.35)
Democrat	0.51 (0.31)	1.22 (0.72)	1.48 (0.80)
Independent	0.13 (0.16)†	0.63 (0.38)	0.69 (0.28)
Interaction Terms			
ToC rhetoric X Ideology	2.20 (1.64)	1.05 (0.40)	0.89 (0.22)
SoC rhetoric X Ideology	3.89 (2.86)†	1.39 (0.36)	0.92 (0.21)
N	78	106	188
Adjusted count R^2	0.32	0.21	0.16

Note: † = $p < 0.10$ * = $p < 0.05$ ** = $p < 0.01$

reduces the sample size of the individual ordered logit models, and maximum likelihood

estimators grow increasingly unreliable as the sample shrinks (Long, 1997). As a validity

check, I also ran all of these models in OLS. I present the results of these OLS

regressions in Appendix D. In contrast to the low awareness ordered logit model

presented in Table 3.3.3, both the tough on crime frame X ideology and smart on crime

frame X ideology interaction terms were statistically significant in the low awareness

OLS model. The OLS model results more closely match the results of the ordered logit

models run on the full sample in Tables 3.3.1 and 3.3.2, leading me to believe that we

should not dismiss the moderating role of political ideology on tough on crime frame

exposure among minimally-aware respondents based solely upon the ordered logit model

in Table 3.3.3 (which may lack sufficient statistical power to detect the effect). As such,

I interpret both interaction effects.

Figures 3.3.1 through 3.3.4 graphically present the interactive effects of frame

exposure and political ideology on a minimally-politically-aware respondent's preference

for punishment, holding constant other attitudes and demographic characteristics. These

graphs suggest that exposure to the tough on crime and smart on crime frames enhances

the concordance between global political ideology and specific preference for punishment

or social intervention as a means of crime control among individuals who are otherwise

largely uninformed about politics. This concordance between global ideology and

opinion about specific policy issues is referred to by Converse (1964) as "issue

constraint." Within the domain of criminal justice, strict punishment is commonly

favored by conservatives, while rehabilitation and social intervention are commonly

Figure 3.3.1. Interaction effect of tough on crime frame exposure and political ideology on punishment preferences among minimally-aware respondents: Predicted probability of choosing "much better to fix social problems"

Figure 3.3.2. Interaction effect of tough on crime frame exposure and political ideology on punishment preferences among minimally-aware respondents: Predicted probability of choosing "much better to punish criminals."

Figure 3.3.3. Interaction effect of smart on crime frame exposure and political ideology on punishment preferences among minimally-aware respondents: Predicted probability of choosing "much better to fix social problems"
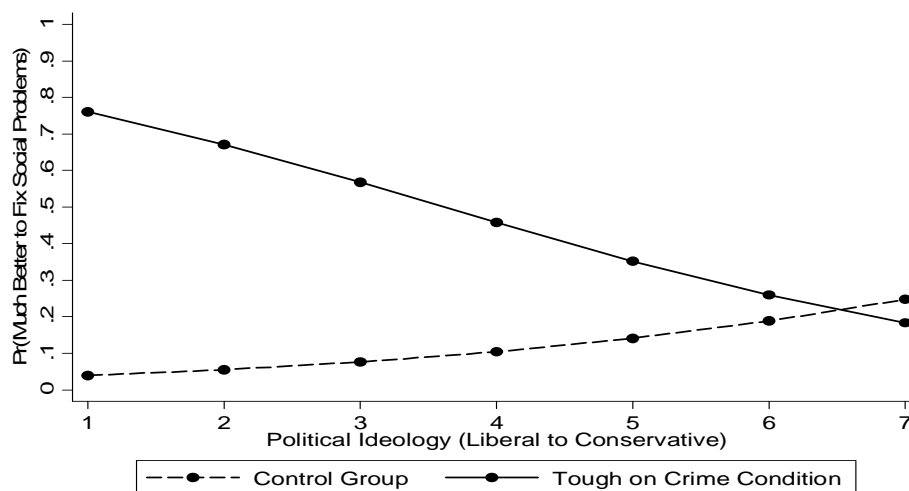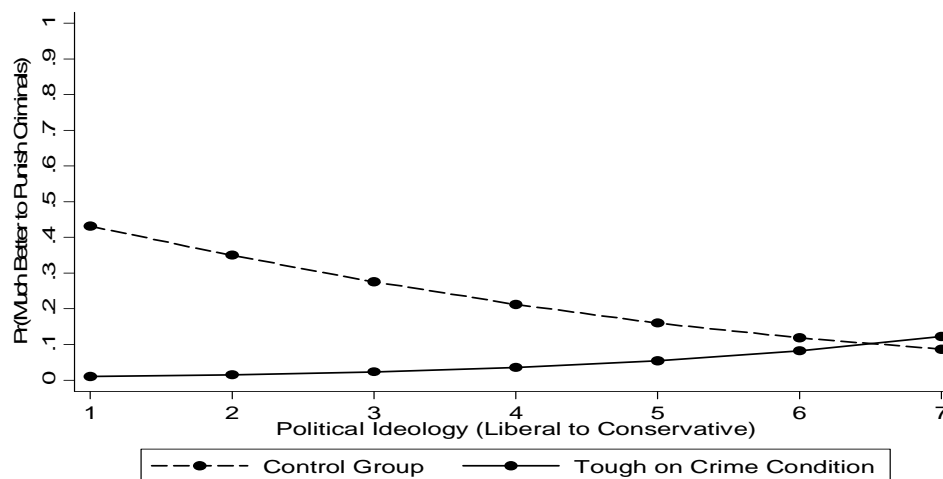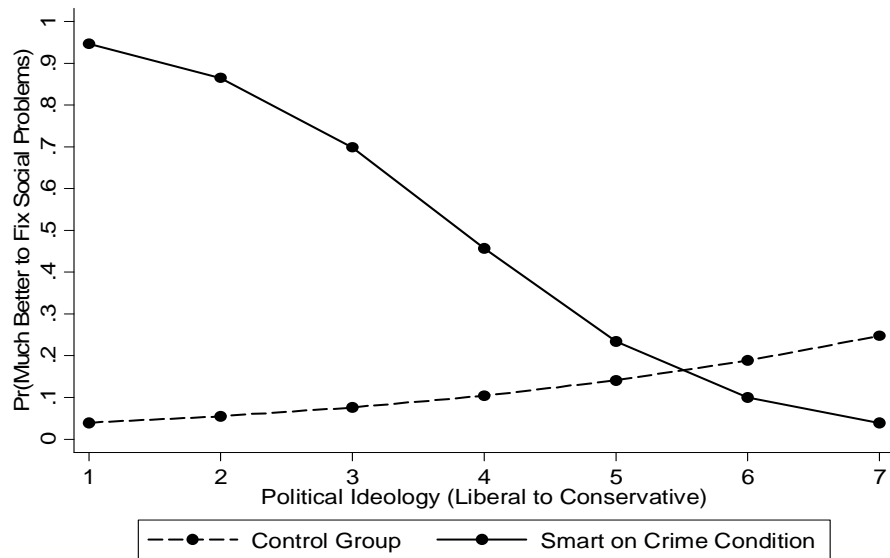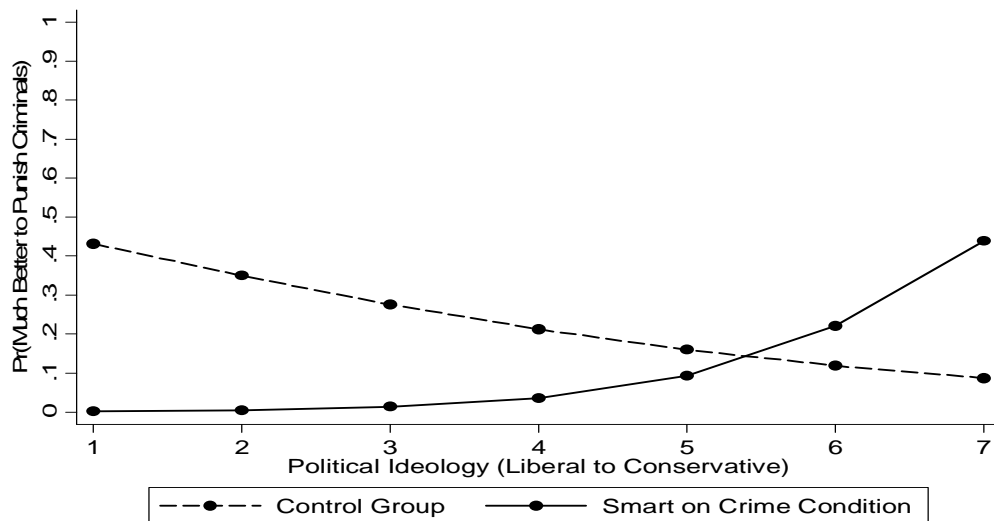

Figure 3.3.4. Interaction effect of smart on crime frame exposure and political ideology on punishment preferences among minimally-aware respondents: Predicted probability of choosing "much better to punish criminals."

favored by liberals. Here we see that exposure to the smart on crime frame increased the likelihood that individuals who identified as liberal would say that it is "much better to fix social problems," while decreasing the likelihood that conservatives would favor fixing social problems over punishing criminals. In contrast, exposure to the tough on crime frame increased the likelihood that individuals who identified as conservative would say that it is "much better to punish criminals" and decreased the likelihood that liberals would favor that response (though exposure to the smart on crime frame clearly has a stronger effect).

These results do not clearly support the theories of Zaller (1992) or Chong and Druckman (2007a, 2007b). On the one hand, we do see that liberal respondents rejected the tough on crime frame and voiced stronger opposition to punitive policies, while conservative respondents rejected the smart on crime frame and voiced more punitive policies. This ability of individuals to critically evaluate political messages in relation to their personal ideology is consistent with Zaller's theory. However, Zaller posited that it should be *highly-aware* individuals who are capable of rejecting frames that are inconsistent with their personal values, not minimally-aware individuals as we see here. This finding is also incompatible with the results of Tables 3.2.1 and 3.2.2. Whereas my examination of the two-way, frame exposure X awareness interactions led me to conclude that minimally-aware individuals are most susceptible to elite influence, the results of Table 3.3.3 suggest that failing to incorporate the moderating role of political ideology alongside frame exposure and awareness leads to a specification error.

The Moderating Role of Political Ideology

Taking into account all of the analyses presented so far, though, we see that political awareness only moderates the effect of frame exposure on the punishment preference question with any consistency; the effect of frame exposure on opinion about the death penalty is never moderated by awareness, and the frame exposure X awareness interaction only affects support for punitive criminal justice policies when one does not incorporate the joint moderating influence of political ideology. The fact that political awareness is an inconsistent moderator of framing effects across dependent variables could lead us to conclude that elite rhetoric about crime and punishment exerts direct framing effects on public opinion. However, the precise relationship between political awareness and framing effects is still a matter of debate among political scientists, and several branches of framing theory suggest that political awareness is neither the sole nor most important personal characteristic that might moderate the influence of elite frames (Chong & Druckman, 2007a; Lecheler, de Vreese, & Slothuus, 2009). As discussed in Chapter 1, the salient, emotional, value-based nature of crime and justice issues calls for us to test whether or not personal values moderate the present framing effects.

Due to the fact that the tough on crime and smart on crime frames evoke philosophies of punishment that have historically been viewed as the domains of conservatives and liberals, respectively, it is possible that conservative and liberal respondents will be affected by the tough on crime and smart on crime frames differently. Based upon our theoretical assumption that crime and justice are "easy issues" (Carmines & Stimson, 1980), we might expect that individuals at all levels of political awareness will be able to recognize a justice frame as being consistent with or antithetical to their

general, political ideology, which would lead them to accept the former and reject the latter; in other words, awareness might not be a necessary part of this equation (Alvarez & Brehm, 2002).

Recall that results in Tables 3.2.1 and 3.2.2. (reported earlier in this chapter on pp. 63 and 65) show that political ideology exerts an inconsistent direct effect on attitudes toward punishment in these data. Increasingly conservative ideology makes a respondent more likely to favor punishment over fixing social problems and more supportive of punitive criminal justice policies. Ideology does not appear to exert an independent, direct effect on a respondent's opinions about the death penalty once other attitudes and personal characteristics are controlled.

In order to determine whether or not the main effects of ideology obscure the hypothesized moderating effects, I created interaction terms by multiplying the treatment conditions with a respondent's political ideology, and I added these variables to the baseline models.[14] Tables 3.4.1 and 3.4.2 report the test of whether or not political ideology moderates the effect of exposure to rhetoric frames on opinion about criminal justice, holding constant a respondent's level of political awareness and other characteristics. Two out of the eight interaction terms were statistically significant, indicating that conservatives exposed to the smart on crime frame voiced a stronger

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[14] Though the two-way interaction terms between rhetoric exposure and political ideology are included in Tables 3.3.1 and 3.3.2, it would be inappropriate to interpret their effects separate from the effects of the three-way interactions. When included in a model with a higher-order, three-way interaction, the two-way interaction terms can only be interpreted as simple effects that assume one component variable in the interaction equals zero (Jaccard & Turrisi, 2003). The models specific in Tables 3.3.1 and 3.3.2 are simply not appropriate tests of an interaction between political ideology and frame exposure holding all other characteristics and attitudes constant.

Table 3.4.1. Ordered Logit Results of Opinions about Punishment on Frame Exposure Moderated by Political Ideology (Odds Ratios with Robust Standard Errors in Parenthesis)

Variables	Punishment Preference	Death Penalty Support	LWOP vs. Death Penalty
Treatment Conditions			
Tough on crime frame	0.25 (0.21)†	0.70 (0.55)	0.53 (0.40)
Smart on crime frame	0.40 (0.29)	0.55 (0.48)	0.24 (0.21)
Attitudinal Controls			
Dispositional attribution	1.15 (0.04)**	1.08 (0.04)*	1.03 (0.04)
Situational attribution	0.88 (0.03)**	0.95 (0.04)	0.92 (0.04)*
Symbolic racism	1.06 (0.03)†	1.06 (0.03)†	1.09 (0.03)**
Perceived fairness of CJS	1.03 (0.04)	1.13 (0.04)**	1.07 (0.04)†
Political ideology (conservative)	1.18 (0.17)	1.04 (0.15)	0.86 (0.11)
Demographic Controls			
Victimization	0.84 (0.18)	1.17 (0.25)	0.94 (0.21)
Fear of crime	1.12 (0.29)	1.51 (0.41)	1.67 (0.48)†
News consumption	1.00 (0.02)	1.01 (0.02)	1.03 (0.02)
African American	0.88 (0.38)	1.72 (0.71)	1.52 (0.60)
Female	0.86 (0.19)	0.98 (0.98)	0.71 (0.16)
Age	1.00 (0.01)	1.01 (0.01)	1.00 (0.01)
Education	0.84 (0.06)*	0.93 (0.07)	0.92 (0.07)
Income	1.01 (0.07)	1.09 (0.08)	1.02 (0.07)
Southern residence	1.50 (0.32)†	0.89 (0.20)	0.89 (0.19)
Democrat	0.85 (0.26)	1.06 (0.33)	1.00 (0.29)
Independent	0.53 (0.15)*	1.54 (0.45)	1.36 (0.40)
Political awareness	1.13 (0.13)	1.03 (0.12)	1.12 (0.12)
Interaction Terms			
ToC frame X Ideology	1.21 (0.23)	1.01 (0.19)	1.07 (0.18)
SoC frame X Ideology	1.20 (0.19)	1.28 (0.25)	1.52 (0.31)*
N	372	373	370
Adjusted count R^2	0.15	0.05	0.13

Note: † = $p < 0.10$ * = $p < 0.05$ ** = $p < 0.01$

Table 3.4.2. OLS Regression Results of Support for Punitive Criminal Justice Policies on Frame Exposure Moderated by Political Ideology (Coefficients with Robust Standard Errors in Parenthesis)

Variables	*b*	*β*
Treatment Conditions		
Tough on crime frame	- 5.74 (2.13)**	- 0.37
Smart on crime frame	- 2.63 (2.41)	- 0.18
Attitudinal Controls		
Dispositional attribution	0.21 (0.11)*	0.10
Situational attribution	- 0.44 (0.11)**	- 0.24
Symbolic racism	0.16 (0.08)*	0.16
Perceived fairness of CJS	0.13 (0.11)	0.09
Political ideology (conservative)	- 0.15 (0.34)	- 0.03
Demographic Controls		
Victimization	- 0.90 (0.66)	- 0.06
Fear of crime	2.23 (0.80)**	0.13
News consumption	- 0.00 (0.07)	- 0.00
African American	- 0.39 (1.01)	- 0.02
Female	- 0.87 (0.72)	- 0.06
Age	- 0.03 (0.02)	- 0.06
Education	0.13 (0.24)	0.03
Income	0.15 (0.20)	0.04
Southern residence	- 0.31 (0.67)	- 0.02
Democrat	- 0.93 (0.95)	- 0.06
Independent	- 2.81 (0.81)**	- 0.17
Political awareness	- 0.36 (0.37)	- 0.05
Interaction Terms		
ToC frame X Ideology	1.22 (0.48)*	0.36
SoC frame X Ideology	0.71 (0.52)	0.23
Constant	26.41 (3.50)	
N	352	
Adjusted R^2	0.29	

Note: † = $p < 0.10$ * = $p < 0.05$ ** = $p < 0.01$

preference for the death penalty over life imprisonment, and conservatives exposed to the tough on crime frame voiced stronger support for punitive criminal justice policies.

Figures 3.4.1 and 3.4.2 graphically present the interactive effect of political ideology and exposure to the smart on crime frame on a respondent's preference for life imprisonment versus the death penalty, holding constant other attitudes and demographic characteristics. These graphs indicate that political ideology exerts a counterintuitive effect on an individual's preference for life imprisonment versus the death penalty in the absence of frame exposure; liberals in the control group are less likely to prefer life imprisonment and more likely to prefer the death penalty than conservatives in the control group. Exposure to the smart on crime frame appears to bring the influence of political ideology into line with theoretical expectations. Liberals exposed to the smart on crime frame are the most likely to prefer life imprisonment. On the other hand, conservatives appear to reject the smart on crime message; those exposed to the smart on crime frame are the least likely to support life without parole. In total, these results indicate that liberals respond positively to the smart on crime frame by voicing stronger opposition to the death penalty, while conservatives reject the smart on crime frame and voice stronger support for capital punishment.

Figure 3.5 graphically presents the interactive effect of political ideology and exposure to the tough on crime frame on a respondent's support for punitive criminal justice policies, holding constant other attitudes and demographic characteristics. This graph shows that political ideology exerts virtually no influence on a person's level of support for punitive policies in the absence of frame exposure, as indicated by the control group line that is practically flat across levels of political ideology. In contrast,

Figure 3.4.1. Interaction effect of political ideology and smart on crime frame exposure on preference for life imprisonment versus the death penalty: Predicted probability of choosing "strongly prefer life without parole."
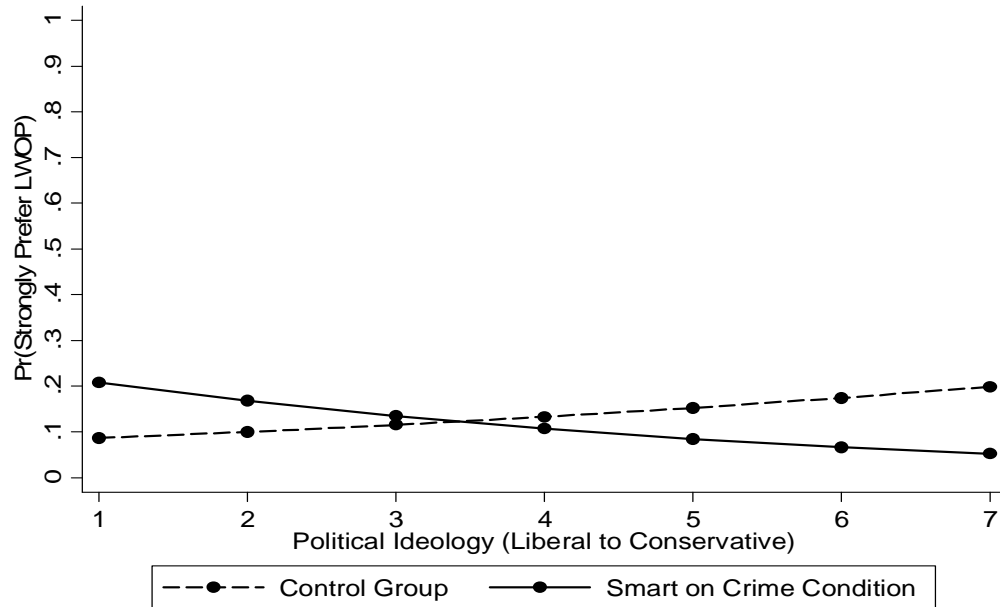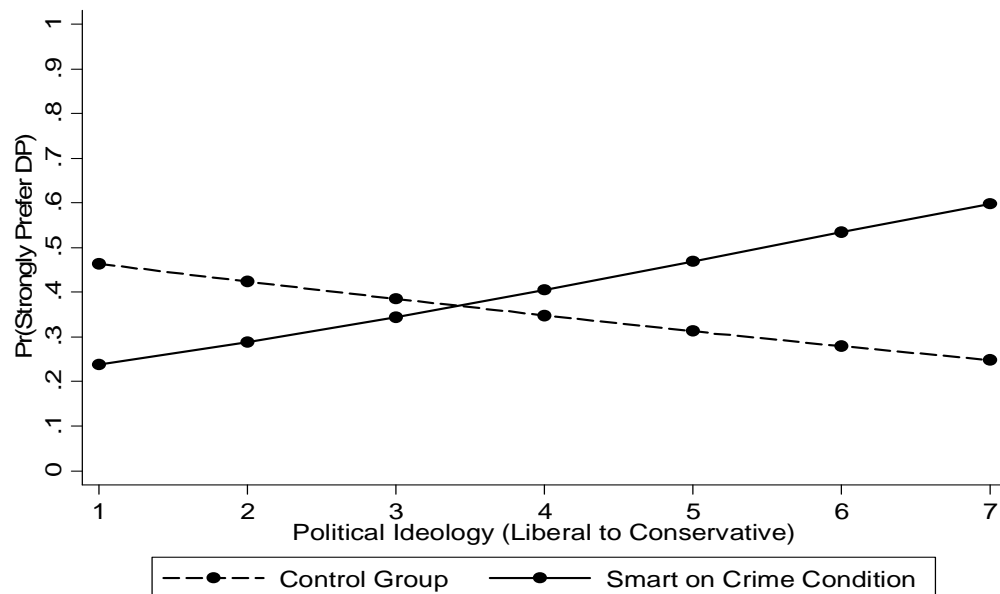

Figure 3.4.2. Interaction effect of political ideology and smart on crime frame exposure on preference for life imprisonment versus the death penalty: Predicted probability of choosing "strongly prefer death penalty."
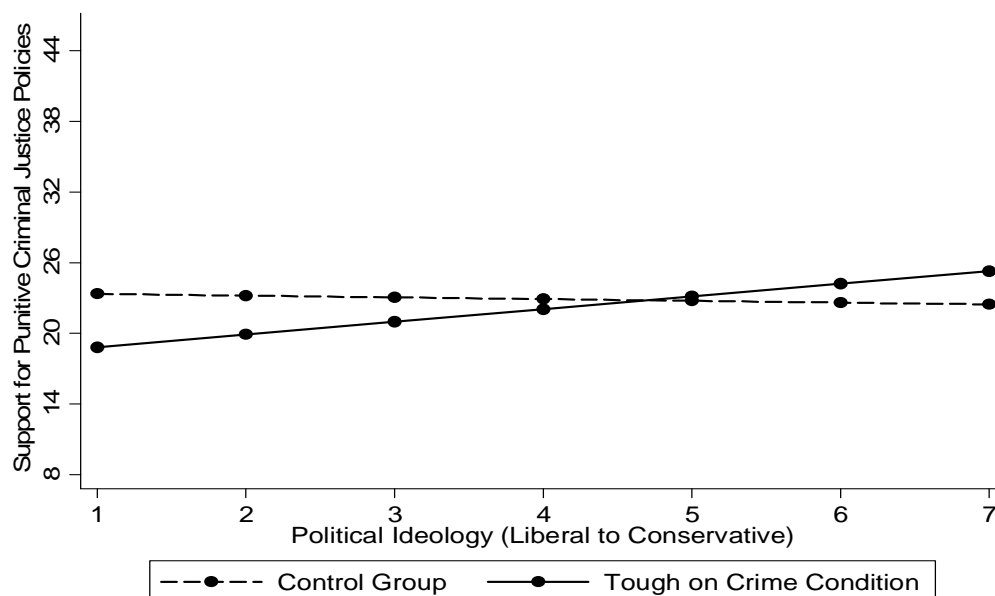
Figure 3.5. Interaction effect of political ideology and tough on crime frame exposure on support for punitive criminal justice policies: Predicted score (*y* value) on response scale.

conservatives exposed to the tough on crime rhetoric voiced stronger support for punitive policies, while liberals exposed to the tough on crime frame voiced stronger opposition to those same policies. This result conforms to theoretical expectations; liberal respondents reject the tough on crime frame and voice less punitive opinions than comparably-liberal respondents in the control group, while conservatives embrace the tough on crime frame and voice more punitive opinions than their co-ideologues in the control group.

Summary of Findings

I summarize the results of the tests of direct and moderated framing effects in Table 3.5. The results indicate that exposure to the smart on crime frame has no significant influence over a person's opinions about criminal justice, but exposure to the tough on crime frame causes people to voice stronger preference for fixing social

Table 3.5. Summary of Results of Direct and Moderated Framing Effect Tests

Framing Test	Punishment Preference	Death Penalty Support	LWOP vs. Death Penalty	Punitive CJ Policy Support
Direct ToC	Yes	Yes	--	Yes
Direct SoC	--	--	--	--
ToC X Awareness	--	--	--	--
SoC X Awareness	Yes	--	--	Yes
ToC X Awareness X Ideology	Yes	--	--	--
SoC X Awareness X Ideology	Yes	--	--	--
ToC X Ideology	--	--	--	Yes
SoC X Ideology	--	--	Yes	--

Note: "Yes" indicates that a statistically significant effect was found ($p \leq 0.10$), while "--" indicates that the effect failed to reach statistical significance.

problems versus punishing criminals, stronger opposition to the death penalty, and stronger opposition to punitive criminal justice policies. The magnitude of this tough on crime framing effect declined once I introduced controls for prior attitudes and beliefs into the regression models.

Exposure to the tough on crime frame did not significantly interact with a respondent's level of political awareness, but the interaction between smart on crime frame exposure and awareness was significant in two of the four models. Among respondents exposed to the smart on crime frame, political awareness had a linear, positive relationship with punitiveness in regard to punishment versus fixing social problems and support for punitive criminal justice policies. It is possible to interpret

these results as an indication that minimally-aware respondents were the most strongly influenced by the smart on crime frame.

The full tests of Zaller's (1992) model generated significant, three-way interaction effects between tough and smart on crime frame exposure, political awareness, and political ideology only in the model predicting a respondent's preference for punishment versus social intervention. I simplified the analysis in follow-up tests by breaking the sample according level of political awareness, and I found that exposure to the frames caused liberals to voice stronger support for social intervention and conservatives to voice stronger support for punishment, but this effect only occurred among minimally-aware respondents.

Finally, I found evidence that each frame significantly interacts with political ideology, holding constant a person's level of political awareness. Exposure to the tough on crime frame interacted with political ideology to affect a respondent's support for punitive policies, and exposure to the smart on crime frame interacted to affect a respondent's preference for life without parole versus the death penalty for murderers. Both interaction effects polarized responses such that liberal respondents exposed to a frame voiced less punitive opinions and conservative respondents exposed to a frame voiced more punitive opinions. None of the interaction effects tested in these analyses affected all four dependent variables; rather, interaction effects differed across models.

CHAPTER 4

DISCUSSION AND CONCLUSION

Interpretation of Findings

It was my purpose in this dissertation to test the elite manipulation hypothesis, which holds that punitive rhetoric about crime and punishment, voiced by political elites, "pushes" citizens into espousing more punitive opinions about criminal justice. Taken at face value, I conclude that the results of my empirical tests provide no support for the elite manipulation hypothesis. The direct test of framing effects between the treatment and control groups revealed that only the tough on crime frame significantly affected respondents' opinions, but it caused people to voice less punitive opinions. If politicians use the tough on crime frame in order to generate public support for harsh penal policies, then these data indicate that their efforts may backfire.

The tests of moderated framing effects dictated by framing theory largely failed to salvage the elite manipulation hypothesis. As seen in Table 3.5 (p. 86), I found few statistically significant interaction effects, and they arose inconsistently across models. Only the significant interaction between smart on crime frame exposure and political awareness is consistent with the elite manipulation hypothesis; minimally-aware respondents exposed to the smart on crime frame voiced a stronger preference for fixing social problems versus punishing criminals and less support for punitive criminal justice policies than comparably-aware respondents in the control group. This finding suggests

that exposure to the smart on crime frame caused minimally-aware respondents to agree with the elite rhetoric.

In contrast, the tests of both the three-way interaction between frame exposure, political awareness, and political ideology and the two-way interaction between frame exposure and political ideology revealed polarization effects. Respondents accepted the frame that was consistent with their personal ideology but rejected the frame that was inconsistent with their values. It is unclear whether this polarization framing effect occurs only among individuals who are minimally aware of politics, among individuals at all levels of awareness, or fundamentally depends upon the specific issue question being tested. I believe that a significant framing effect is only truly *manipulative* if elites can push people into supporting positions that they might not otherwise endorse. This evidence that elite rhetoric about crime and punishment pushes liberals to be less punitive and conservatives to be more punitive suggests that elites may be able to use the justice frames to "fire up" their electoral base, but elites cannot use rhetoric to convert citizens into holding opinions about criminal justice that conflict with the citizens' personal values.

On the whole, the results of this study most closely support the findings of Ramirez (2009) whose time-series test revealed that as the net tone of elite rhetoric about crime and punishment in the mass media became more punitive over the past half century, the content of aggregate public opinion about criminal justice became slightly *less* punitive.

However, it is important to acknowledge that an alternative interpretation of my results is plausible. Gaines, Kuklinski, and Quirk (2007) discuss several limitations of survey experiments. They state,

> …if [scholars'] research hypotheses have merit, the effects they simulate are likely to have occurred in the real world. In effect, some respondents are likely to have been contaminated by prior exposure to the treatment. If the effects never occurred, there would be no motivation for the research. Of course, if the effects occurred but were only fleeting, respondents would enter the survey essentially uncontaminated. But then the prior effects would be largely irrelevant for political behavior, and there would be little motivation for the research. Put simply, either there is a likelihood of contamination from real-world experience or the survey experiment explores a nonexistent or politically-irrelevant phenomenon. (p. 12)

The possibility of contamination from forces outside my experiment may explain my unexpected findings. As discussed throughout this dissertation, evidence indicates that the smart on crime frame received a significant amount of media coverage during the survey administration period (Gingrich & Nolan, 2011; Mauer, 2011; Murphy, 2011; Porter, 2012; Ramirez, 2009; Savage, 2011; Steinhauer, 2010; "Too many laws," 2010; Weisberg & Petersilia, 2010; Yoder, 2011). If we assume that all of my participants were "pretreated" with the smart on crime frame by the media prior to receiving my survey, then the lack of a significant difference in opinion between the control group and the smart on crime group makes sense. Furthermore, if this interpretation is correct, the fact that exposure to the tough on crime frame caused less punitive responses becomes evidence *in favor of an elite manipulation effect.* That is, if all citizens were pushed to oppose harsh punishment by exposure to the smart on crime frame, then treatment group respondents would recognize the tough on crime frame as being antithetical to the current

elite message against mass incarceration, and they would reject it because they were already affected by the opposite frame.

This alternative interpretation can be tested by examining the opinions of the control group respondents who were not artificially exposed to an elite frame through this survey experiment. If all respondents were exposed to the smart on crime frame prior to receiving this survey, then according to Zaller's (1992) model, we should see a negative, linear relationship between awareness and punitiveness among liberals in the control group and a curvilinear relationship between awareness and punitiveness among conservatives in the control group such that moderately-aware conservatives voice less punitive opinions than highly-aware conservatives. I conducted this test of Zaller's model among the subsample of respondents in the control group, and I report the full results and interpretation in Appendix E. In summary, the responses of control group respondents failed to conform to Zaller's (1992) model, or any other framing model of which I am aware. The results give us no clear indication that control group respondents (and, by extension, the entire sample) experienced a smart on crime framing effect prior to receiving the survey. As such, I conclude that I have no evidence to support the "smart on crime pretreatment" interpretation of my results, and I adhere to my primary interpretation and conclude that the overall pattern of results in this dissertation provides no support for the elite manipulation hypothesis.

Implications for Penology and the Politics of Punishment

As discussed in Chapter 1, penologists have posited three primary models of the relationship between political elites and the public in regard to criminal justice (Frost,

2010). Given that the present results fail to support the elite manipulation hypothesis, the reader might conclude that this dissertation must then support the democracy-at-work or penal populism hypotheses. However, I believe that these results should complicate the way that penologists conceptualize the nature of democratic accountability in penal policy.

It is possible to say that this dissertation supports the democracy-at-work thesis, which holds that politicians craft penal policy in response to the will of their constituents. These data contain many indicators of public opposition to harsh punishment. In addition to the evidence that people reject the tough on crime frame, the basic distribution of the respondents' opinions about criminal justice shows high levels of support for alternatives to incarceration. About 54% of respondents in this sample stated that it is slightly, moderately, or much better to fix social problems rather than punish criminals. At least 75% of respondents supported prisoner reentry programs, prevention programs for at-risk youth, the ability of prisoners to earn parole, and community treatment instead of incarceration for nonviolent drug users. Responses only trended toward the punitive in that about 56% of respondents supported building more prisons, about 77% of respondents favored the death penalty, and only about 35% of respondents preferred life imprisonment over the death penalty. This pattern of very high support for alternatives to incarceration alongside support for prisons and the death penalty is consistent with numerous other public opinion studies, which lends credence to the overall validity of these data (Applegate, 2001; Cohen, Rust, & Steen, 2006; Cullen, Cullen, & Wozniak, 1988; Cullen, Fisher, & Applegate, 2000; Cullen et al., 2002; Duffee & Ritti, 1977;

Hartney & Marchionna, 2009; Hart Research Associates, 2002; Johnson, 1994; Riley & Rose, 1980).

One could argue that politicians have begun to respond to these high levels of public support for alternatives to incarceration by endorsing the smart on crime frame and passing a variety of bills designed to reform the criminal justice system(s) across the country (Austin, 2010; Greene & Mauer, 2010; Mauer, 2011b; Percival, 2011; Porter, 2012). While it is likely that "anti-punitive" public attitudes played a part in politicians' recent criticism of mass incarceration, it is important to remember that public support for alternatives to incarceration was high throughout the entire rise of mass incarceration. Something else in politics and/or society must have changed that made politicians start to care about the "softer side" of public opinion about criminal justice and work to translate that public sentiment into law. If factors other than public opinion caused the initial change in behavior among politicians, then the democracy-at-work model is not the accurate explanation for the recent elite opposition to mass incarceration.

Of these three models of public opinion and criminal justice policy, penal populism is most explicitly tied to the rise of mass incarceration and harsh penal policy; this model is designed to explain why politicians chose to implement tough policies when they (allegedly) knew those policies would have negative collateral consequences. The fact that this survey took place during a period of strength for the smart on crime frame means that it is difficult to interpret these data in light of the penal populism thesis. That being said, the evidence that treatment group respondents rejected the tough on crime frame is antithetical to the penal populism model. Roberts and his colleagues (2003)

argued that politicians passed tough sentencing laws in order to gain electoral favor among voters. If citizens react unfavorably to the tough on crime frame, as they did in this study, then the underlying rationale for penal populism is undermined.

Ultimately, though, I argue that this study reveals nuances in the relationship between elite rhetoric and public opinion about criminal justice that are not adequately addressed in the elite manipulation, democracy-at-work, or penal populism theories. Specifically, penologists typically discuss population-wide main effects when they consider these three theories. For example, the democracy-at-work thesis contends that politicians supported harsh sentencing reforms because a majority of Americans expressed punitive opinions, and the elite manipulation hypothesis holds that punitive elite rhetoric caused most Americans to voice support for more punitive punishment.

By drawing upon lessons from the framing theory literature in political science, I have argued that the effects of exposure to elite rhetoric about crime and punishment on public opinion will likely differ across subgroups of the population. The empirical findings of this dissertation provide some support for this argument. The results suggest that the smart on crime frame caused only those respondents with minimal levels of political awareness to voice less punitive opinions, and some evidence indicates that the influence of both the tough on crime and smart on crime frames differed according to a respondent's political ideology. Conservatives reacted to the concordant tough on crime frame by voicing even stronger support for punitive criminal justice policies than conservatives in the control group, while liberals rejected the frame and voiced stronger opposition to punitive policies than control group liberals. Similarly, liberals reacted to

the concordant smart on crime frame by expressing a stronger preference for life imprisonment over the death penalty than liberals in the control group, while conservatives rejected the frame and expressed a stronger preference for capital punishment than their co-ideologues in the control group. Penologists have yet to consider the possibility of a moderated relationship between political rhetoric and public opinion about punishment in their discussions of the predominant theories, so the findings of moderated relationships in this dissertation are one of my most significant contributions to the penology literature.

A moderating influence of political ideology has important implications beyond the need to construct properly-modeled theories. Penologists have been critical of the democracy-at-work thesis because of the wealth of survey evidence that reveals nuanced attitudes toward crime and punishment among American citizens, including support for *both* punitive punishment and a variety of alternatives to incarceration, rehabilitation, and prisoner reentry programs (Applegate, 2001; Cohen, Rust, & Steen, 2006; Cullen, Cullen, & Wozniak, 1988; Cullen, Fisher, & Applegate, 2000; Cullen et al, 2002; Duffee & Ritti, 1977; Hartney & Marchionna, 2009; Hart Research Associates, 2002; Johnson, 1994; Riley & Rose, 1980; Roberts & Stalans, 1997; Stalans, 2002). If support for rehabilitation and alternatives to incarceration has always been present, then politicians must have listened only to the punitive sentiments that they could use to justify votes in favor of tough punishment. In other words, the penal populism hypothesis trumps the democracy-at-work thesis.

At first glance, my findings also seem to support the penal populism hypothesis over the democracy-at-work thesis because respondents exposed to the tough on crime frame recoiled and voiced less punitive opinions. However, the interaction between tough on crime frame exposure and political ideology reveals that political conservatives reacted to the tough on crime frame in the hypothesized manner – they did voice more punitive opinions than conservatives in the control group. Even at a time when the smart on crime frame is increasingly popular among politicians, it appears that the tough on crime frame remains appealing to conservative citizens.

This finding potentially qualifies the democracy-at-work thesis. Conservative politicians with a largely conservative constituency may still have much to gain by employing the tough on crime frame and supporting harsh punishment. Support for rehabilitation and alternatives to incarceration may be high among the American public on average, but political science theory reminds us that no legislator has any incentive to care about average public opinion across the entire country. Rather, a legislator needs only attend to the opinions of the constituents *from her district who might actually vote for her* in order to win reelection (Fenno, 1978; Mayhew, 1974). It is very difficult to accurately determine whether or not a given legislator has a true electoral incentive to support harsh punishment because no district-level data exist that measure public opinion about crime and punishment, so we have no way to empirically identify districts in which at least 51% of voters a) hold punitive opinions and b) care enough about issues of crime and punishment for those issues to determine their votes. Theoretically, though, it is possible that a legislator is genuinely responding to the opinions of her constituents even

if she supports penal policies that defy both the votes of her colleagues in the legislature and public opinion polls based upon national samples.

Similarly, penologists have a tendency to assume that politicians use scientific public opinion polls to gauge public sentiment. This assumption has led many penologists to bemoan the state of "pluralistic ignorance" that exists between politicians and their constituents; poll data reveal moderate to strong levels of support for rehabilitation and alternatives to incarceration among both politicians and the public, but both groups of people perceive the other to be much more punitive and unlikely to ever support criminal justice reform (Gottfredson & Taylor, 1984; McGarrell & Sandys, 1996; Riley & Rose, 1980; Whitehead, Blankenship, & Wright, 1999). In a pioneering project, Brown (2008, 2011) interviewed a variety of elite actors in New York State (legislators, state house staff, lobbyists, journalists, etc.) in order to understand how they perceived and used public opinion in criminal justice policymaking. With the sole exception of interest group lobbyists, Brown found that political elites dismiss polls as biased measures of public opinion. Admittedly, many elites recognize that independent, scientific polls are more reliable than the inherently-biased polls commissioned by interest groups, but none of the interviewees stated that they sought out or made use of scientific polls. Rather, Brown (2011) found that legislators and their staff members rely upon "hunches, intuition, and media coverage for insights into public views" (p. 426).

Brown's findings uncover a variety of reasons why it is plausible to believe that elites may have genuinely failed to perceive the enduring levels of support for rehabilitation among the mass public during the rise of mass incarceration. She found a

bizarre tautology between politicians and journalists such that politicians look to the headlines as a reliable indicator of issues that are of greatest concern to the public, while journalists look to the actions of politicians as reliable barometers of public opinion because elected officials must stay in tune with their constituents in order to retain their jobs. However, empirical evidence indicates that media coverage significantly over-reports sensational, violent crimes (e.g., Gilliam & Iyengar, 1999), which means that the biases in media coverage of crime could lead politicians to perceive a violent crime epidemic where none exists.

Additionally, several of Brown's political interviewees also reported that they perceived public attitudes about crime and justice to cluster together. As such, they often relied upon public opinion about singular issues as benchmarks of public attitudes toward crime control in general. Most importantly, the one example of a reliable benchmark that interviewees cited was public support for the death penalty. Legislators' use of this cognitive shortcut is likely to lead to a biased perception of public opinion about criminal justice. Strong support for the death penalty is one of the punitive sentiments that has endured for decades alongside support for alternatives to incarceration (Baumgartner, De Boef, & Boydstun, 2008). If politicians assume that strong support for the death penalty among their constituents indicates a punitive attitude toward all facets of criminal justice, they will overlook enduring public support for rehabilitation.

Taken together, I believe that the findings of this dissertation and the work of Brown (2008, 2011) call for penologists to reevaluate our theories of the relationship between politicians' rhetoric/actions and public opinion about criminal justice. My

findings indicate that we should not expect all citizens to react to elite messages about punishment in the same manner, nor should we expect that elite messages will always generate the expected reaction from members of the public. Brown's findings teach us that we must create new measures of public opinion about crime and punishment that accurately reflect the ways in which politicians and other political elites perceive public opinion. It is time for the democracy-at-work, penal populism, and elite manipulation hypotheses to evolve in tune with penologists' evolving understanding of the role of public opinion in the politics of punishment and criminal justice policy.

Implications for Theories of Public Opinion and Issue Framing

One of the oldest debates in the public opinion and political behavior literature arose out of scholars' efforts to judge whether the American mass public is ignorant (e.g., Berelson, Lazarsfel, & McPhee, 1954; Campbell, Converse, Miller, & Stokes, 1960; Converse, 1964) or rational (e.g., Fiorina, 1981; Page & Shapiro, 1992; Popkin, 1991; Schattsneider, 1960) in regard to voting and political decision making. The findings of this dissertation lend further support to the idea that most American citizens are capable of critically evaluating information from political elites. Rather than agreeing with any statement made to them by politicians, the respondents in this survey either explicitly *rejected* the elite message or responded positively only to the elite message that resonated with their pre-existing values. My findings contribute to a growing body of evidence that shows that citizens process elite frames in a "relatively competent and well-reasoned manner" (Druckman, 2001, p. 246; see also Brewer, 2001; Haider-Markel & Joslyn, 2001).

These findings also contribute to several ongoing debates within the framing literature. As discussed in Chapter 1, several framing theorists argue that a person's level of political awareness may moderate the manner in which she is influenced by exposure to a political frame, but these theorists disagree over how to appropriately model that relationship (Chong & Druckman, 2007a, 2007b; Cobb & Kuklinski, 1997; Druckman & Nelson, 2003; Lecheler, de Vreese, & Slothuus, 2009; Slothuus, 2008; Zaller, 1992). Zaller (1992) argues for a nonmonotonic relationship such that moderately-aware individuals are most strongly influenced by frames, whereas Chong and Druckman (2007a, 2007b) argue for a monotonic relationship such that highly-aware individuals are most strongly influenced by frames (see also Slothuus, 2008). This dissertation fails to support either model. The two-way interactions of frame exposure X political awareness only significantly affected opinions about two out of the four dependent variables: a respondent's preference for punishment versus fixing social problems, and a respondent's support for punitive criminal justice policy. In both models, the results suggested that minimally-aware respondents were more strongly influenced by exposure to a frame than moderately- or highly-aware respondents. Similarly, my exploration of the three-way, frame exposure X awareness X ideology interaction (Table 3.3.3) indicated that frame exposure increased the "issue constraint" between global political ideology and preference for punishment versus fixing social problems only among minimally-aware respondents. These results replicate the work of other scholars who also found a negative relationship between political awareness and framing effects (Haider-Markel & Joslyn, 2001; Kinder & Sanders, 1990). Thus, it may be prudent for framing theorists to develop

the idea that political awareness inoculates citizens against elite influence rather than enhances framing effects.

However, I believe that the overall pattern of my results undermines the argument that political awareness is a necessary moderator of framing effects, put forth most strongly by Zaller. The evidence of a significant moderating influence from political awareness was inconsistent across models, suggesting that the effect may depend upon the question being asked of the respondent. If the relationship between frame exposure and public opinion is *necessarily* moderated by political awareness, then we should have seen a significant interaction between frame exposure, awareness, and ideology in each model. Instead, the direct framing effects are the most stable effect across the models.

These findings also provide support for arguments that personal values have an important relationship with framing effects. First, the findings reported in Tables 3.1.1 and 3.1.2 (pp. 58-59) support the argument that strong, previously-held attitudes and opinions attenuate framing effects (Chong & Druckman, 2007a, 2007b, 2010; Druckman & Nelson, 2003; Ramirez, 2009); when I introduced attitudinal controls into the regression models, the tough on crime framing effect on each dependent variable decreased in magnitude. Second, the results support the argument that personal values can moderate the influence of an elite frame on a person's opinions, regardless of her level of political awareness (Alvarez & Brehm, 2002). Political ideology significantly interacted with frame exposure in the models that predicted a respondent's preference for the death penalty versus life imprisonment and support for punitive criminal justice policies. These interactions supported a politicization effect in which frame exposure

enhanced the concordance between a person's general political ideology and her specific attitudes toward punishment. This finding also supports the theory of citizens as competent information processors because respondents were able to recognize and reject elite messages that conflicted with their personal values, but it appears that respondents at all levels of political awareness may be capable of making the frame-personal values connection.

While this dissertation does support various theories of moderated framing effects, it is also important to emphasize that the moderated relationships were inconsistent between models. Chong and Druckman (2007a) note that the precise relationship between framing effects and moderating variables remains unclear, and furthermore, there exists no general theory that predicts which frames will affect opinion about which issues. The results of this dissertation do not generate optimism that such a general theory of framing effects could ever be established. The hypothesized moderating influences of political awareness and political ideology only significantly affected the influence of frame exposure on half of the dependent variables tested in this study, and they did not even affect the same dependent variables, at that.

In Chapter 1, I argued that it is reasonable to classify issues of crime and justice as issues that are easy for the public to understand, and the results from the direct tests of framing effects support the argument made by some scholars that framing effects are likely to differ depending upon whether the issue in question is easy or hard (Brewer, 2001; Chong & Druckman, 2010; Druckman et al., 2010; Haider-Markel & Joslyn, 2001; Joslyn & Haider-Markel, 2002; Lecheler, de Vreese, & Slothuus, 2009; Sniderman &

Theriault, 2004). If we assume that people hold opinions about crime and justice that are strongly rooted in their personal beliefs and ideology, an assumption that is consistent with past research (Johnson, 2009; Tyler & Boeckmann, 1997; Tyler & Weber, 1982; Scheingold, 1991), then we would theoretically expect that those opinions would be relatively immune to framing effects. The results largely confirm this theoretical expectation. The smart on crime frame failed to significantly alter people's opinions, and the tough on crime frame provoked respondents to voice opinions that opposed that frame. These findings indicate that strongly-held, value-based opinions are resistant to elite manipulation through rhetorical framing.

However, the fact that the tests of the moderated relationships generated inconsistent findings across models does not clearly conform to our theoretical expectations about easy issues. According to the theories of Carmines and Stimson (1980) and Alvarez and Brehm (2002), if the influence of a frame on an easy issue is moderated at all, we should expect that an individual's personal values would moderate the framing effect, not a person's level of political awareness. The fact that the effect of exposure to the smart on crime frame on a respondent's preference for life imprisonment versus the death penalty was moderated by political ideology is consistent with this theory; the fact that the influence of smart on crime frame exposure on a respondent's support for punitive criminal justice policies was moderated by *both* political awareness and political ideology (in separate interactions) is not consistent with this theory.

The inconsistent moderating role of political awareness and/or ideology across dependent variables in this study may be an indication that issues of crime and justice are

uniformly neither easy nor hard for people to understand, but rather a mix of easy and hard issues. I argue that the pattern of results is consistent with this interpretation. Gaubatz (1995) argued that all criminal justice issues are easy in the public's mind, but her classification has never been empirically tested or replicated by other scholars. The only criminal justice issue that has been singled out by scholars as explicitly easy in nature is the death penalty, which Mooney and his colleagues refer to as a value-based "morality policy" (Mooney & Lee, 1999a, 1999b, 2000).

These results present somewhat ambiguous support for the classification of the death penalty as an easy issue. The fact that the smart on crime frame significantly interacted with a respondent's political ideology to affect her preference for life imprisonment versus capital punishment is consistent with our expectations; frame exposure served only to polarize respondents' opinions along value-based cleavages. The fact that tough on crime frame exposure exerted a significant, direct, and negative effect on support for the death penalty is harder to interpret. Given that support for the death penalty is already high among respondents in this sample, it is possible that the tough on crime frame pushed individuals into experiencing a ceiling effect. We might expect such a reaction in regard to an easy issue; people hold strong feelings about easy issues, so elites cannot push citizens too far on these topics. Still, a lack of a framing effect on support for the death penalty is the finding that would have been most consistent with theoretical expectations for the death penalty as an easy issue.

On the other hand, the findings indicate that a person's preference for punishment versus fixing social problems and support for punitive criminal justice policies may be

moderated by her level of political awareness, a pattern that we only expect to observe for hard issues (Carmines & Stimson, 1980). Deciding whether it is better to punish criminals or address social problems requires a person to both understand the range of interventions that fall under each category, and be able to weigh the comparative costs and benefits of each possible intervention. As such, people's opinions about more multifaceted criminal justice policies may be more susceptible to elite manipulation. However, we would expect the greatest susceptibility among people who possess minimal levels of political awareness, but the three-way interaction results suggest that frame exposure empowered even minimally-aware respondents to contextualize and evaluate elite messages. We expect minimally-aware people to be capable of evaluating easy issues, but it is unclear why the respondents in this sample sometimes needed exposure to an elite frame to spark this evaluation process.

It is difficult to make firm theoretical judgments about the cognitive manner in which people form opinions about criminal justice issues because virtually no work has been done to refine these concepts in the penology literature. Surprisingly, though, Carmines and Stimson's (1980) theory has been the subject of surprisingly little theoretical development and empirical testing even within the political behavior literature despite the fact that it is widely cited (see Cizmar & Layman, 2009a, 2009b). Thus, it is possible that people react to some criminal justice issues as easy issues and others as hard issues; if so, this distinction might help explain the inconsistent moderated effects across models in this dissertation. This possibility bears exploring in future research, but the present inconsistent moderated effects do, at least, support past findings that the precise

nature of framing effects will vary depending upon the issue opinion under study

(Lecheler, de Vreese, & Slothuus, 2009). These findings indicate that political scientists

should devote more work toward refining and testing the theory of Carmines and

Stimson, particularly because their classification system may help us explain differential

framing effects across specific issues and broader issue domains.

Delineating the Scope of these Findings

Any single study possesses limitations, and this dissertation is no exception. It is

important to clearly delineate the scope of these findings in light of the strengths and

weaknesses in the data set.

Response Biases in the Sample

As discussed in Chapter 2, the data collection process did not yield a sample of

respondents that is perfectly representative of the current United States population.

Specifically, this sample over-represents Whites, males, the elderly, highly-educated

people, political liberals, and individuals who possess high levels of political awareness;

the sample under-represents Blacks and Latinos. These response biases weaken the

external validity of my data. Given that my purpose in this dissertation is to test the

relationship between frame exposure and public opinion and not to precisely estimate

population parameters of the dependent variables, I am more concerned about internal

validity than generalizability. Fortunately, the experimental design of this study ensures

that the estimates of the relationship between frame exposure and opinions about criminal

justice possess high levels of internal validity.

That being said, I do emphasize the fact that the opinions expressed by respondents in this sample largely replicate the types of opinions expressed by America citizens in numerous other surveys over the years, which suggests that my sample may have moderately strong generalizability in spite of the response biases (Applegate, 2001; Cohen, Rust, & Steen, 2006; Cullen, Cullen, & Wozniak, 1988; Cullen, Pealer, Fisher, Applegate, & Santana, 2002; Duffee & Ritti, 1977; Hartney & Marchionna, 2009; Hart Research Associates, 2002; Johnson, 1994; Riley & Rose, 1980). In the end, I am concerned about only one dimension of response bias in this study, and that is the skewed distribution of political awareness.

The Skewed Distribution of Political Awareness

A core component of my analysis of moderated framing effects rests upon my measure of political awareness. Unfortunately, this measure is empirically weak. As noted in Chapter 2, the distribution of political awareness among the respondents in this sample is heavily skewed toward high levels of awareness. Fully 78% of respondents answered at least three of the four political knowledge questions correctly, meaning that my sample contains very few individuals who possess minimal levels of awareness. As such, my tests of the interaction between frame exposure and political awareness possess low statistical power, and it is likely that I will make a Type II error when interpreting the moderating role of political awareness (or lack, thereof).

I total, I conclude that this study fails to support Zaller's (1992) postulate that political awareness is a necessary moderator of framing effects, but I cannot rule out the possibility that I would detect more significant, consistent effects of political awareness if

these data contained a more normal distribution of the variable. This ambiguity can only

be resolved if the present study is replicated with a new data set that procures a more

robust distribution of political awareness across respondents.

Framing versus Priming

The empirical findings in this dissertation discredit the elite manipulation

hypothesis and support scholars of public opinion and framing who argue that most

citizens can evaluate the information that they receive from political elites with a good

deal of competence. These findings could lead the reader to conclude that elites possess

little power to sway the opinions of members of the public. However, it is important to

emphasize the fact that I conducted a test of framing effects in this dissertation, and

framing is only one means by which elites can attempt to influence public opinion.

Ramirez (2009) distinguishes between framing effects and priming effects. He

states,

> …it is possible to differentiate priming and framing based on whether the
> message is explicit or implicit. Framing is an explicit attempt to define an issue by
> changing what considerations are important. Framing requires the target audience
> to understand how the message sender is defining the issue. Priming is an implicit
> message to change what considerations are important. There is no need for the
> target audience to be aware of the purpose of the prime. (p. 49)

The elite manipulation hypothesis fundamentally posits a framing effect whereby elites

can explicitly use tough on crime rhetoric to provoke support for harsher penal policy

among members of the public. The findings in this dissertation indicate that the tough on

crime and smart on crime frames do not hold nearly the level of power to influence public

opinion about criminal justice that politicians wish they held, a finding echoed by the

conclusions Ramirez drew from his very different data set and methodological approach.

However, the growing lack of empirical support for a tough on crime framing effect does *not* invalidate other means by which elites can attempt to stoke the fires of public punitiveness. Importantly, several scholars have found evidence that implicit, subconscious primes related to race are strongly related to punitive attitudes among White Americans (Drakulich, 2011; Hurwitz & Peffley, 2005; Peffley & Hurwitz, 2002). For example, Gilliam and Iyengar (2000) conducted an experiment in which they created artificial news stories about a crime and varied the race of the alleged suspect (using software to digitally change the skin color of the same man's face). They found that White participants exposed to the version of the story with the Black suspect voiced stronger support for the dispositional attribution of blame, as well as more punitive opinions about punishment, than respondents exposed to versions of the story with a White suspect or no suspect at all. Ramirez (2009) also found a significant, positive relationship between punitive public opinion and the media's use of code words that implicitly link crime and Blacks, such as "urban crime" and "inner city." The prevalence of racial code words increased punitive public sentiment throughout the 1970s, 80s, and 90s.

Thus, while this dissertation is part of a growing body of literature to conclude that elites cannot effectively use explicit frames to alter public opinion about punishment, a larger body of literature indicates that elites can use subconscious primes and cues (especially those related to racial stereotypes) to increase punitive opinion among White Americans. It appears that elites retain a notable amount of power to manipulate public

opinion about punishment; they just cannot use the rhetorical tools identified in the elite manipulation hypothesis.

The Nature of the Experimental Treatment

It is also important to note that I conducted a very basic test of framing effects; I presented respondents in each treatment group with a single passage that contained bipartisan endorsement of a single frame related to criminal justice. Political scientists have demonstrated that the strength of framing effects can be noticeably altered or weakened if respondents are presented with competing frames concurrently (Chong & Druckman, 2010), exposed to frames with varying levels of content complexity (Cobb & Kuklinski, 1997), or allowed to discuss the content they have received with other participants who were exposed to material containing different frames (Druckman & Nelson, 2003). I cannot rule out the possibility that different formulations of the tough on crime and smart on crime frames might exert different effects than those observed here if those new stimuli were comprised of different elite messages or presented under different conditions.

Furthermore, additional evidence gives us reason to believe that the "recoil effect" provoked by exposure to the tough on crime frame may cause substantively small changes in public opinion in daily life. Barabas and Jerit (2010) tested the concordance between experimental and nonexperimental methods designed to measure the same framing effects. They fielded surveys with experiments that exposed participants to an issue frame that was concurrently the focus of media attention, allowing them to test framing effects among people artificially exposed to a frame through the experiment

against framing effects among people "naturally" exposed to a frame through their normal media exposure. The authors find that the framing effects experienced by both groups of participants were very similar in nature, though the magnitude of the treatment effects was stronger among the experimental participants. That is, people do appear to absorb frames through media exposure, but those frames make less of an impression in daily life because they are competing with a variety of other stimuli, unlike the artificially "pure" conditions of an experiment.

Cross-sectional Data

The fact that these data are cross-sectional also curtails the scope of the conclusions. Given that the experimental manipulations were placed at the very beginning of the questionnaire, it is safe to assume that the treatment preceded participants' responses on the questions that comprise the dependent variables. However, it is an open question whether including a longer time frame between frame exposure and response (by breaking the survey up into multiple mailings) might change the nature of the framing effect. Additionally, several studies indicate that statistically significant framing effects frequently decay after time periods as short as a matter of days, meaning that people's opinions bounce back to their pre-treatment state very quickly (e.g., Chong & Druckman, 2010; Druckman & Nelson, 2003). It is likely that the significant framing effects I observed in these data will also decay quickly over time.

Furthermore, I cannot draw any conclusions about whether or not citizens reacted more favorably to the tough on crime frame during its heyday in the 1980s and 1990s. However, I do reiterate the fact that Ramirez (2009) also found a countervailing

relationship between punitive elite rhetoric and punitive public opinion, and his time series data did cover the entire time period of mass incarceration. Taken together, the findings of his study and this dissertation suggest that the penal populism model may overestimate the degree to which citizens will reward politicians for endorsing the tough on crime frame.

Conclusion

This dissertation is the most theoretically and methodologically sophisticated test of the elite manipulation hypothesis to date. The findings lead me to conclude that political elites cannot use rhetorical frames to push people into agreeing with their positions on issues of crime and justice. Individuals appear to be quite capable of critically evaluating the messages of elites and rejecting those messages that conflict with their personal values and sense of appropriate justice.

The evidence of moderated framing effects in these results indicates that penologists must broaden the theories that posit a link between politicians and public opinion about criminal justice. We should not expect that all people will react to a given elite message in the same manner. Depending upon the issue being targeted by the elite frame, it is likely than an individual's receptivity to the elite message will depend upon her level of political awareness, political ideology, and/or other personal values that are related to public opinion about crime and justice.

While evidence from other studies indicates that elites can subconsciously provoke punitive sentiments using racial primes, this study paints a relatively optimistic picture of American public opinion about crime and punishment. Americans are neither

overwhelmingly punitive nor easily manipulated into holding punitive opinions by political elites.

I improve upon past research by applying framing theory and an experimental method to the study of elite rhetoric and public opinion about punishment, but this study is merely a beginning. Exploring the full scope of framing versus priming effects in relation to public opinion about criminal justice would be a fruitful avenue of future research for penologists. In particular, scholars should investigate whether or not the tough on crime frame can alter people's opinions in the expected (punitive) direction if the frame stimulus also contains code words related to race and crime from the priming literature.

APPENDIX A

QUESTIONNAIRE PRETEST

I conducted a pretest of my questionnaire to ensure that it would be clear and comprehensible to a wide audience. I gathered a purposive sample of my friends, my family, and their extended social networks; this sample contained respondents of different ages, races, professions, and levels of education. I utilized the cognitive interview method of asking respondents to indentify any instructions or questions that caused them confusion or uncertainty as they read through the survey (Groves et al., 2004; Presser et al., 2004). I secured pretest feedback from 22 individuals.

Based upon my respondents' comments, I clarified instructions and altered or eliminated questions in order to avoid perceived redundancy. Initially, I did not include a "don't know" response option for any questions in order to force participants to express an opinion and indicate the intensity with which they hold that feeling (Schaeffer & Presesr, 2003). However, about half of the pretesters requested that response option for the political knowledge items. Given the factual nature of these items, I added the "don't know" option to those questions.

These respondents took between 10 and 30 minutes to complete the survey; most respondents took 15 to 20 minutes to complete the questionnaire. I concluded that the length of the survey was acceptable.

APPENDIX B

CONTENTS OF MAILED SURVEY PACKET

Cover Letter

Dear Participant:

I am writing to ask your help in a study of the opinions of citizens about crime and punishment in the modern United States. This study is part of an effort to better understand whether or not the current practices of our criminal justice system are supported by the American people.

You have been selected as part of a random sample of citizens across the country. We gained your contact information from publicly-available U.S. Postal Service records.

Results from this study will help elected representatives create new laws that improve the performance of the criminal justice system in a way that reflects Americans' opinions about punishment and justice. We will ask for your opinions about prisons, the death penalty, and various government programs, including the criminal justice system. America is running on a tight budget today, so it is important to ensure that politicians are not creating laws that fail to represent the views of the American people.

Your answers to this survey will be completely anonymous and will be released only as summaries in which no individual's answers can be identified. When you return your completed questionnaire, your name will be deleted from the mailing list and never

connected to your answers in any way. The data collected from this survey will be stored for future use, but again, the data cannot be connected to you in any way.

This survey is voluntary. However, you can help us very much by taking some time to share with us your opinions about crime and punishment in America. People typically take between 15 and 25 minutes to complete this survey. If for some reason you prefer not to respond, please let us know by returning the blank questionnaire in the enclosed stamped envelope.

If you have any questions or comments about this study, we would be happy to talk with you. You can contact us by e-mailing kevin.wozniak@american.edu, or by writing to:

Kevin Wozniak		Brian Calfano
Department of Justice, Law, and Society	Or	Department of Political Science
American University		Missouri State University
4400 Massachusetts Ave NW		901 South National Avenue
Washington, DC 20016		Springfield, MO 65897

If you have any questions about your rights as a participant in this research project, please contact the representatives of the American University Institutional Review Board, Dr. David Haaga (202-885-1718, dhaaga@american.edu) or Matt Zembrzuski (202-885-3447, irb@american.edu).

Thank you very much for helping us with this important study!

Kevin Wozniak, MS   Brian Calfano, Ph.D.

Reminder Postcard
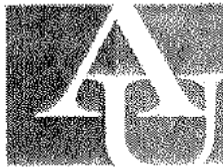
Dear Participant:

Soon, you will receive a survey asking your opinion on crime and punishment in the United States. You have been randomly selected to participate using publicly available US Postal Service records. Your participation is voluntary, and **completely anonymous.** The answers you give to the survey questions will provide valuable information to help elected officials better understand and respond to American opinions of punishment and justice.

We look forward to and thank you for your participation.

Sincerely,

Kevin Wozniak, MS, and Brian Calfano, Ph.D.

Survey Questionnaire

Before answering the questions in this survey, please read the following passage:

[Tough on crime or smart on crime passage here; see Chapter 2 for the full text of the experimental manipulations. Control group questionnaires begin with the next set of directions and Question 1.]

Questions 1 through 3 ask about your perceptions of the current environment in most prisons. There are no correct answers to these questions. We are interested in your perceptions and opinions. Please answer each question as best you can.

1) *Overall, do you think that the living environment in prisons is too harsh, about right, or not harsh enough for inmates? Please circle the answer that* **best** *describes your opinion.*

Too harsh	About right; neither too harsh nor too lenient	Not harsh enough

2) *The following questions ask you to describe your perception of what life in prison is like for inmates, on the whole. Please circle* **one** *answer for each question that* **best** *describes your perception.*

    a. Overall, do you think that life in prison is hard, or do you think that it is easy?

Very Hard	Moderately Hard	Slightly Hard	Slightly Easy	Moderately Easy	Very Easy

    b. Overall, do you think that life in prison is depressing, or is it enjoyable?

Very Depressing	Moderately Depressing	Slightly Depressing	Slightly Enjoyable	Moderately Enjoyable	Very Enjoyable

c. Overall, do you think that life in prison is dangerous, or is it safe?

Very Dangerous	Moderately Dangerous	Slightly Dangerous	Slightly Safe	Moderately Safe	Very Safe

3) *How do you think that most prisoners actually spend their time? Do you think that most prisoners spend their time being idle and lazy, or do you think that most prisoners spend their time being productively engaged in prison jobs or educational classes? Please circle* **one** *response.*

Very Idle	Moderately Idle	Slightly Idle	Slightly Productive	Moderately Productive	Very Productive

---

We would now like to learn a little bit about how you think the government should fight crime.

---

4) *Some people say that the best way to reduce crime is to address the social problems that cause crime, like bad schools, poverty and joblessness. Other people say the best way to reduce crime is to make sure that criminals are caught, convicted and punished. How about you? Which approach to fighting crime do you think is better than the other? Please circle one answer that best describes your opinion.*

Much better to fix social problems	Moderately better to fix social problems	Slightly better to fix social problems	Slightly better to punish criminals	Moderately better to punish criminals	Much better to punish criminals

5) *When it comes to fighting crime, the government can choose from a variety of different tactics. How much do you oppose or support…*

a. Building more prisons to house more offenders? (Circle the best answer)

Strongly Oppose	Moderately Oppose	Slightly Oppose	Slightly Support	Moderately Support	Strongly Support

5) *(Continued)*
b. Funding programs to help former prisoners find jobs and housing after they have completed their prison sentence in order to reduce the chance that they will commit new crimes? (Circle the best answer)

Strongly Oppose	Moderately Oppose	Slightly Oppose	Slightly Support	Moderately Support	Strongly Support

c. Funding programs to help prevent at-risk youths from committing crimes? (Circle the best answer)

Strongly Oppose	Moderately Oppose	Slightly Oppose	Slightly Support	Moderately Support	Strongly Support

d. Hiring more police officers? (Circle the best answer)

Strongly Oppose	Moderately Oppose	Slightly Oppose	Slightly Support	Moderately Support	Strongly Support

6) *Politicians are debating a number of different ways to reduce the costs of running prisons today. Many of these options would affect individuals who are convicted of crimes like burglary or theft who never physically harmed a victim. In order to reduce the size and cost of the prison system, how much would you oppose or support…*

a. Allowing nonviolent prisoners to earn early release through good behavior? (Circle the best answer)

Strongly Oppose	Moderately Oppose	Slightly Oppose	Slightly Support	Moderately Support	Strongly Support

b. Allowing nonviolent prisoners to earn early release through successful completion of educational programs? (Circle the best answer)

Strongly Oppose	Moderately Oppose	Slightly Oppose	Slightly Support	Moderately Support	Strongly Support

c. Allowing prisoners to earn early release through successful completion of job training programs? (Circle the best answer)

Strongly Oppose	Moderately Oppose	Slightly Oppose	Slightly Support	Moderately Support	Strongly Support

d. Sending nonviolent drug users to community treatment centers instead of prison? (Circle the best answer)

Strongly Oppose	Moderately Oppose	Slightly Oppose	Slightly Support	Moderately Support	Strongly Support

> **We would also like to learn your opinions about the use of the death penalty in America.**

7) *Do you generally oppose or support capital punishment, that is, the death penalty, in cases where people are convicted of first-degree (intentional) murder? (Circle the best answer)*

Strongly Oppose	Moderately Oppose	Slightly Oppose	Slightly Support	Moderately Support	Strongly Support

8) *Some citizens prefer that offenders receive a sentence of life in prison, rather than the death penalty. Would you prefer life sentences without a chance of parole for homicide offenders instead of the death penalty? (Circle the best answer)*

Strongly prefer death penalty	Moderately prefer death penalty	Slightly prefer death penalty	Slightly prefer life in prison	Moderately prefer life in prison	Strongly prefer life in prison

> **Next we'd like to learn your opinions about the causes of crime. Please indicate the degree to which you agree or disagree with each of the following statements. Circle the answer that best describes your opinion for each statement.**

9) *Most offenders commit crimes…*

    a. Because they have little or no self control

Strongly Disagree	Moderately Disagree	Slightly Disagree	Slightly Agree	Moderately Agree	Strongly Agree

    b. Because they have bad character

Strongly Disagree	Moderately Disagree	Slightly Disagree	Slightly Agree	Moderately Agree	Strongly Agree

    c. Because they are too lazy to find a lawful way out of a bad situation.

Strongly Disagree	Moderately Disagree	Slightly Disagree	Slightly Agree	Moderately Agree	Strongly Agree

    d. Because our society offers them little opportunity to get a job and make money.

Strongly Disagree	Moderately Disagree	Slightly Disagree	Slightly Agree	Moderately Agree	Strongly Agree

e. Because of outside influences, like peer pressure or money problems.

Strongly Disagree	Moderately Disagree	Slightly Disagree	Slightly Agree	Moderately Agree	Strongly Agree

f. As a way of coping with poor living conditions, like extreme poverty, violence in the home, or marital problems.

Strongly Disagree	Moderately Disagree	Slightly Disagree	Slightly Agree	Moderately Agree	Strongly Agree

g. Because, as children, their home lives lacked love, discipline, or supervision.

Strongly Disagree	Moderately Disagree	Slightly Disagree	Slightly Agree	Moderately Agree	Strongly Agree

Next we would like to find out whether or not you have had any personal experiences with crime and the criminal justice system.

10) *Have you ever been the victim of a serious crime? This would include such things as someone breaking into your home, having your car stolen, or being physically assaulted or robbed.*

Yes	No

11A) *Within the past six months, have you ever felt afraid that you would become the victim of a crime?*

Yes → Go to 11B	No → Go to 12

→ **11B)** *If you answered "Yes" to question 11A, how fearful were you that you would be victimized?*

Only a little afraid	Moderately afraid	Very afraid

12) *Have you ever been inside a prison beyond the visitor's area (that is, have you seen the cell blocks, the dining hall, etc.)?*

Yes	No

13A) *Do you personally know anyone who is currently in prison or has been in prison in the past?*

Yes	No
→ Go to 13B	→ Go to 14

→ **13B)**. *If you answered "Yes" to question 13A, what is your relation to this person who is or has been in prison? If you know more than one person who has been in prison, please circle all answers that apply.*

Significant Other (Including: Husband, Wife, Boyfriend, or Girlfriend)	Family member (other than a spouse/partner)	Friend	Acquaintance

---

Now we have some questions about the government. Unlike questions about your opinions, these questions do have correct answers. Please answer them to the best of your knowledge.

---

14) *Whose responsibility is it to determine if a U.S. law is constitutional or not?*

The President of the U.S.	The U.S. Congress	The U.S. Supreme Court	Don't Know

15) *How many justices sit on the U.S. Supreme Court?*

Three	Five	Nine	Don't Know

16) *Eric Holder currently holds which position in President Obama's Cabinet?*

Surgeon General	Attorney General	Secretary of Defense	Don't Know

17) *Who is the current Speaker of the U.S. House of Representatives?*

Nancy Pelosi	Steny Hoyer	John Boehner	Don't Know

18) *Who is currently the Chief Justice of the U.S. Supreme Court?*

Antonin Scalia	Sonia Sotomayor	John Roberts	Don't Know

Next, we would like to learn a little bit about how you get the news.

---

19) *During a typical week, how many days do you watch news on TV, not including sports?*

0 days	1 day	2 days	3 days	4 days	5 days	6 days	7 days

20) *During a typical week, how many days do you listen to news on the radio, not including sports?*

0 days	1 day	2 days	3 days	4 days	5 days	6 days	7 days

21) *During a typical week, how many days do you watch or read news on the Internet, not including sports?*

0 days	1 day	2 days	3 days	4 days	5 days	6 days	7 days

22) *During a typical week, how many days do you read news in a printed newspaper, not including sports?*

0 days	1 day	2 days	3 days	4 days	5 days	6 days	7 days

> **As part of our study, we are also interested in understanding race relations in America today. Please indicate the degree to which you agree or disagree with each of the following statements by circling the answer that best describes your opinion.**

23) *The criminal justice system is fair to most people regardless of race.*

Strongly Disagree	Moderately Disagree	Slightly Disagree	Slightly Agree	Moderately Agree	Strongly Agree

24) *In general, the death penalty is applied fairly in America regardless of race.*

Strongly Disagree	Moderately Disagree	Slightly Disagree	Slightly Agree	Moderately Agree	Strongly Agree

25) *When a Black person and a White person commit the same crime, the Black person is likely to receive a more severe sentence than the White person.*

Strongly Disagree	Moderately Disagree	Slightly Disagree	Slightly Agree	Moderately Agree	Strongly Agree

26) *Racial and ethnic discrimination is still a problem in the United States.*

Strongly Disagree	Moderately Disagree	Slightly Disagree	Slightly Agree	Moderately Agree	Strongly Agree

27) *Generations of slavery and discrimination have created conditions that make it difficult for Blacks to work their way out of the lower class.*

Strongly Disagree	Moderately Disagree	Slightly Disagree	Slightly Agree	Moderately Agree	Strongly Agree

28) *Over the past few years, Blacks have gotten less than they deserve.*

Strongly Disagree	Moderately Disagree	Slightly Disagree	Slightly Agree	Moderately Agree	Strongly Agree

29) *It's really a matter of some people not trying hard enough; if Blacks would only try harder they could be just as well off as Whites.*

Strongly Disagree	Moderately Disagree	Slightly Disagree	Slightly Agree	Moderately Agree	Strongly Agree

30) *Blacks are too demanding in their push for equal rights.*

Strongly Disagree	Moderately Disagree	Slightly Disagree	Slightly Agree	Moderately Agree	Strongly Agree

31) *Affirmative action programs are needed to remedy historical unfairness between Blacks and Whites.*

Strongly Disagree	Moderately Disagree	Slightly Disagree	Slightly Agree	Moderately Agree	Strongly Agree

Finally, we would like some background information about you.

32) *Using this scale, how would you describe your political ideology?*

Extremely Liberal	Liberal	Slightly Liberal	Moderate/Middle of the Road	Slightly Conservative	Conservative	Extremely Conservative

33) *Generally speaking, do you usually think of yourself as a Republican, a Democrat, an Independent, or what?*

Strong Democrat	Lean Democrat	Lean Republican	Strong Republican	Independent	None of These

34) *Please circle the descriptor that **best** describes your race.*

Caucasian/White	African American/Black	Native Hawaiian or other Pacific Islander
Asian	American Indian or Alaskan Native	Other. Please specify: _____

35) *Are you Hispanic or Latino(a)?*

Yes	No

36) *What is your gender?*

Female	Male

37) *What is your age?* _____ *years old*

38) *What is the highest level of school that you have completed? Please circle the appropriate answer.*

Less than high school	High school diploma	Community college or trade school degree/certificate
Some college, but no degree	College/bachelor's degree	Graduate school or professional degree (like a J.D., M.A., M.D., Ph.D.)

39) *What was your **gross household income** last year, before taxes? Please circle the appropriate answer.*

a) Under $20,000	b) $21,000 - $50,000	c) $51,000 - $80,000
d) $81,000 - $110,000	e) $111,000 - $140,000	f) $141,000 - $170,000
g) $171,000 – 200,000	h) Over $201,000	

40) *How many people live in your household (including yourself)?*
This does not include renters or temporary residents. _____ *people.*

41) Are you the parent or legal guardian of a child who is younger than 10 years old?

Yes	No

42) *If you have any other thoughts or opinions about prisons, the death penalty, criminal offenders, or the criminal justice system that you would like to share with us, please write them here.*

_____

_____

APPENDIX C

DIFFERENCE-OF-MEANS TESTS: DIRECT FRAMING EFFECTS

Table C. Criminal Justice Opinions on Frame Exposure (One-Sided *T* Tests)

Dependent Variable	Tough on Crime vs. Control Group Means	*T* Test Results	Smart on Crime vs. Control Group Means	*T* Test Results
Punishment Preference	TM = 2.93 CM = 3.62	$t_{(338\ df)} = 3.26$, $p < 0.001$	TM = 3.38 CM = 3.62	$t_{(356\ df)} = 1.21$, $p = 0.87$
Death Penalty Support	TM = 3.91 CM = 4.84	$t_{(335\ df)} = 4.63$, $p < 0.001$	TM = 4.94 CM = 4.84	$t_{(352\ df)} = -0.58$, $p = 0.28$
Death Penalty vs. LWOP	TM = 3.52 CM = 4.23	$t_{(332\ df)} = 3.25$, $p < 0.001$	TM = 4.44 CM = 4.23	$t_{(350\ df)} = -1.04$, $p = 0.15$
Support for Punitive CJ Policy	TM = 21.46 CM = 24.02	$t_{(321\ df)} = 3.12$, $p = 0.001$	TM = 22.84 CM = 24.02	$t_{(333\ df)} = 1.52$, $p = 0.07$

Notes: TM = treatment condition group mean; CM = control group mean
       Higher values on each dependent variable indicate more punitive opinions

OLS REPLICATION OF PARALLEL POLITICAL AWARENESS MODELS

Table D. OLS Results of Preference for Punishment vs. Social Intervention on Frame Exposure and Political Ideology Interaction: Parallel Regressions across Political Awareness (Coefficients with Robust Standard Errors in Parenthesis)

Variables	Political Awareness (Number of Knowledge Questions Correctly Answered)		
	Low (0, 1, 2)	**Moderate** (3)	**High** (4)
Treatment Conditions			
Tough on crime frame	- 4.69 (1.87)*	0.70 (1.33)	- 0.24 (0.71)
Smart on crime frame	- 4.25 (2.06)*	- 0.91 (1.20)	0.01 (0.76)
Attitudinal Controls			
Dispositional attribution	0.14 (0.07)*	0.15 (0.05)**	0.04 (0.03)
Situational attribution	- 0.12 (0.05)*	- 0.12 (0.06)†	- 0.06 (0.04)†
Symbolic racism	- 0.00 (0.05)	0.05 (0.05)	0.05 (0.03)
Perceived fairness of CJS	0.02 (0.08)	0.05 (0.06)	0.05 (0.05)
Political ideology (conservative)	- 0.23 (0.29)	0.08 (0.20)	0.44 (0.15)**
Demographic Controls			
Victimization	- 0.18 (0.44)	- 0.55 (0.42)	0.10 (0.25)
Fear of crime	0.75 (0.53)	- 0.25 (0.49)	- 0.17 (0.29)
News consumption	0.05 (0.04)	0.01 (0.04)	- 0.01 (0.02)
African American	- 0.44 (0.76)	0.42 (0.78)	0.24 (0.44)
Female	- 0.10 (0.44)	- 0.30 (0.40)	0.08 (0.24)
Age	- 0.02 (0.01)	0.01 (0.01)	0.00 (0.01)
Education	- 0.01 (0.14)	- 0.12 (0.14)	- 0.20 (0.10)*

Variables	Low (0, 1, 2)	Moderate (3)	High (4)
Income	- 0.08 (0.19)	0.07 (0.12)	- 0.09 (0.08)
Southern residence	0.63 (0.41)	0.77 (0.35)*	0.13 (0.24)
Democrat	- 0.60 (0.56)	0.17 (0.49)	0.08 (0.42)
Independent	- 1.24 (0.68)†	- 0.38 (0.50)	- 0.23 (0.33)
Interaction Terms			
ToC rhetoric X Ideology	0.94 (0.45)*	- 0.10 (0.27)	- 0.10 (0.18)
SoC rhetoric X Ideology	0.80 (0.45)†	0.25 (0.25)	- 0.04 (0.16)
Constant	5.72 (2.39)	1.55 (1.80)	1.80 (1.30)
N	78	106	188
Adjusted R^2	0.33	0.16	0.36

Notes: † $= p < 0.10$ * $= p < 0.05$ ** $= p < 0.01$

Contrast these findings to the ordered logit models reported in Table 3.3.3 (p. 74)

APPENDIX E

TESTING THE "SMART ON CRIME PRETREATMENT" ALTERNATIVE

INTERPRETATION OF RESULTS

It is possible to test the alternative interpretation of my results with the present

data. If all respondents to this survey were, indeed, "pretreated" by exposure to the smart

on crime frame through normal, everyday exposure to the media, then respondents in the

control group who were not artificially exposed to elite rhetoric should display a pattern

of responses that conform to the model of Zaller (1992). That is, I hypothesize that

moderately-aware conservatives in the control group will voice stronger opposition to

punitive punishment than minimally- or highly-aware conservatives because they

absorbed enough information from the news to be affected by the smart on crime frame,

but they lacked the ability to recognize the frame as inconsistent with their personal

values. Thus, this model can be tested by analyzing the interactive effect of political

awareness and political ideology on the opinions of control group respondents. I present

the results of these tests in Tables E1 and E2.

The results show that political awareness and political ideology only significantly

interacted to affect a control group respondent's preference for punishment or social

intervention as a means of crime control, holding constant her other attitudes and

demographic characteristics; the interaction terms in the other three models failed to

reach statistical significance. In order to facilitate the interpretation of this result, I

present the interaction effect graphically in Figures E1 and E2. Consistent with previous

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Table E1. Ordered Logit Results of Opinions about Punishment on Political Awareness X Political Ideology Interaction among Control Group Respondents (Odds Ratios with Robust Standard Errors in Parenthesis)

Variables	Punishment Preference	Death Penalty Support	LWOP vs. Death Penalty
Attitudinal Controls			
Dispositional attribution	1.18 (0.07)**	1.05 (0.07)	1.01 (0.06)
Situational attribution	0.96 (0.05)	1.03 (0.06)	0.95 (0.06)
Symbolic racism	1.09 (0.18)	1.09 (0.05)†	1.04 (0.05)
Perceived fairness of CJS	1.07 (0.07)	1.17 (0.07)*	1.21 (0.08)**
Political ideology (conservative)	0.41 (0.18)*	0.73 (0.33)	0.50 (0.20)†
Demographic Controls			
Victimization	0.73 (0.27)	1.32 (0.54)	1.50 (0.54)
Fear of crime	1.02 (0.44)	1.16 (0.60)	1.75 (0.85)
News consumption	1.06 (0.04)	1.02 (0.03)	0.98 (0.03)
African American	0.67 (0.45)	2.52 (1.90)	1.02 (0.68)
Female	1.03 (0.38)	0.71 (0.29)	0.30 (0.12)**
Age	1.00 (0.01)	1.03 (0.01)†	1.03 (0.01)*
Education	0.79 (0.09)*	1.07 (0.14)	1.02 (0.13)
Income	0.94 (0.12)	1.00 (0.11)	0.98 (0.10)
Southern residence	1.97 (0.74)†	0.91 (0.32)	0.71 (0.24)
Democrat	1.67 (0.92)	0.74 (0.37)	1.01 (0.53)
Independent	0.42 (0.19)†	0.72 (0.31)	1.07 (0.49)
Political awareness	0.22 (0.13)**	0.57 (0.37)	0.50 (0.30)
Interaction Term			
Awareness X Ideology	1.40 (0.19)*	1.09 (0.16)	1.18 (0.16)
N	147	147	145
Adjusted count R^2	0.19	- 0.05	0.16

Note: † = $p < 0.10$ * = $p < 0.05$ ** = $p < 0.01$

Table E2. OLS Regression Results of Support for Punitive Criminal Justice Policies on Political Awareness X Political Ideology Interaction among Control Group Respondents (Coefficients with Robust Standard Errors in Parenthesis)

Variables	b	β
Attitudinal Controls		
Dispositional attribution	0.29 (0.15)	0.15
Situational attribution	- 0.30 (0.17)	- 0.17
Symbolic racism	- 0.09 (0.14)	- 0.09
Perceived fairness of CJS	0.20 (0.19)	0.13
Political ideology (conservative)	- 0.13 (1.30)	- 0.03
Demographic Controls		
Victimization	- 1.26 (1.13)	- 0.09
Fear of crime	4.25 (1.18)	0.26
News consumption	- 0.06 (0.11)	- 0.05
African American	- 1.22 (2.08)	- 0.05
Female	- 0.92 (1.18)	- 0.07
Age	0.00 (0.03)	0.01
Education	- 0.06 (0.35)	- 0.01
Income	0.52 (0.27)	0.13
Southern residence	- 1.74 (1.04)	- 0.12
Democrat	- 3.61 (1.48)	- 0.26
Independent	- 4.66 (1.14)	- 0.33
Political awareness	- 1.26 (1.80)	- 0.20
Interaction Term		
Awareness X Ideology	0.00 (0.40)	0.00
Constant	31.24 (8.09)	
N	138	
Adjusted R^2	0.25	

Note: † = $p < 0.10$ * = $p < 0.05$ ** = $p < 0.01$

findings in this dissertation about the moderating influence of political awareness, these

graphs suggest that political awareness enhances the concordance between a person's

global political ideology and her specific attitude toward punishment versus social

Figure E1. Interaction effect of political awareness and political ideology on punishment preferences among control group respondents: Predicted probability of choosing "much better to fix social problems"
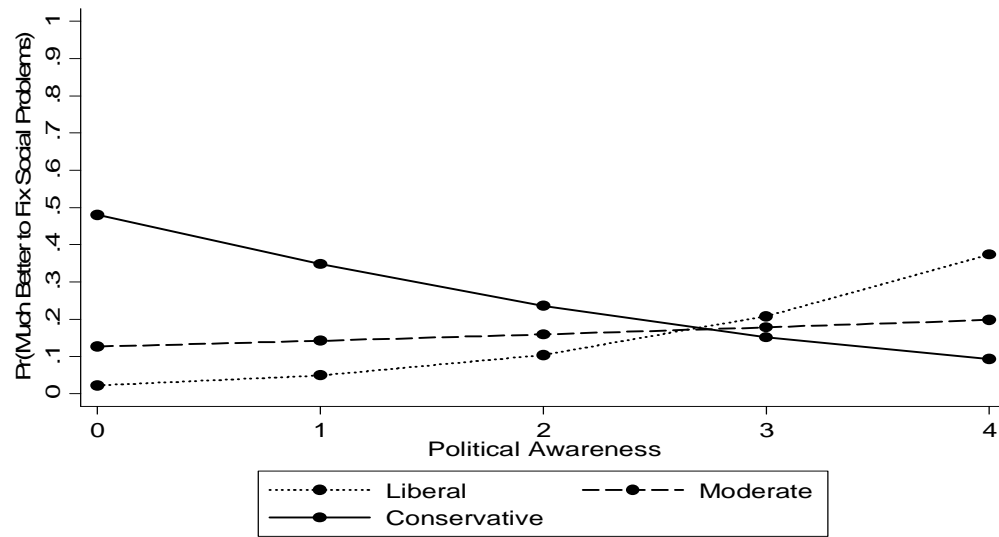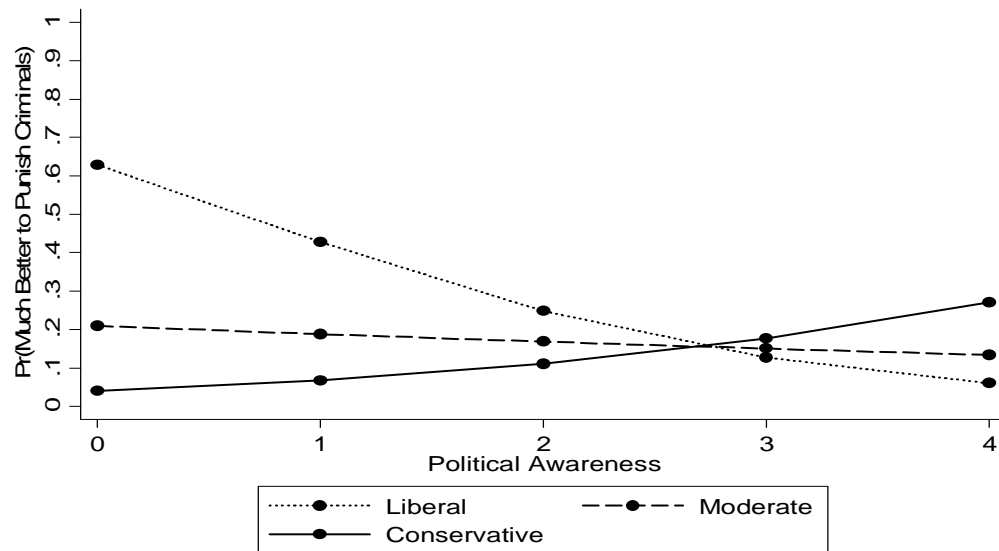

Figure E2. Interaction effect of political awareness and political ideology on punishment preferences among control group respondents: Predicted probability of choosing "much better to punish criminals."

intervention as a means of crime control (i.e., "issue constraint"). Again we see that greater political awareness increased the likelihood that individuals who identified as liberal would say that it is "much better to fix social problems," while political awareness increased the likelihood that individuals who identified as conservative would say that it is "much better to punish criminals." The effect of political awareness on individuals who identified as moderate is much less pronounced, but the pattern of their responses appears to be slightly more similar to the responses of liberals than conservatives; greater political awareness slightly increased the probability that a moderate would favor fixing social problems.

While evidence that political awareness may enhance issue constraint between political ideology and attitudes toward punishment is consistent with political science theory about public opinion formation, it provides no clear indication of a framing effect experienced by control group respondents. The prediction that minimally- and moderately-aware conservatives will voice stronger support for social intervention and weaker support for punishing criminals than their highly-aware co-ideologues, as seen in Figures E1 and E2, is consistent with the interpretation that control group respondents absorbed the smart on crime message through the media, and conservatives of low and moderate awareness failed to recognize that frame as being (historically) inconsistent with conservative values.

However, the prediction that minimally- and moderately-aware liberals will voice more punitive preferences than minimally-aware moderates and conservatives, also seen in Figures E1 and E2, is *not* consistent with this interpretation of a dominant smart on

crime frame. We would not hypothesize that exposure to the smart on crime frame through the media would cause a conservative individual to accept the message while a liberal individual rejects the message. Even if we assume that people heard both the smart on crime and tough on crime frames discussed through the media in equal measure during the survey period (i.e., a two message model), Zaller's theory predicts polarized attitudes between liberals and conservatives only among *highly-aware* individuals. The present predictions of strongly polarized attitudes among minimally- and moderately-aware individuals are simply not consistent with Zaller's theory, or any other iteration of framing theory of which I am aware. As such, it is not clear that the significant interaction of political awareness and political ideology among control group respondents (in regard to only one issue question) is caused by a framing effect.

The skewed distribution of political awareness in the data necessitates that the reader exercise caution when interpreting this test of the respondents in the control group. Figures E1 and E2 revealed a pattern of results that failed to conform to theoretical expectations, leading me to conclude that I have no evidence to support the alternative interpretation of my results that all respondents experienced a smart on crime framing effect through the mass media prior to participating in this survey. However, I cannot confidently reject the possibility that respondents in the control group experienced a framing effect through the media outside the bounds of this experiment because of the fact that this conclusion is based, in part, on tiny numbers of respondents. Not only are there few minimally-aware respondents in this data to begin with, but by analyzing only the third of the sample that was placed into the control group, I winnow down even

further the sample size upon which the predicted probabilities graphed in Figures E1 and E2 are based.

I am more confident that the predicted responses for individuals who answered three or four awareness questions correctly are valid, but the cross sectional nature of the data does not properly equip me to determine whether we see a one-message, smart on crime framing effect; a two-message framing effect; or an ideology effect free of framing influences among control group respondents in Figures E1 and E2. Zaller (1992) demonstrated the polarization effect of competing frames by observing the responses of liberals and conservatives over time as elite discourse moved from a consensus, one-message model to a contentious, two-message model. Lacking such longitudinal data, I posses a limited capacity to analyze the possibility that control group respondents were "pretreated" through the media.

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