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The Effect of Message Frames on Public Attitudes Toward Criminal Justice Reform for Nonviolent Offenses

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Abstract

In recent years, the rhetoric surrounding criminal justice policy has increasingly emphasized reform, rather than being “tough on crime.” Although this change in rhetoric is aimed at building public support for reform, little is known about its efficacy. To test the efficacy of reform rhetoric, I conducted an Internet experiment using Amazon Mechanical Turk. Respondents were randomly assigned to one of six message conditions or to a control condition (no message) and then asked their views about eliminating the use of incarceration for select nonviolent offenses. Results from ordinal logistic regression models suggest that message frames that appeal to a respondent’s self-interest or emphasize the unfairness of the punishment (not who is punished) tend to be most effective.

Introduction

Currently, the U.S. incarcerates a far greater share of its population than all other advanced democracies (Garland, 2001; Wacquant, 2009). However, this was not always the case: in the early 1970s, the U.S. incarceration rate was roughly four times lower than its current rate of approximately 700 per 100,000 and relatively similar to other advanced democracies (National Research Council, 2014). Starting in the 1970s, the U.S. criminal justice system underwent a dramatic transformation in its sentencing practices that is estimated to be responsible for 85% of the growth in incarceration, with changes in crime responsible for roughly 15% (Raphael & Stoll, 2013). Two types of policy changes were particularly notable: increased admissions for nonviolent offenses and increases in sentence length for all types of offenses, particularly violent crimes (Raphael & Stoll, 2013; National Research Council, 2014).

In response to these trends, a growing scholarship has sought to understand why the U.S. began this punitive turn (Alexander, 2012; Wacquant, 2009, among others). One of the key explanations put forth is that the public and politicians interacted in a way that led to the ratcheting up of strict sentencing policies (Garland, 2001; Simon, 2007; Tonry, 2004; Wozniak, 2016). From this perspective, in response to increasingly harsh public opinion (Ramirez, 2013), politicians on both sides of the aisle supported the creation of punitive policies in order to avoid being labeled “soft on crime” (Wozniak, 2016). As a result,

politicians regularly engaged in “tough on crime” rhetoric and justified their positions as being in line with public opinion (Beckett, 1997). In response to “tough on crime” rhetoric, public opinion became increasingly harsh, creating a cycle that perpetuated strict criminal justice policies (Beckett, 1997; Wozniak, 2016). While determining causality is tricky, recent time series analyses provide empirical support for the view that harsh public opinion was an important determinant of the U.S.’s increased reliance on incarceration (Enns, 2014; Nicholson-Crotty et al., 2009).

Although the U.S. incarceration rate remains exceptionally high, there is some evidence that the tide has recently begun to turn (World Prison Brief, 2016). Between 1973 and 2009, the U.S. prison population grew every year (National Research Council, 2014; Pickett, 2016). However, since 2009, the U.S. prison population has declined, albeit by a much smaller amount than it initially grew (Petersilia & Cullen, 2015; Pickett, 2016).

Despite only a small decline thus far, there is some evidence suggesting that there is momentum for greater reform. In addition to small declines in incarceration rates, public opinion has also become less harsh (Enns, 2014; Ramirez, 2013) and there is growing evidence that a substantial share of the public supports criminal justice reform (Sundt, Cullen, Thielo, & Jonson, 2015; Thielo, Cullen, Cohen, & Chouhy, 2016). Moreover, activists have begun to mobilize bipartisan efforts for reform, and political elites have increasingly adopted reform, rather than “tough on crime,” rhetoric (Aviram, 2015; Gottschalk, 2015; Percival, 2015; National Research Council, 2014). The reform rhetoric adopted by activists and political elites has tended to emphasize two types of messages. One frame focuses on the unfairness of the criminal justice system. Actors employing this frame typically emphasize the racial disparities and institutional racism inherent in the current system (Gottschalk, 2015). The second frame appeals to self-interest. Actors who employ this frame tend to emphasize the fiscal costs of incarceration and/or the high rates of recidivism of former prisoners (Aviram, 2015; Percival, 2015).

Given the important role that public opinion has played in the growth of the carceral state, it is important to understand whether the current themes emphasized in the reform rhetoric employed by political elites and activists are effective at influencing the public to support reform and whether other types of rhetoric would be more effective. Currently, there is very little scientific evidence that addresses this issue (Drakulich & Kirk, 2016; Wozniak, 2016). In this paper, I begin to fill this gap in the scholarship by exploring the impact of six different message frames on public support for policies that would eliminate the use of incarceration for three nonviolent offense types: nonviolent drug offenses, nonviolent property offenses with damage valued at less than or equal to \$1,500, and technical parole violations. Results from an online experiment using Amazon Mechanical Turk (AMT) suggest that messages appealing to self-interest and messages that emphasize the unfairness of how we punish—that punishments no longer fit crimes—are most effective at increasing public support for criminal justice reform.

Existing Research: Messaging and Public Attitudes towards Criminal Justice Sentencing

There is little existing empirical scholarship testing the effects of message frames on Americans’ support for specific proposals that would reduce incarceration (Drakulich &

Kirk, 2016; Wozniak, 2016). Much of the scholarship exploring the malleability of criminal justice attitudes falls into one of two categories. One strand has tested whether providing individuals with accurate information about the criminal justice system influences attitudes towards sentencing (Doble, 2002). In a series of quasi-experimental studies (there was no control group) conducted by Doble and colleagues, respondents consistently expressed less punitive attitudes towards punishment after watching a video providing accurate information about the criminal justice system than they did prior to the video (e.g., Doble et al., 1991; Doble & Klein, 1989). Although these studies suggest that providing information influences attitudes, they do not provide insight into which types of information were particularly effective, since each video provided information about many aspects of the criminal justice system.

The second branch of scholarship has focused on whether frames emphasizing racial disparities influence punishment attitudes. Unlike the first strand, research in this category has incorporated a control group and is truly experimental. In one set of studies, scholars have explored the impact that frames emphasizing racial disparities have had on public support for the death penalty. The results from these studies suggest that frames emphasizing racial disparities reduce public support for the death penalty among African American respondents, but have no impact on white respondents (Bobo & Johnson, 2004) or are even counterproductive and increase their death penalty support (Peffley & Hurwitz, 2007). In addition to the death penalty scholarship, scholarship exploring the impact of frames emphasizing racial disparities on public attitudes towards other sentencing policies has also produced mixed results. Bobo and Johnson (2004) found that emphasizing racial disparities reduced support for the 100 to 1 disparity in sentencing between crack and powder cocaine offenses for both White and African Americans, while Hetey and Ebrhardt (2014) found that highlighting racial disparities increased support for Three Strikes Laws among a sample of white registered voters.

In the current study, I build on this existing scholarship by exploring the impact of six different message frames on public support for policies that would eliminate the use of incarceration for three nonviolent offense types: nonviolent drug offenses, low level nonviolent property offenses, and technical parole violations. Two of the frames appeal to self-interest, three appeal to issues of fairness, and one attempts to make people convicted of crimes more sympathetic by challenging negative perceptions about their character.

Self-Interest

Although self-interest primes have yet to be tested in the criminal justice realm, scholarship in other policy domains suggests that they could be effective at influencing public support. While self-interest has long been viewed as an important factor motivating human behavior, the association between self-interest and public opinion is often rather modest in survey studies (Sears & Funk, 1991). This does not mean that people are not self-interested. Instead, scholarship suggests this modest relationship is due to people lacking awareness of the personal benefits and costs of specific policies (Chong, Citrin, & Conley, 2001). In fact, when self-interest is made clear through priming in experimental studies, it tends to be an important determinant of public attitudes, especially when the individual has a large stake in

the issue (Chong et al., 2001; Darke & Chaiken, 2005). As mentioned previously, two of the message frames in this study appeal to respondent self-interest. The first message frame is quite common in the current reform rhetoric, since it emphasizes the financial costs of incarceration (Aviram, 2015; Gottschalk, 2015; Percival, 2015):

Incarceration is an expensive and wasteful government program. Incarceration costs taxpayers a lot of money and is contributing to the large deficits state and federal governments face. It costs approximately \$30,000 to incarcerate a person for 1 year. Currently, the United States spends almost \$80 Billion on corrections a year.

This message frame is expected to increase support for criminal justice reform by appealing to respondent self-interest, mainly the desire to spend less money. Importantly, this message is unlikely to be counterproductive, since the cost of the criminal justice system is not controversial.

The second message frame is also very common in the current reform rhetoric, since it emphasizes the high rates of recidivism among people released from prison (Aviram, 2015; Gottschalk, 2015; Percival, 2015):

Incarceration does not do as good a job as other crime fighting strategies at keeping communities safe. The great majority of people in prison eventually return to the community. While in prison, people are often exposed to more serious offenders and fail to receive services that will make them less likely to reoffend when they are released. Within 5 years, approximately 75 percent of former prisoners are rearrested.

This message frame is also expected to increase support for criminal justice reform by appealing to respondent self-interest, mainly the desire to live free of crime. However, unlike the financial costs message, I argue that this frame has the potential to be counterproductive if it results in respondents focusing on the criminality of former prisoners, rather than the ineffectiveness of prison as a crime-reducing tool.

Fairness

Fairness is a strong motivating force for individuals, and perceptions regarding the fairness of the criminal justice system have been found to be strongly associated with attitudes towards criminal justice policy (Peffley & Hurwitz, 2010). According to Peffley and Hurwitz (2010), three aspects of fairness are particularly relevant in the criminal justice domain: procedural justice, which is concerned with whether the processes used to make criminal justice decisions are fair (Tyler, 1988); retributive justice, which focuses on whether the punishment is an appropriate response to the criminal act; and distributive justice, which is concerned with whether punishment is distributed fairly across the population.

Three of the message frames in this study appeal to fairness issues. The first message frame is quite common in the current reform rhetoric, since it appeals to the unfairness of the racial disparities in the criminal justice system (Gottschalk, 2015):

African Americans are much more likely than White Americans to be in prison.
One reason for this difference is because they are treated unfairly by the criminal

justice system: African Americans are often treated more harshly by police, prosecutors, and the courts than White Americans. For example, African Americans are 3.6 times more likely to be arrested for selling drugs and 2.5 times more likely to be arrested for possessing drugs even though they use and sell drugs at similar rates to White Americans.

This frame has the potential to increase support for reform by appealing to respondents' sense of distributive fairness (Peffley & Hurwitz, 2010). However, this frame also has the potential to be counterproductive because of the disparate and strongly held views about the prevalence of racial unfairness (Bobo, 2001). In contradicting a strongly held belief, this message can lead to reduced support for reform among those who feel strongly that we are now a color-blind society or that disparities in incarceration are purely due to differences in crime rates (Nyhan & Reifler, 2010).

The second message frame appealing to fairness is less common in the current reform rhetoric than the previous frame, since it focuses on the view that punishments no longer fit crimes (Gottschalk, 2015):

In recent years, the U.S. has incarcerated many more people than at any other time in its history. This is mostly because crime is being punished much more harshly, not because police are better at catching criminals or because there is more crime. In many cases, the punishment no longer fits the crime. The U.S. incarceration rate is more than 4 times higher today than in 1970, even though crime rates are almost exactly the same.

This message frame has the potential to increase support for reform by appealing to the respondents' sense of retributive fairness (Peffley & Hurwitz, 2010). Public support for harsh punishment tends to be mushy, suggesting that the view that current punishments are appropriate for crimes may not be strongly held (Cullen, Fisher, & Applegate, 2000). Therefore, it is unlikely that this frame will be counterproductive.

The third message frame appealing to fairness is also less common in the current reform rhetoric than the racial disparities frame, since it emphasizes the unfairness of the harm done to children by parental incarceration (Gottschalk, 2015):

The criminal justice system often punishes children for their parent's behavior. Children with an incarcerated parent are teased, do worse in school, have more behavioral problems, spend less time with their parents, and have worse mental health than children without an incarcerated parent. In many cases, children with an incarcerated parent lack opportunities that other children have. Currently, almost 3 million American children have a parent incarcerated.

Although this frame does not fit neatly into any of the three types of justice emphasized by Peffley and Hurwitz (2010) and is not particularly common in the current reform rhetoric (Gottschalk, 2015), it is common in academic circles (Gottlieb, 2016; Hagan & Dinovitzer, 1999). This message frame is expected to increase support for reform by highlighting the collateral damage that criminal justice policies inflict on innocent children. However, this

frame also has the potential to be counterproductive if it activates the view that individuals who commit crimes should not be around children (Jaffee, Moffitt, Caspi, & Taylor, 2003).

Character of the Offender

One of the strongest predictors of attitudes towards criminal justice policies is beliefs about why people commit crimes. Individuals who attribute criminal behavior to personal characteristics are more likely to support harsh criminal justice policies than individuals who attribute crime to structural characteristics (Peffley & Hurwitz, 2010). Therefore, the last message frame that I test aims to increase support for criminal justice reform by changing respondents' perceptions about the character of criminal offenders:

Many of the people in prison had difficult childhoods which have contributed to serious mental health and substance abuse issues. It is often these mental health and substance abuse issues, not bad character, that have led to the criminal behavior that has resulted in incarceration. Incarceration does not solve these problems, and in many instances, makes them worse. As many as half of inmates currently have substance abuse and mental health problems.

Although this message frame is not particularly common in current reform rhetoric (Gottschalk, 2015), it has the potential to increase support for reform if it increases the likelihood that individuals attribute crime to structural characteristics. On the other hand, this message frame has the potential to be counterproductive if respondents have negative perceptions about people with mental health or substance abuse problems or if people strongly hold beliefs about why people engage in criminal behavior (Angermeyer & Dietrich, 2006; Nyhan & Reifler, 2010).

Data and Methods

Sample

In order to gather data about how message frames influence public attitudes towards criminal justice policies, I recruited participants from Amazon Mechanical Turk (AMT), a crowd-sourcing website that is increasingly being used by social scientists to collect experimental data (Feinberg & Willer, 2015; Harkness, 2016; Horne et al., 2015; Salerno & Peter-Hagene, 2013). AMT is a website with workers that can choose to complete tasks (such as survey experiments) in an exchange for a small financial reward. As AMT has become an increasingly prominent source of data collection, a growing scholarship has sought to test whether the data is both internally and externally valid, producing results that are quite favorable to AMT (Berinsky, Huber, & Lenz, 2012; Buhrmester, Kwang, & Gosling, 2011; Mullinix, Leeper, Druckman, & Freese, 2016; Paolacci, Chandler, & Ipeirotis, 2010).

In terms of internal validity, scholarship suggests that AMT data quality is similar to data collected from laboratory experiments with undergraduate students and other internet sources (Buhrmester et al., 2011; Paolacci et al., 2010; Weinberg, Freese, & McElhatten, 2014). Test-retest reliabilities are similar to more traditional samples (Buhrmester et al., 2011); there is only minimal risk of respondents conducting the study multiple times

because of unique worker IDs (Paolacci et al., 2010), and AMT respondents tend to pay as close (if not closer) attention to prompts as respondents in population based internet surveys (Weinberg et al., 2014).

From the standpoint of external validity, scholarship suggests that AMT samples are not representative of the U.S. population but are far more diverse than traditional samples of college students (Berinsky et al., 2012; Buhrmester et al., 2011; Paolacci et al., 2010). Perhaps most importantly, scholarship suggests that experiments using AMT tend to successfully replicate studies using college students and other Internet samples quite closely (Berinsky et al., 2012; Buhrmester et al., 2011; Mullinix et al., forthcoming; Paolacci et al., 2010; Weinberg et al., 2014). In the most expansive of these studies to date, Mullinix et al. (forthcoming) found that in 32 out of 39 instances the experimental results were the same (in terms of statistical significance and direction of effects) in the AMT samples and a nationally representative Internet sample. Moreover, in the seven instances where there were some differences across samples, in only one instance were the effects statistically different from one another.

For this study, I posted a HIT (the AMT name for a task) in September 2015 with a link to a survey created in Qualtrics. The HIT included a consent form and informed respondents ahead of time that the survey would last approximately 5 minutes, assess their attitudes towards criminal justice policies, and that upon completion respondents would be paid 50 cents. Although this seems like a very small payment, this is actually quite consistent with prior studies (Buhrmester et al., 2011; Paolacci et al., 2010, for instance). Approximately 3,300 unique respondents opted to take the survey, and nearly 3100 respondents completed the survey.

As Table 1 demonstrates, consistent with prior scholarship, the AMT respondents were not representative of the U.S. population but were more diverse than a traditional college student sample. The most notable differences between the AMT sample and the U.S population were in terms of education (the AMT sample was more educated), income (the AMT sample was lower income), marital status (the AMT sample under-represented married individuals), age (the AMT sample was younger than the U.S population), race (the AMT sample under-represented African Americans and Latinos), political party affiliation (the AMT sample over-represented Democrats), and religious identification (the AMT sample over-represented the non-religious).

More modest differences existed for gender (women are slightly underrepresented in the AMT sample) and southern residence (southerners are slightly underrepresented in the AMT sample). Although existing scholarship suggests that these demographic differences are unlikely to impact results (Mullinix et al., forthcoming), I conducted sensitivity analyses (discussed in greater detail in the results section) to explore if there were any obvious ways in which sample composition may have influenced this study's key findings.

Analytic Strategy

To test the effect of different message frames, I conducted a between subjects experiment. Respondents were randomly assigned to one of seven conditions: Six experimental

conditions and a control condition. Each experimental condition consisted of a message that emphasized one aspect of the criminal justice system: 1) The financial costs of incarceration; 2) The high rates of recidivism among individuals released from prison; 3) The large racial disparities in the criminal justice system; 4) The massive growth in incarceration; 5) The harm done to children by parental incarceration; and 6) The structural causes of crime.

After random assignment to an experimental or control condition, each respondent was asked about his or her degree of support for three different proposals that would substantially reform the criminal justice system for nonviolent offenders. Each of these proposals focused on eliminating the use of incarceration for a different type of offense (nonviolent drug offenses, nonviolent property offenses with damage valued at \$1500 or less, and technical parole violations in which no new crime was committed) and were asked in random order to ensure that levels of support were not influenced by the order in which proposals were asked. Levels of support were measured ordinally: Response choices were “strongly support,” “somewhat support,” “somewhat oppose,” and “strongly oppose.” After being asked about their support for the above policy proposals, respondents were asked some demographic questions.

To assess the impact of the message frames, I conducted ordinal logistic regression models for each outcome. Because the outcomes (support for the policy reform proposals) were measured ordinally and categorically, the linearity assumption of ordinary least squares was violated and ordinal logistic regression models are appropriate (Long & Freese, 2014). Since covariates were not perfectly balanced after random assignment, I included the following demographic controls in each model: gender, race (White, African American, Asian, Latino, Other), educational attainment (less than or equal to high school degree, some college, college degree or more), household income (less than or equal to \$50,000, \$50,000-\$99,999, and \$100,000 or more), marital status (married or single); region (southern residence or not), age (measured continuously), political party affiliation (Democrat, Republican, Independent), and religious affiliation (identify with a religion or not). In addition to these demographic controls, I also controlled for the order in which the outcome variables were asked to each respondent to rule out order effects (Hogarth & Einhorn, 1992). Ordinal logistic regression models excluding these control variables produced results that were quite similar to those I report in the text and are available from the author upon request.

Results

Descriptive Statistics

In Table 2, I present results describing public support in the sample for each reform proposal. The results suggest that there is support for each of the policy proposals, although the strength of the support varies. Specifically, 44 percent of respondents strongly supported eliminating incarceration for nonviolent drug offenses and 33 percent somewhat supported the proposal. Eliminating the use of incarceration for low level, nonviolent property offenses is also a popular proposal (albeit slightly less so), as 31 percent of respondents expressed strong support and 42 percent indicated that they somewhat supported the proposal. Lastly, the sample supported eliminating incarceration for technical parole violations, although less so than for the previous two proposals. Specifically, 23 percent of respondents strongly

supported the proposal and 42 percent somewhat supported it. These results suggest that there was support for reform in the sample, but do not provide evidence about whether framing influences public support.

Experimental Results

In Panel A of Table 3, I present results exploring the impact of message frames on public attitudes towards a reform proposal that would eliminate the use of incarceration for non-violent drug offenses. The results suggest that exposure to certain message frames increased support for the reform proposal, while exposure to other frames did not. Specifically, individuals exposed to a message emphasizing the financial costs of incarceration had 46 percent higher odds of strongly supporting the reform proposal (relative to the other categories) than individuals who were not exposed to any message ($P < 0.05$). Additionally, respondents who were exposed to the recidivism and the incarceration growth messages had 27 percent and 25 percent higher odds, respectively, of strongly supporting the reform proposal than those in the control group ($P < 0.10$). None of the other three messages had any impact on support for the reform relative to the control group. Moreover, respondents who were exposed to the message frames emphasizing racial disparities in incarceration and the character of offenders were both significantly less likely to support the reform proposal than were individuals exposed to the financial costs frame ($P < 0.05$). The same was true of individuals exposed to the message emphasizing harm to children, although the difference was only marginally significant ($P < 0.10$).

In addition to experimental conditions, a number of the control variables were associated with a respondent's support for the reform proposal. The results suggest that individuals with incomes less than \$50,000 (compared to higher income individuals), non-religious respondents (compared to those who identified with a religion), and men were all more likely to support the reform proposal ($P < 0.05$). Additionally, African American respondents were more likely to support the reform than Asian Americans, although the difference was only marginally significant ($P < 0.10$). In contrast, married respondents and individuals who identify as Republican or Independent (compared to Democrat) were less likely to support the proposal ($P < 0.05$).

In Panel B of Table 3, I present results exploring the impact of message frames on public attitudes towards a reform proposal that would eliminate the use of incarceration for non-violent property offenses with damaged valued at less than or equal to \$1,500. The results lead to a number of conclusions. First, unlike the drug offense proposal, I found no evidence that exposure to message frames increased the likelihood that an individual will support the nonviolent property offense proposal (compared to individuals who were not exposed to a message). Second, I found some evidence that certain message frames were more effective at increasing support for the reform proposal than others. Specifically, individuals exposed to the financial costs frame were more likely to support the reform proposal than individuals exposed to the racial disparities, harm to children, and character of offender frames, although the differences were only marginally significant ($P < 0.10$). Moreover, respondents exposed to the incarceration growth frame were more likely to support the reform proposal

than individuals exposed to the racial disparities and character of offender frames, although only at a marginal level of significance ($P < 0.10$).

In addition to the experimental conditions, a number of control variables were significantly associated with the reform proposal. Consistent with the results for nonviolent drug offenses, Independents and Republicans were less likely to support the proposal than Democrats, and married respondents were less likely to support the proposal than single respondents. Moreover, and also consistent with the results for nonviolent drug offenses, individuals who are not religious were more supportive of reform than individuals who identify with a religion.

In Panel C of Table 3, I present results exploring the impact of message frames on public attitudes towards a reform proposal that would eliminate the use of incarceration for technical parole violations. Similar to the results for nonviolent drug offenses, exposure to certain messages (compared to exposure to no message) was associated with greater support for the reform proposal. Specifically, individuals exposed to the financial costs, recidivism, and incarceration growth messages all were significantly ($P < 0.05$) more likely to support the reform proposal (by 52, 32, and 36 percent, respectively) than were individuals exposed to no message. The results also suggest that some message frames were significantly more effective at influencing support for reform than others. Individuals exposed to the financial costs message were more likely to support the reform than respondents exposed to messages emphasizing racial disparities, harm to children, and the character of offenders ($P < 0.05$ in each instance). Moreover, individuals in the incarceration growth message condition were more likely to support reform than respondents in the racial disparities and harm to children condition ($P < 0.05$ in both instances). Lastly, respondents exposed to the recidivism message were more likely to support reform than individuals in the racial disparities condition and the harm to children condition ($P < 0.05$ in both instances).

In addition to the experimental conditions, a number of control variables were significantly associated with this reform proposal. Consistent with the previous analyses, Independents and Republicans (compared to Democrats) and married respondents (compared to single respondents) were less likely to support the reform proposal. As was the case with nonviolent drug and property offense proposals, respondents who are not religious more strongly supported this reform proposal than respondents who identify with a religion. Consistent with the results for nonviolent drug offenses, individuals in the lowest income category were most likely to support this reform proposal. Lastly, White and Asian Americans were less likely than African Americans ($P < 0.10$) to support this proposal.

Supplemental Analyses

As mentioned previously, although the AMT sample used in this study was more diverse than more traditional experimental samples, it was not nationally representative. Therefore, in the supplemental analyses described below, I explored if there were any obvious ways in which sample composition was influencing this study's results. To do so, I conducted fully interacted models (each experimental condition is interacted with each of the control variables) for each of the outcomes of interest. If sample composition clearly influenced the results, one would expect that the effect of message frames would differ in consistent ways

among groups that were overrepresented in the AMT sample (compared to those that were underrepresented).

The results from these supplemental analyses (available from the author upon request) do not provide strong evidence that the unrepresentative aspects of the AMT sample are significantly influencing the study's findings. In only one case was a significant experimental effect seemingly more impactful for overrepresented than underrepresented groups (the recidivism condition for parole violation policy). Although this high recidivism effect might be overstated in the current sample, the bias is likely to be quite small. Older and married respondents were both significantly underrepresented groups, so their differential responsiveness may have canceled one another other out, while southern respondents were only very slightly underrepresented (by a few percentage points) and were less receptive to the message frame.

None of the non-significant experimental effects were particularly close to achieving statistical significance, so bias would have to be large to alter the substance of these results. Among the cases closest to statistical significance (with a p-value greater than one), in only one (the harm to children message for drug offenses) were interactions operating in a way that would suggest that a nationally representative would likely produce results closer to statistical significance. However, the bias is likely small since the differences are driven by characteristics that are only slightly overrepresented in the AMT sample (male and Asian respondents).

Discussion

In recent years, there has been growing consensus on both sides of the political spectrum that the U.S. criminal justice system needs to be reformed so that there is less reliance on incarceration for nonviolent offenses. In an effort to increase public support for criminal justice reform, political elites and activists have increasingly moved away from "tough on crime" rhetoric to rhetoric emphasizing the need for reform (Aviram, 2015; Gottschalk, 2015; Percival, 2015; National Research Council, 2014). Although reform rhetoric has increasingly been employed, there is little empirical evidence about what reform arguments are most effective at influencing public opinion (Wozniak, 2016). In this paper, I start to fill this gap in the scholarship by examining the impact of six different message frames on public support for policies that would eliminate the use of incarceration for three nonviolent offense types: nonviolent drug offenses, nonviolent property offenses with damage valued at less than or equal to \$1,500, and technical parole violations in which no new crime was committed.

Using data collected from an online experiment conducted on an AMT sample, the results from this study lead to a number of important conclusions. First, messages that appeal to respondent self-interest are effective at increasing public support for criminal justice reform. Specifically, individuals exposed to message frames emphasizing the substantial financial costs of incarceration and the high rates of recidivism among individuals released from prison were more likely to support the elimination of incarceration for nonviolent drug offenses ($P < 0.05$ for costs; $P < 0.10$ for recidivism) and technical parole violations ($P < 0.05$

for both) than were individuals in the control condition. This finding is consistent with scholarship in other policy domains suggesting that priming self-interest is effective at influencing public opinion (Chong et al., 2001; Darke & Chaiken, 2005).

Second, appealing to fairness can be an effective way to influence public opinion, although the efficacy is dependent upon the type of fairness that is emphasized. Individuals exposed to a message highlighting the growth in incarceration and how punishments no longer fit crimes were more likely to support the elimination of incarceration for nonviolent drug offenses ($p < 0.10$) and technical parole violations ($P < 0.05$) than were individuals in the control condition. By contrast, messages emphasizing the racial disparities in incarceration and the negative implications of parental incarceration for innocent children do not appear to influence public support for reform. Taken together, this suggests that messages appealing to retributive fairness are effective at increasing public support for criminal justice reform, while messages that appeal to distributive fairness or highlight the unfairness of collateral consequences appear to be less effective (Peffley & Hurwitz, 2010). Future scholarship should explore whether messages appealing to procedural fairness influence public attitudes towards criminal justice reform (Tyler, 1988).

Third, the results do not suggest that message frames aiming to increase support for criminal justice reform by changing respondent's perceptions about the character of criminal offenders are effective. Lastly, the findings provide evidence that message frames have a greater impact on public opinion for certain policies than for others. Specifically, framing appears to matter more for proposals that would eliminate incarceration for nonviolent drug offenses and technical parole violations than for low-level nonviolent property offenses.

It is important to consider these findings alongside their limitations. First, although the AMT sample is more diverse than many other experimental samples, one important limitation is that the sample is not nationally representative. As a result, I cannot generalize these results to the United States as a whole. However, there is some evidence that the results would likely be similar with a nationally representative sample; the supplemental analyses discussed above did not provide evidence of clear and consistent differences in the effect of message frames on groups that are underrepresented and overrepresented in the AMT sample, and prior scholarship has largely found that experiments conducted in AMT and nationally representative Internet surveys produce very similar conclusions (Mullinix et al., 2016).

A second important limitation is that all of the criminal justice reforms assessed in this study aim to eliminate prison admissions for nonviolent offenses. Although increased admissions for nonviolent offenses was an important part of the growth in incarceration, for the U.S. to reduce incarceration to levels similar to most other countries, the U.S. would also need to reduce sentence length for more serious offenses (particularly violent offenses) as well (Raphael & Stoll, 2013; Wozniak, 2016). Therefore, while the results from this study suggest that message frames influence public opinion on punishment for nonviolent offenses, future scholarship should explore the impact of message frames on public support for policies that would reduce sentence length for more serious offenses.

Despite these limitations, this study makes a number of important contributions. I found mixed evidence on the effectiveness of the most common types of reform rhetoric currently employed by activists and political elites. On the one hand, the current reform rhetoric appealing to self-interest is likely increasing public support for criminal justice reform (Aviram, 2015; Gottschalk, 2015; Percival, 2015). On the other hand, the current reform rhetoric appealing to distributive fairness is likely less effective (Gottschalk, 2015). For those activists and political elites who view criminal justice reform as an issue of fairness, the results from this study suggest that they would be better served making appeals to retributive, rather than distributive, fairness. Taken together, the findings suggest that the nature of the reform rhetoric employed by political elites and activists has important implications for public support for criminal justice reform.

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Table 1

Sample Characteristics for Control Variables (N=3056)

	Mean/Percent
Male	51.41
Race/Ethnicity	
Black	7.00
White	76.70
Asian	7.17
Latino	7.17
Other	1.96
Educational Attainment	
High School or Less	11.65
Some College	38.06
College or More	50.29
Household Income	
< \$50,000	52.00
\$50,000-\$99,999	36.32
\$100,000 or more	11.68
Married	38.68
Southern Residence	33.02
Age	34.51(11.13)
Political Party Identification	
Democrat	44.54
Independent	38.22
Republican	17.24
Not Religious	46.66

Note: Descriptive statistics based on respondents with complete data on all variables. Standard deviations in parentheses for continuous variables.

Table 2

Sample Descriptive Statistics for Outcome Variables

	Percent
Eliminate Incarceration Drug Offenses	
Strong Support	44.38
Somewhat Support	33.11
Somewhat Oppose	16.18
Strongly Oppose	6.32
Eliminate Incarceration Property Offenses	
Strong Support	30.60
Somewhat Support	41.81
Somewhat Oppose	21.33
Strongly Oppose	6.26
Eliminate Incarceration Parole Violations	
Strong Support	23.18
Somewhat Support	42.06
Somewhat Oppose	25.60
Strongly Oppose	9.17

Note: Descriptive statistics based on respondents with complete data on all variables.

Table 3

The Effect of Messaging on Public Support for Eliminating Incarceration for Select Non-Violent Offenses

	Panel A: Drug Offenses	Panel B: Property Offenses	Panel C: Parole Violations
	Coefficient (S.E.)/Odds Ratio	Coefficient (S.E.)/Odds Ratio	Coefficient (S.E.)/Odds Ratio
Experimental Conditions (Ref group=No Message)			
Financial Costs	0.38 (0.13)/1.46 **	0.07 (0.13)/1.07	0.42 (0.13)/1.52 **
Recidivism	0.24 (0.13)/1.27 +	0.02 (0.12)/1.02	0.28 (0.12)/1.32 *
Racial Disparities	0.03 (0.13)/1.04 <i>a</i>	-0.17 (0.13)/0.84 <i>b d</i>	-0.05 (0.13)/0.95 <i>a c e</i>
Incarceration Growth	0.23 (0.13)/1.25 +	0.04 (0.13)/1.04	0.31 (0.13)/1.36 *
Children	0.16 (0.13)/1.17 <i>b</i>	-0.16 (0.13)/0.86 <i>b</i>	0.03 (0.13)/1.03 <i>a c e</i>
Character of Offender	0.04 (0.13)/1.04 <i>a</i>	-0.16 (0.13)/0.86 <i>b</i>	0.12 (0.13)/1.12 <i>a</i>
Male	0.30 (0.07)/1.36 **	-0.06(0.07)/0.94	0.08 (0.07)/1.09
Race (Ref Group=Black)			
White	0.16 (0.14)/1.17	0.01 (0.14)/1.01	-0.25 (0.14)/0.78 +
Asian	-0.36 (0.19)/0.70 +	-0.14 (0.19)/0.87	-0.32 (0.18)/0.73 +
Latino	-0.22 (0.18)/0.80	-0.07 (0.18)/0.93	-0.19 (0.18)/0.83
Other	-0.08 (0.28)/0.92	-0.10 (0.28)/0.90	-0.39 (0.27)/0.68
Educational Attainment (Ref Group=<HS)			
Some College	0.18 (0.12)/1.20	0.09 (0.11)/1.09	0.10 (0.11)/1.10
College or More	0.22 (0.12)/1.24 +	0.18 (0.11)/1.20	0.04 (0.11)/1.04
Household Income (Ref. Group=<\$50,000)			
\$50,000-\$99,999	-0.19 (0.08)/0.82 *	0.10 (0.08)/1.11	-0.14 (0.08)/0.87 +
\$100,000 or more	-0.41 (0.12)/0.67 **	-0.18 (0.11)/0.83	-0.42 (0.11)/0.66 **
Married	-0.40 (0.08)/0.67 **	-0.21 (0.08)/0.81 **	-0.26 (0.08)/0.77 **
Southern Residence	-0.01 (0.08)/0.99	-0.08 (0.07)/0.93	0.09 (0.07)/1.10
Age (10 year intervals)	-0.03 (0.03)/0.97	-0.02 (0.03)/0.98	0.01 (0.03)/1.01
Political Party ID (Ref Group=Democrat)			
Independent	-0.28 (0.08)/0.75 **	-0.27 (0.07)/0.76 **	-0.24 (0.07)/0.79 **
Republican	-1.03 (0.10)/0.36 **	-0.62 (0.10)/0.54 **	-0.84 (0.10)/0.43 **
Not Religious	0.83 (0.08)/2.29 **	0.39 (0.07)/1.48 **	0.32 (0.07)/1.38 **

Notes:

**
P<0.01,*
P<0.05,+
P<0.10 (two-tailed tests).

Standard errors are in parentheses. Controls for order in which outcome asked included but not shown.

^a Coefficient significantly different from financial costs coefficient ($P < 0.05$),

^b Coefficient significantly different from financial costs coefficient ($P < 0.10$),

^c Coefficient significantly different from growth coefficient ($P < 0.05$),

^d Coefficient significantly different from growth coefficient ($P < 0.10$),

^e Coefficient significantly different from recidivism coefficient ($P < 0.05$),

^f Coefficient significantly different from recidivism coefficient ($P < 0.10$).