

PRIVATIZING PUNISHMENT: TESTING THEORIES OF PUBLIC SUPPORT FOR PRIVATE PRISON AND IMMIGRATION DETENTION FACILITIES*

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The transfer of authority over the supervision of inmate populations from state and federal governments to private corporations is one of the most significant contemporary developments in the criminal justice system. Yet, the controversy surrounding the private prison industry has occurred in U.S. criminal justice policy circles without any understanding of the public's preferences toward these institutions. In this article, we test several theories that potentially explain opinions toward privatizing carceral institutions: the racial animus, business is better, conflict of interest, and problem-escalation models. These models are tested with original data from the 2014 Cooperative Congressional Election Survey. The data show that opinions toward the privatization of carceral institutions do not neatly fall along partisan or ideological divisions but are explained by beliefs about racial resentment, corporate ethics, and the potential ability of private companies to provide services cheaper than the public sphere. The results hold important implications for how we understand the future of private carceral institutions in the United States.

During the past three decades, the privatization of prison facilities has been a controversial and continually changing aspect of U.S. criminal justice policy. As of 2014, 131,300 inmates were being held in a private prison facility across 30 state and federal jurisdictions (Carson, 2015). Although still a small proportion of the overall prison population, this number reflects a 90 percent increase from when the Department of Justice started tracking the number of prisoners in private facilities in 1999. The growth of private prisons is likely to continue given that the Department of Justice under President Trump reversed an earlier decision made under President Obama to phase out the use of private federal

[Correction added on May 18, 2018 after online publication: in the first paragraph of DEPENDENT VARIABLES section the phrase “never very inappropriate” was changed to “very inappropriate”.]

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prisons. Trump had been vocal about his support for private prisons during his campaign, saying, “I do think we can do a lot of privatizations and private prisons. It seems to work a lot better” (MSNBC, 2016: Video clip). Indeed, since Trump’s victory, stock prices in private prisons have soared, perhaps suggesting that investors believe the use of private prisons will increase.¹

Even if the phase out of private facilities by the Department of Justice had persisted, this would not have affected state prisons or federal immigration detention centers. Immigration detention centers have become the largest growth segment for the prison industry (Gottschalk, 2010: 63). Mason (2012: 5) estimated that 43 percent of all immigrant detainees were held in private facilities in 2012 (almost a 200 percent increase since 2002). Recent internal White House memos associated with the Trump administration have signaled to the Department of Homeland Security (DHS) that it should prepare to house 80,000 immigrant detainees each day as the Trump administration prepares to implement its ongoing immigration crackdown (Bennett, 2017). The potential ending of the Deferred Action for Childhood Arrival (DACA) program could mean more profits for these facilities as approximately 800,000 young immigrants could be detained in private facilities prior to deportation. Immigrant detainees in these facilities (including women and children) are often held in conditions that are “as bad or worse than those faced by imprisoned criminals” (Tumlin, Joaquin, and Natarajan, 2009: vi). As Gottschalk (2016: 231) explained, the private prisons that run immigration detention centers “are even more secretive and publicly unaccountable than public departments of corrections.” Furthermore, although substantial evidence documents the “overcrowding, violence, sexual abuse, and other conditions [that] pose grave risks to prisoner health and safety” in U.S. prisons (ACLU Staff, 2018, para. 1),² the U.S. Department of Justice’s (2016) *Review of the Federal Bureau of Prisons’ Monitoring of Contract Prisons* found that the private prisons they analyzed had higher safety and security infractions in six of eight categories.³

We seek to understand the roots of public support (and opposition) to privatized punishment. Despite the growth of private prisons and immigration detention centers in the United States, and important past criminal justice research on public attitudes toward punishment and corrections (e.g., Beckett, 1997; Cullen, Fisher, and Applegate, 2000; Durham, 1993; Enns, 2014, 2016; Johnson et al., 2011; Pickett and Chiricos, 2012; Ramirez, 2013; Zimring, 2008), surprisingly little is known regarding public opinion toward private facilities (Durham, 1989).⁴ In addition to building on the public opinion–criminal justice literature, our focus on understanding the roots of support for privatizing carceral

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1. Ten months after the election, stock prices for CoreCivic were approximately double their pre-election value and GEO Group was valued at more than double its pre-election price (<https://finance.google.com/finance?q=NYSE:CXW>; <https://finance.google.com/finance?q=NYSE:GEO>).
 2. Also see EJI Staff (n.d.) and Garbus (2014).
 3. For presentational purposes, this research will refer to both prisons and immigration detention centers as carceral institutions or as facilities despite the legal differences between incarceration and detention.
 4. A search of the Roper Center iPOLL archive indicates survey firms have asked citizens their opinions on privatizing prisons only twice: once in 1982 and again in 1985 (Roper, 1982, 1985). In both of these polls, most Americans opposed privatizing these institutions, but we have no data on public attitudes toward this issue since the 1980s. Thus, there is a need to understand the current distribution of support for these institutions as well as the factors that drive this support.

institutions holds important implications for understanding the current contours of prison privatization as well as the trajectory of privatized punishment.

At first glance, the idea that public opinion on this issue could help us understand policy outcomes may sound surprising. After all, the findings from an important body of research suggest that criminal justice policy does *not* respond to the public's preferences (e.g., Beckett, 1997: 108; Gottschalk, 2008: 251–2; Smith, 2004: 935; Tonry, 2009: 377; Yates and Fording, 2005: 1118; Zimring and Hawkins, 1991: 125–30; Zimring and Johnson, 2006: 266). Instead, scholars have emphasized the dominant role of activists, interest groups, and elected officials in shaping criminal justice policies (Murakawa, 2014; Page, 2013; Teles and Dagan, 2016). Criminal justice policy, however, including the privatization of carceral institutions, is influenced by elected officials who are *beholden to the public*. Most of the aforementioned scholars allude to the importance of public opinion in the policy-making process. In his political sociology argument, for instance, Western (2006) argued that citizens (mainly working-class Whites) pushed for law-and-order policies because of concerns over economic inequality and race relations. Gottschalk (2006) detailed the importance of mass social movements (aggregate publics), alongside the work of interest groups, in shaping America's penal policies. Dagan and Teles (2015: 135), who primarily emphasized the importance of interest groups and activists in the policy-making process, also noted that “politicians who vowed to lock up criminals were largely catering to white voters.” Thus, even top-down theories of how citizens form criminal justice opinions recognize that elites needed to stoke public anxieties about crime to cultivate enough support to sustain tough-on-crime policies (e.g., Beckett, 1997).

Furthermore, the results of recent empirical research show that shifts in punitive attitudes predict changes in both criminal justice policy and incarceration rates, controlling for a host of social, economic, and political conditions (Enns, 2014, 2016). Enns (2016: ch. 3) also used internal campaign memos to show that Nixon's 1968 presidential campaign considered and *responded* to public opinion about crime and punishment. Other researchers have shown that changes in public opinion about the death penalty precede changes in the use of the death penalty across time (Baumgartner, De Boef, and Boydston, 2008) and changes in the overall punitiveness of the public preceded the growth in the overall punitiveness of federal crime control policies (Nicholson-Crotty, Peterson, and Ramirez, 2009).⁵ Of course, interest groups such as the American Legislative Exchange Council (ALEC) and corporate stakeholders seem to have dominated the rise in prison privatization and the public does not seem to have a direct seat at the table when private contracts are negotiated (Cooper et al., 2016; Culp, 2005; Dagan and Teles, 2015: 133; Shichor, 1995). The findings from several empirical studies, however, indicate that citizen preferences are significantly related to the decision of states to contract prison services with private companies even after controlling for state economies (e.g., budgetary woes), prison conditions (e.g., overcrowding), interest group activity, and the preferences of legislators (Burkhardt, 2016; Jing, 2005; Kim and Price, 2012; Nicholson-Crotty, 2004; Price, 2002).

5. Other scholars have alluded to such a connection. For instance, Tonry (1995: 34-35) wrote that the public's sentiment toward criminal justice policies has important consequences for the shape of crime politics and policy. Schneider (2006: 457) argued that state crime policies reflect “some kind of national policy mood” among the public. The public can also directly vote to reform criminal justice policies (in concert with interest groups and activists) such as in the case of marijuana decriminalization (Bradford and Bradford, 2017).

It is important to note that the influence of public opinion on privatization policies does not have to be direct or transparent; that is, policy makers do not need to reference public opinion polls for public opinion to matter. Instead, the effect of public opinion can be indirect where policy makers anticipate future (mainly electoral) implications of public opinion and act accordingly. Public officials often enact tough-on-crime policies to reap the anticipated benefits of public support and the subsequent electoral gains (Gottschalk, 2014: 289; Holian, 2004; Murakawa, 2014). Policy makers are also hesitant to move public policy too far out of step with public opinion (Key, 1961; Stimson, 1991) and do not want to assume the electoral risk that may come with nonincremental criminal justice reform (Cadora, 2014: 282). As long as policy makers stay within what Stimson (1991) called the “zone of acquiescence,” they can avoid activating what Key (1961) referred to as “latent opinion,” which could lead to negative electoral consequences.⁶ This is especially likely with criminal justice policy (see, e.g., Enns, 2016: 26–31). Thus, even when legislators are visibly responsive to interest groups, donors, and other “advocacy coalitions,” their actions are likely constrained by the limits of what they reasonably assume their constituency would find acceptable.

Subsequently, learning about the distribution of support for private carceral institutions—and the determinants of this support—allows us to understand the degree that current policies reflect the public’s preferences. Not only does this information offer insight into the potential for criminal justice reform, but understanding of the relationship (or lack thereof) between current public preferences in criminal justice policy offers a lens into the nature of representative democracy in the United States. The failure to reform private carceral institutions has much to do with the inability of activists on the Right and Left to invigorate significant public support for alternatives to the status quo (Gottschalk, 2010; Kleiman, 2010; Weisberg and Petersilia, 2010). Historical accounts of the pre–World War II reform movement to eliminate private prisons detail the importance of interest groups, religious activists, and ordinary citizens in abolishing these institutions (Schneider, 1999; Shichor, 1995; Walker, 1980). Although public attitudes have been moving in a less punitive direction (Enns, 2014, 2016; Ramirez, 2013), scholars have argued that contemporary criminal justice reform movements have been limited because they cannot move significant levels of public support in favor of less punitive alternatives (Gottschalk, 2007: 30; Mauer, 2006: 11; Page, 2013). Thus, examining the roots of support for private carceral institutions can offer critical information for those seeking to revise the status quo by changing public attitudes on this issue.

In this article, we examine both the distribution and factors associated with public support for private carceral institutions. In particular, we test four plausible theories about why the public may support private carceral institutions today: the “racial animus” model, the “business is better” model, the “conflict of interest” model, and the “problem-escalation” model. Although these theories may not account for all potential explanations of public support for the privatization of carceral institutions, testing these four theories offers a better glimpse into how Americans think about this subject than is

6. In a similar vein, Casillas, Enns, and Wohlfarth (2011) and Enns and Wohlfarth (2013) offer individual-level and aggregate evidence that Supreme Court justices, despite enjoying life tenure, base their decisions, in part, on a desire to avoid decisions that might be out-of-step with the public’s preferences (also see Enns and Wohlfarth, 2018; McGuire and Stimson, 2004; Mishler and Sheehan, 1993).

currently known. It also provides a means to assess whether support for prison privatization is similar to support for public prisons; that is, do factors not typically associated with support for punishment correspond with public support for private carceral institutions?

We test these theories by analyzing both support for the privatization of prisons and the privatization of immigration detention centers with a series of ordered logit models using data from the 2014 Cooperative Congressional Election Study (CCES). The statistical models control for known predictors of public support for correctional and rehabilitative institutions (e.g., religiosity and the violent crime rate) and factors that might influence opposition to privatization more generally (e.g., public sector employment). The results illustrate that support for privatization is associated with pragmatic concerns that are unique to hiring private firms to engage in coercive practices usually under the authority of the state. In particular, we find that support for private carceral institutions is distinct from other criminal justice policy preferences in that it is also related to individual beliefs about the profit motives of private companies and the ability of private firms to operate more efficiently than the government. We also find an important parallel with standard criminal justice policy—support for the privatization of prisons and immigration detention centers is associated with racial resentment toward minorities. We discuss the implications and these findings for possible reform and political representation in the conclusion.

UNDERSTANDING SUPPORT FOR PRIVATIZING PUNISHMENT

Our goal is to improve our understanding of the determinants of public support for private prisons and detention facilities. In this section, we present four theoretical accounts that may help explain public attitudes on an issue that is rapidly changing the face of the U.S. criminal justice system.

“RACIAL ANIMUS” THEORY

Racial animus theory suggests that racial prejudices are responsible for the support of new criminal justice institutions. Numerous scholars have documented the complex connections between racial conflict and criminal justice policies in America (Alexander, 2012; Tonry, 1995; Weaver, 2007). Other scholarship shows that the enactment of new forms of punitive anticrime policies is rooted in racial prejudices, conflict, and a desire for social control of minority populations (Hurwitz and Peffley, 2005; Pickett and Chiricos, 2012; Unnever and Cullen, 2010). Moreover, the connection between racial animus and the criminal justice system is not limited to the enactment of punitive policies but to the development of new institutions that fundamentally reorganize the way the system is used to keep racial minority populations subordinate and fragmented (Alexander, 2012; Garland, 2001).

Similarly, scholars have documented the myriad ways that racial animus shapes public support for restrictive immigration policies (Burns and Gimpel, 2000; Kinder and Kam, 2009). People that harbor animosity toward Latino/a or other minority groups are opposed to immigration because any racial, ethnic, or cultural out-group creates feelings of resentment and threat among national populations (Sniderman et al., 2000; Sniderman, Hagendoorn, and Prior, 2004). This resentment leads to support for restrictions on amnesty and citizenship, while increasing support for immigrant detention and

deportation. Racial animus theory predicts that beliefs about race (e.g., racial resentment, negative stereotypes, and ethnocentrism) should be associated with approval of the expansion of both private prisons and private immigration detention centers. Study findings show that people are more likely to assume the race of a criminal suspect as African American (Gilliam and Iyengar, 2000) and the race of an unknown immigrant as Latino/a (Valentino, Brader, and Jardina, 2013). Thus, it is not a far leap to assume that many people will likely view private carceral institutions as facilities that incarcerate large numbers of members from these racial groups. People that resent these groups should be more likely to support these institutions as alternative forms of incarceration. As Hallett (2006: 107–8) stated, “private prisons reveal truths about our culture and social system that have little to do with crime control, but have much to do, instead, with the often racist and exploitative character of our capitalistic economic system.” In other words, the privatization of prisons reflects a mixture of racial animus and a desire to profit from those society views as racially inferior. Thus, the move toward private carceral institutions may be, in essence, a substitute for how society inflicts punishment on those it dislikes and wants to exploit.

“BUSINESS IS BETTER” THEORY

Despite a historical legacy of using private contractors to oversee the punishment of criminals, racial minorities, and immigrants (Garland, 1990; Schneider, 1999), the practice was almost eradicated as a result of the perception that the administration of punishment should only be done by the government on behalf of society (Morris and Rothman, 1995). Durkheim’s theory of punishment, for instance, argues that because crime attacks a society’s beliefs and morals of right and wrong, it is only the state on behalf of society that can punish offenders (Burkhardt and Connor, 2015). In contrast to Durkheim’s view, private prisons reemerged in the 1980s as the war on drugs led to prison overcrowding and rising costs. They grew as part of a wave of sentiment that private companies operate more efficiently than the government does and could potentially save taxpayers money. These ideas were rooted in free-market theories and arguments that resources tend to move most efficiently when not constrained by government intervention or price-setting monopolies (e.g., Vickers and Yarrow, 1991).

Logan and Rausch (1985) provided an outline of this view concluding that commercial prisons offer a solution to the increasing costs associated with prison overcrowding and “taxpayer reluctance to bear the costs of new construction and added operational expenses.” They argued that public–private partnerships are advantageous to citizens because private firms are inherently more efficient than governments. Accordingly, companies operating in the private sector should keep costs low, and services high, to stay competitive in a free marketplace. Although the evidence does not necessarily support this argument (Lundahl et al., 2009; Perrone and Pratt, 2003; Pratt and Maahs, 1999), according to this view, private firms are believed to be more capable than the government of saving taxpayers money because they are more likely to be held accountable for their costs by stockholders. Given expectations of lower operating costs, and potential gains from economies of scale unavailable to some state governments, a straightforward prediction emerges: Citizens that believe in the “business is better” model should exhibit greater support for privatizing carceral institutions (Savas and Savas, 2000).

Yet, the hypothesized relationship between attitudes toward business efficiency and support for privatizing punishment is by no means conventional wisdom. It is uncertain

whether members of the mass public leverage their beliefs about the ability of private firms to operate more efficiently than government entities when forming their issue preferences—especially in terms of criminal justice attitudes. Research findings have shown a connection between a desire or association with fiscal conservatism (a desire for limited government) and support for the privatization of other government functions (Battaglio, 2009; Battaglio and Legge, 2009; Durant and Legge, 2001, 2002; Thompson and Elling, 2000). But it is unclear whether support for private carceral institutions is a result of a general political preference for limited government or of a specific belief that private companies can operate more efficiently than governments. Moreover, what might seem like an obvious connection between the belief that private firms operate more efficiently than governments, the growing empirical evidence that private carceral institutions do not save money, might nullify the importance of this belief in structuring public opinion on this topic (see Lundahl et al., 2009; Perrone and Pratt, 2003; Pratt and Maahs, 1999).

“CONFLICT OF INTEREST” THEORY

Opponents of private carceral institutions have expressed concern about the potential ethical problems of having private firms profiting from the incarceration and detention of others (Dolovich, 2005; Doty and Wheatley, 2013; Schwartz and Nurge, 2004). This conflict of interest thesis argues that since private firms lack credible oversight and public accountability, they are more likely than state institutions to experience corruption, poor living conditions for inmates, and human rights abuses. For instance, because private carceral institutions profit on a per-prisoner basis, private firms have a monetary incentive to lobby for legislation that would lead to incarceration and maintain occupancy rates (Price and Riccucci, 2005). Ramirez (2015) reported on several instances where private prisons were found to have illegally engaged in activities such as bribing judges in return for imposing longer prison sentences and providing unreported payments to public officials in return for approving the construction of new private prison facilities. Schneider (1999) also documented concerns that private carceral institutions might be more likely than public facilities to engage in activities that inhibit the early release of inmates in order to maintain occupancy rates.

The salience of private companies putting profits ahead of the public’s interests within the debate regarding the privatization of carceral institutions might make perceived monetary incentives an important consideration in people’s preferences on this issue. This process could be top-down where citizens pick up on elite debate regarding the potentially ethical considerations of profiting from prisoners and detainees, or it could be a bottom-up process where citizens can draw on the intuition that creating a profit incentive to incarcerate individuals might lead to perverse incentives. Regardless of the mechanism, uncovering a connection between such concerns and public opinion toward private prisons and immigration detention centers would distinguish public opinion toward privatization in this domain from opinion toward the privatization of other noncoercive government functions.

“PROBLEM-ESCALATION” THEORY

Another prominent explanation of public support for carceral institutions is “problem-escalation” theory. Problem-escalation theory argues that citizens support carceral

institutions because they perceive crime and immigration, “problems” many view as connected, are increasing (Callanan, 2005; Wilson, 1975; Zimmerman, 2004).⁷ As these “problems” increase, people become more concerned about the potential disruption to their way of life. Consistent with this view, Enns (2016) showed that beginning in the 1960s, as the crime rate increased, news coverage of crime increased, leading to more punitive public attitudes. Problem-escalation theory predicts that increases in crime and/or immigration should increase support for new solutions to these problems (Monogan, 2013; Wilson, 1975). It also predicts those who fear for their security, and lack faith in governing institutions to solve these problems, would also be supportive of new criminal justice institutions that replace the status quo. Private carceral institutions could be favored, either as a substitute for public facilities or as a complement to public facilities, as current policies are viewed as ineffective.

One reason why citizens might prefer new approaches such as private carceral institutions, rather than rely on the status quo, is because people perceive failing institutions as the reason why the problem flourishes. This view is advocated by Simon (2007: 155) who argued that “the ethos of fear of crime and mistrust of governing institutions has fueled the logic of mass imprisonment.” Americans saw the liberal criminal justice policies of the early 1960s as a failure of governance leading to the growth in new, mostly punitive, crime control policies. As Americans became less trusting of rehabilitative and treatment policies, as well as of governing institutions, citizens became more fearful of the crime problem and more supportive of new, typically tougher, solutions to the problem (Simon, 2007). Zimring (2008), however, argued that the relationship between trust and support for new criminal justice policies and institutions is reversed with those more trusting in governing institutions more willing to grant those in power more authority. This may mean expanding the authority of the governing institution by allowing it to contract out to private firms as agents. Consistent with this argument, Rudolph and Popp (2009) found that, among liberals, approval of government is associated with endorsing the privatization of social security.

WHAT DRIVES PUBLIC SUPPORT FOR PRIVATIZING PUNISHMENT?

The data used to test these theories rely on a matched stratified sample of 1,000 respondents from the 2014 CCES, a nationally representative election study conducted by YouGov/Polimetrix on behalf of a consortium of scholars. YouGov/Polimetrix draws a simple random sample from the target population (the U.S. adult population) that is a true population sample. It then matches each respondent in the random sample to members of its opt-in Internet panel of more than 5 million people using proximity matching methods.⁸ This allows YouGov/Polimetrix to create multiple matched samples that are each similar on a range of observable characteristics to the target sample and therefore

7. The view that immigration is a “problem” is clearly subjective since immigration can have positive social and economic impacts.

8. Proximity matching uses a distance function to describe how similar a respondent in the target sample is to a potential respondent in the opt-in panel. The overall distance between a respondent in the target sample and a potential respondent in the opt-in sample is a weighted sum of the individual distance functions on various attributes (e.g., demographics and political preferences).

representative of the target population (see Vavreck and Rivers, 2008). Panelists are both recruited into the panel and subsequently selected to participate in the matched sample to address the potential problems of self-selection and panel effects (e.g., panelists are not polled repeatedly). Once the survey is complete, the final data are statistically weighted to the national profile of all adults aged 18+ (including people without Internet access). The findings from a recent Pew Research Center study showed that YouGov surveys (which conduct the CCES) consistently perform extremely well on a variety of metrics (Rivers, 2016) and the CCES has become an important resource for those studying attitudes in the United States (e.g., Ansolabehere and Rivers, 2013; Hare et al., 2015).

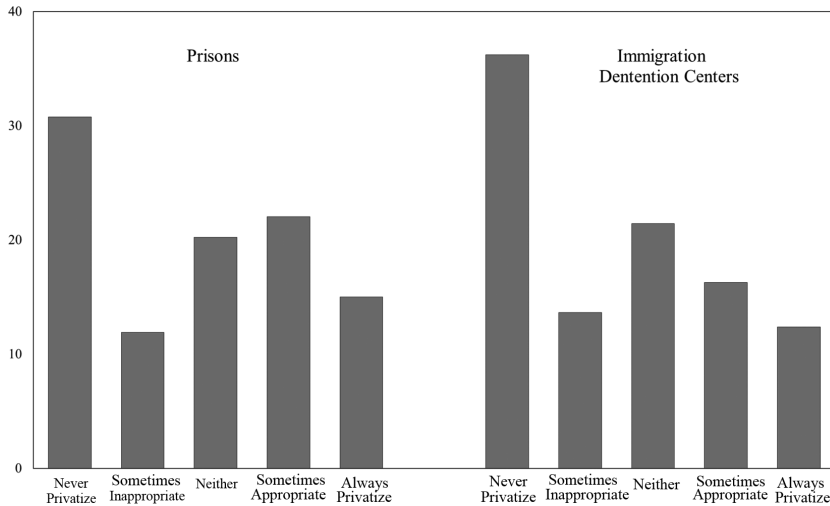
DEPENDENT VARIABLES

We analyze two dependent variables to measure the degree that the public approves of private carceral institutions. The first variable is a question asking respondents whether they approve of private prisons. The second variable is a question asking respondents whether they approve of private immigration detention centers. The term “privatization” was avoided in each question to minimize confusion among respondents unfamiliar with the term. Instead, the issue was described in detail using simple terms to elicit more meaningful opinions among respondents. The question preface read as follows: “Here are some state and local [federal] government services or functions that sometimes might be contracted out to private companies, or to other nongovernmental organizations. For each service, please rate how appropriate you think it is for that service to be provided by private organizations . . . [the operation of prisons, the detention of illegal immigrants].” Response options were randomized across respondents. Respondents rated each of these services on a five-point Likert scale ranging from “very appropriate/should always be provided by private companies,” to “sometimes appropriate,” to “neither appropriate or inappropriate,” to “sometimes inappropriate,” to “very inappropriate/should never be provided by private companies.” Higher values indicate greater support for the privatization of carceral institutions.

The left side of figure 1 shows that 41 percent of respondents find the use of private prisons either sometimes or very inappropriate, whereas 36 percent find them either sometimes or very appropriate. We find a similar distribution in regard to support for private immigration detention centers. The right side of figure 1 shows that 51 percent of respondents find private detention centers sometimes or very inappropriate, whereas 28 percent find them sometimes or very appropriate. Although there is a positive correlation between supports for privatizing these institutions (the Spearman rho correlation between support for private prisons and support for private immigration detention centers is .51), a factor analysis with a polychoric correlation matrix for ordinal data fails to find a single latent factor (Eigenvalue = .94). Therefore, these items are analyzed separately.

There is some concern that many respondents might not provide meaningful responses to these questions given the low salience of privatization. Therefore, we allowed respondents to not answer the question rather than imposing a forced choice, which would accentuate the measure with random error. Eight or .08 percent of respondents chose not to provide a response in regard to private prisons, and 6 or .06 percent of respondents chose not to provide a response to the question about immigration detention centers. In addition, we provided respondents with the option to choose a middle response indicating that they find privatizing these institutions neither appropriate nor inappropriate.

Figure 1. The Distribution of Public Support for Privatizing Carceral Institutions.



We find that 21 percent of respondents answered that they found privatizing prisons and immigration detention centers neither appropriate nor inappropriate. The relationship between selecting the middle response option on both questions is positive but not perfectly correlated ($\rho = .43$ or 12 percent of respondents chose the middle option on both questions). The selection of the middle response option could indicate uncertainty, ambivalence, or no real opinion on the issue. The inclusion of the middle option (as well as of the option to skip the question), therefore, increases our confidence that respondents choosing to support or oppose the privatization of carceral institutions are offering a genuine opinion. Moreover, a substantial majority of respondents (79 percent) are willing to express a directional opinion (i.e., indicating privatization is appropriate or inappropriate) on both issues, and these responses are structured in theoretically predictable ways. Purely nonattitudes would not be predictable by the pragmatic concerns in the manner we hypothesize. Nevertheless, we reach similar conclusions to those reported here when the analysis is conducted excluding respondents who chose the middle response option on each question (see the appendix in the online supporting information).⁹

MEASURES OF EXPLANATORY VARIABLES

Racial animus theory is tested using a measure of symbolic racial resentment. The scale in this research mirrors the scales constructed in past research on modern or symbolic racism (Henry and Sears, 2002; Kinder and Sanders, 1996) except that it contains two items measuring resentment toward African Americans and two items measuring resentment toward Latinos. Allowing racial resentment to vary across these groups is important

9. Additional supporting information can be found in the listing for this article in the Wiley Online Library at <http://onlinelibrary.wiley.com/doi/10.1111/crim.2018.56.issue-3/issuetoc>.

because we are interested in the relationship between racial resentment and support for both prisons and immigration detention centers, which disproportionately affect African Americans and Latinos, respectively. The *racial resentment* scale was constructed by combining responses to the following four statements: 1) “Irish, Italians, Jewish, and many other minorities overcame prejudice and worked their way up. Blacks should do the same without any special favors.” 2) “Generations of slavery and discrimination have created conditions that make it difficult for Blacks to work their way out of the lower class.” 3) “The Irish, Italians, Jews and many other ethnic groups immigrated to the United States legally. Latinos and Hispanics should do the same without any special favors.” 4) “Latinos and Hispanics would be more welcome in the United States if they would try harder to learn English and adopt U.S. customs like past immigrant groups have done.” Response options to these questions range from “strongly agree,” to “somewhat agree,” to “neither agree or disagree,” to “somewhat disagree,” to “strongly disagree.” Cronbach’s alpha reliability coefficient for the racial resentment scale is .79. An unrotated factor analysis with a polychoric correlation matrix for ordinal response options shows these items represent a single latent factor (Eigenvalue = 2.27). This is consistent with Kinder and Kam (2009) who find that opposition to race-coded policies is not group specific but a result of a generalized dislike for out-groups. Higher values on the variable indicate greater resentment toward these minority groups (mean = 3.63, standard deviation [SD] = 1.10).

To test “business is better” theory, we use a measure of each respondent’s belief in the relative efficiency of private companies in comparison to the government. We create a belief in *corporate efficiency* variable derived from a question asking respondents, “In general, do you feel that hiring private companies to provide government functions and services is likely to save the government money or cost the government money?” Higher values indicate a belief that private firms are more efficient than the government. We also control for each respondent’s general sentiment toward free-market principles or, more specifically, a preference for fiscal conservatism. The *fiscal conservatism* variable is taken from a question asking respondents whether they prefer Congress to “balance the budget” by either “cutting spending” or “raising taxes to cover the deficit.” Higher values represent a preference for cutting spending (78 percent of respondents) over raising taxes (22 percent of respondents). A preference to balance the budget by reductions in spending is taken as a preference for fiscal conservatism. These separate measures provide a means to test whether support for privatization derives from a belief that private industries are more efficient than the government or a principled desire to cut government spending. The belief that private companies can operate more efficiently than the government is not associated with a desire for fiscal conservatism ($r = .05$) and is weakly associated with ideological self-identification ($r = .29$). The low correlation is consistent with the argument that the corporate efficiency measure is capturing a unique belief about the relative efficiency of the private-to-public sphere.

Support for private carceral institutions might also increase when people perceive a bleak economy because privatization is a means to combat budgetary woes associated with losses of economic revenue. A variable for each respondent’s perception of the national economy was created using responses to the question, “Would you say that over the next year, you think the nation’s economy will get much better, get somewhat better, stay about the same, get somewhat worse, or get much worse?” Higher values on the variable

represent a perception that the economy is getting much better and form the *economic sentiment* variable (mean = 2.92, SD = .97).

To test “conflict of interest” theory, we examine the relationship between support for privatization of carceral institutions and the belief that private firms are mainly motivated by profits. Impressions of how well private firms are conflicted in serving the public’s interests is measured by response to the question, “Please indicate if you think members of each of the following organizations are motivated more by serving the public’s interests or by money and personal benefits. [Private Companies]?” Responses to this question form the *corporate motivation* variable. Less than 10 percent of respondents believe private firms are motivated to serve the public’s interest, 42 percent believe private firms are motivated entirely or mostly by profits, and 39 percent believe private firms are motivated by both. Higher values on the variable indicate a belief that corporations are motivated by profits over the benefit of society.

Given the substantial amount of lobbying by the private prison industry, we also control for the belief that private carceral corporations influence the policy-making process by asking, “Private companies often work with policy-makers to shape public policy. Please rate how much influence you feel each of the following groups or organizations has in shaping public policy [Companies that own and operate prisons]?” It is noteworthy that 24 percent responded “a great deal of influence,” 46 percent responded “some influence,” 21 percent responded “very little influence,” and 9 percent responded “no influence at all?” Thus, an estimated 30 percent of the public is either unaware of the extent of the lobbying conducted by the prison industry or simply does not believe that such lobbying influences public policy. Responses to this question form the *corporate influence* variable where higher values indicate a belief that private firms in the business of incarceration influence public policy.

Problem-escalation theory is tested with measures of state-level crime rate and unauthorized immigration estimates. The *violent crime rate* variable is the violent crime rate in each respondent’s state. These data were obtained from Table 5 of the Federal Bureau of Investigation’s *Uniform Crime Report*. The *unauthorized immigration* variable is the logged number of unauthorized immigrants within each state. These data were obtained from the Migration Policy Institute’s State Immigration Data Profiles. The focus is on unauthorized immigration as the goal of private detention facilities is to detain unauthorized immigrants rather than foreign-born U.S. citizens.

Because people may not accurately perceive real-world conditions (and state indicators are coarse measures of concern for crime and immigration), the model also includes a measure of each respondent’s subjective need for security and safety. The *need for security* variable was created from responses to the question, “Please rate how important each of the following goals is to you as a guiding principle in YOUR life . . . family security (safety of loved ones)?” Response options were “very unimportant” (7 percent), “unimportant” (1 percent), “neither important or unimportant” (4 percent), “important” (18 percent), and “very important” (70 percent). Higher values on the variable reflect a greater desire for the security of one’s life and family.

Problem-escalation theory also suggests that support for new carceral institutions could derive from a lack of faith in existing institutions. In contrast, Rudolph and Popp (2009) showed that trust in government institutions is associated with a greater willingness to risk (or trust) the transference of power to private firms. We test both propositions using a measure of *approval of government* institutions created by combining responses to

Table 1. Descriptive Statistics of Model Predictors

Variable	Mean	Standard Deviation	Range	N
Gender	.46	.49	0–1	999
Education	3.58	1.49	1–6	999
Age	50	16	18–86	999
Public employee	.11	.32	0–1	999
Immigrant	.07	.26	0–1	999
Religious conservatism	.28	.44	0–1	998
Religiosity	.64	.47	0–1	999
Democrat	.35	.47	0–1	998
Republican	.22	.41	0–1	998
Ideology	4.23	1.72	1–7	995
Fiscal conservatism	.77	.41	0–1	987
Economic sentiment	2.92	.97	1–5	977
Approval of government	2.36	.87	1–5	998
Racial resentment	3.63	1.01	1–5	881
Corporate efficiency	.50	.42	0–1	995
Corporate motivation	3.81	1.04	1–5	990
Corporate influence	2.85	.87	1–5	991
Need for security	4.45	1.09	1–5	993
Violent crime rate	375	121	99–1244	999
Immigration rate	12.13	2.68	–4–15	999

NOTE: Data are from the 2014 CCES except for the violent crime rate and the logged value of the unauthorized state immigration rate.

the following question battery: “Do you approve of the way each is doing their job... [President Obama, the U.S. Congress, The U.S. Supreme Court, The Governor of [Insert State Name] state, the [Insert State Name] State Legislature. Strongly approve, somewhat approve, somewhat disapprove, or strongly disapprove?” Cronbach’s alpha for the scale is .74. Higher values indicate greater approval of government institutions (mean = 2.36, SD = .87).

The models also control for factors shown to influence support for criminal justice policies and the privatization of other government functions and services. These include various respondent characteristics: a binary variable for *race* (White = 1), a binary variable for *gender* (male = 1), *family income* (ordered categories), *education* (ordered categories), *age in decades* (ordered categories), political *ideology* (1 = very liberal to 7 = very conservative), and partisanship (a binary variable indicating whether the respondent is a *Democrat* and a binary variable indicating whether the respondent is a *Republican*). The models also contain a binary variable indicating whether the respondent is a *public employee* (1 = public employee) coded from an open-ended question asking respondents to state their occupation. This measure is included because public employees may be more likely to oppose the privatization of services related to their own employment, that is, act out of self-interest against the privatization of public agencies. Researchers have also found that conservative religious beliefs and religiosity are, sometimes, associated with support for criminal justice institutions and punitiveness (Unnever and Cullen, 2010). To control for conservative-based religious beliefs, the models include a binary variable indicating whether the respondent identifies as a *religious conservative* Christian (1 = born again). *Religiosity* is measured with a binary variable indicating whether religion is important in the respondent’s life (1 = important). Finally, we include a binary variable indicating whether the respondent is a recent *immigrant* (citizen or noncitizen) because

Table 2. Estimation of Public Support for Privatizing Carceral Institutions

Variable	Private Prisons	Standard Error	Immigration Detention Centers	Standard Error
Gender (male = 1)	-.28	(.18)	-.07	(.17)
Race (White = 1)	-.58*	(.24)	-.22	(.21)
Age (in decades)	-.07	(.06)	-.15*	(.06)
Education	.00	(.06)	-.08	(.06)
Family income	-.00	(.00)	.00	(.00)
Public employee	-.11	(.24)	.11	(.21)
Immigrant	-.16	(.35)	-.10	(.36)
Religious conservative	-.07	(.21)	-.18	(.22)
Religiosity	.02	(.22)	.20	(.18)
Democrat	.24	(.25)	.15	(.24)
Republican	.55*	(.22)	-.11	(.22)
Ideology	-.00	(.07)	.00	(.07)
Fiscal conservatism	.15	(.24)	.30	(.22)
Economic sentiment	-.24*	(.12)	-.22*	(.11)
Approval of government	.06	(.11)	.05	(.12)
Racial resentment	.27*	(.12)	.30*	(.11)
Corporate efficiency	.79*	(.24)	.52*	(.23)
Corporate motivation	-.43*	(.11)	-.67*	(.10)
Corporate influence	.26*	(.11)	.06	(.11)
Need for security	.03	(.08)	.07	(.08)
Violent crime rate	.00	(.00)	.00	(.00)
Immigration rate			-.03	(.03)
Constant 1	-1.26	(1.25)	-2.44	(1.27)
Constant 2	-.65	(1.26)	-1.70	(1.26)
Constant 3	.28	(1.27)	-.67	(1.26)
Constant 4	1.72	(1.26)	.40	(1.26)
Pseudo R^2	.22		.20	
BIC	2,549		2,483	
N	826		827	

NOTES: Coefficients are estimates from an ordered logit model with standard errors in parentheses. The mean VIF is 1.26 in model 1 and 1.25 in model 2. Both test statistics are consistent with the absence of multicollinearity. All analyses include weights from the CCES survey.

ABBREVIATIONS: BIC = Bayesian information criterion; VIF = variance inflation factor.

* $p < .05$ (two-tailed test).

immigrants are commonly incarcerated in both types of penal institutions. Descriptive statistics are shown in table 1.

ESTIMATION AND RESULTS

Support for the privatization of prisons and the privatization of immigration detention centers are estimated separately using an ordinal logistic regression. These results are shown in table 2. Although this estimation strategy does not provide causal estimates, it reasonably assumes respondents did not form their opinion about privatizing carceral institutions and then use those preferences to decide their religious beliefs, partisan political affiliations, beliefs about private corporations, their desire for fiscal conservatism, and socioeconomic status. We also report the change in the predicted probability of finding private prisons “appropriate” as each predictor moves from its minimum to maximum

variable, holding all other predictors at their central tendency. These predicted probability estimates are shown in figure 2.

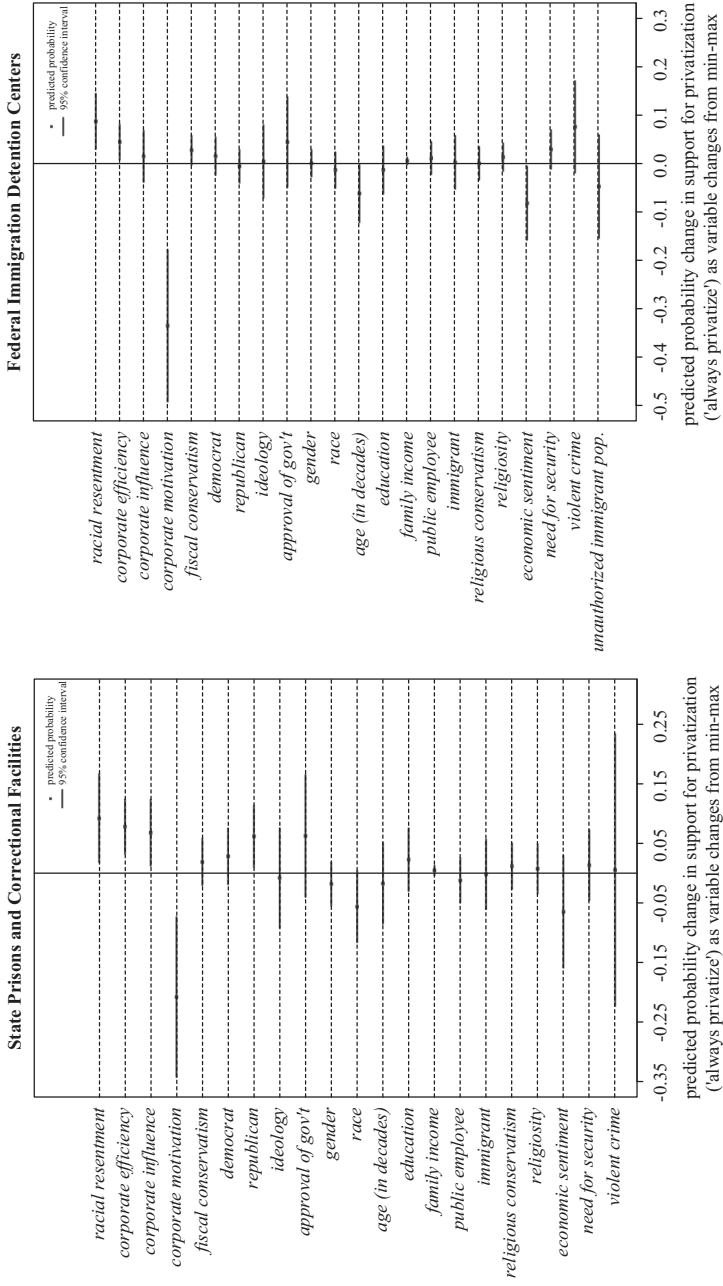
The hypothesis tests for racial animus theory are supported by the data. The predicted probability estimates for the racial resentment variable are positive and statistically significant, indicating that respondents harboring animosity toward minorities are more likely to support the privatization of these criminal justice institutions. The top row of figure 2 shows the predicted probability of responding that the privatization of prisons is appropriate increases by 8 percentage points as racial resentment changes from its minimum value of no resentment to its maximum value of high resentment. A similar shift in the racial resentment variable is associated with an 8-percentage-point increase in responding that the privatization of immigration detention centers is appropriate. The evidence that racial resentment corresponds with support for the privatization of prisons and immigration detention centers is consistent with the view that these institutions reflect a desire to exert new forms of social control over racial minorities. We also examined whether racial resentment is associated with support for the privatization of noncoercive government services (e.g., trash and road construction). Racial resentment does not predict support for privatization of these other domains suggesting racial resentment is not related to privatization but to the privatization of prisons. Past research suggests, however, that respondents harboring racial resentment are more likely to be in favor of all types of penal institutions, private or public.

The results are also consistent with business is better theory, positing that people who believe private companies can perform more efficiently than the government are more supportive of privatizing services traditionally in the public sphere. The corporate efficiency variable is positive and statistically significant in both models. The predicted probability of finding the privatization of prisons appropriate increases by 6 percentage points as the corporate efficiency variable moves from its minimum value (government is more efficient) to its maximum value (private companies are more efficient). A similar shift in the corporate efficiency variable is associated with a 4-percentage-point increase in responding that the privatization of immigration detention centers is appropriate.

A belief in fiscal conservatism shows a positive, but statistically insignificant, relationship with support for the privatization of prisons and the privatization of immigration detention centers. The predicted probability estimates are in the expected direction with people who value lowering government budgets more supportive of privatization, but the effect size is indistinguishable from zero. The lack of statistical significance of the fiscal conservatism variable does not seem to be a result of collinearity with the corporate efficiency variable, and removing the latter from the model does not alter the statistical significance of the fiscal conservative estimates.

There is also support for conflict of interest theory with opposition to privatization related to a belief that corporations are motivated by profits at the expense of the public's interest. A minimum (a belief that private companies are motivated by improving the welfare of society) to a maximum (a belief that private companies are solely motivated by profits) shift in the corporate motivation variable is associated with a 19-percentage-point decrease in responding that the privatization of prisons is appropriate. A similar shift in the corporate motivation variable is associated with a 33-percentage-point decrease in responding that the privatization of immigration detention centers is appropriate. Thus, we find that the belief that private companies are mostly concerned with profits has a strong effect on support for the privatization of prisons and immigration detention centers.

Figure 2. Predicted Probability Estimates of Support for Privatizing Carceral Institutions.



The relationship between perceptions of corporate influence and support for private carceral institutions is less clear. The coefficient is statistically significant only in the private prisons model, and there the coefficient sign is in the opposite direction than expected. As the belief corporations influence public policy moves from no influence to a lot of influence, the predicted probability of supporting the privatization of prisons increases by 6 percentage points. It might be the case that asking people about corporate influence in politics results in responses that reflect more on people's beliefs about the corruptibility of government than on anything nefarious about corporations. Indeed, we do find a negative relationship between approval of government and the belief that private firms influence policy-making. It is also possible the question wording in the CCES does not adequately capture the belief that corporate lobbying is normatively a bad thing for policy or that respondents did not equate working with policy makers as lobbying.

The results show no support for problem-escalation theory. Respondents who have a high need for security, that is, those who feel insecurity about their own safety and the safety of their loved ones, are no more likely to support the privatization of prisons and the privatization of immigration detention facilities than respondents who do not fear for their own security. State violent crime rates also fail to show a statistically significant relationship with support for the privatization of prisons and the privatization of immigration detention centers. These results may suggest that it is changes in the crime rate (Enns, 2016), not cross-sectional differences in crime rates, that matter most for punitive attitudes. Likewise, the number of unauthorized immigrants in a state fails to show a statistically significant relationship with support for the privatization of immigration detention centers. Of course, a more refined measurement of local crime, violence, and immigration might yield results in support of problem-escalation theory.

We also find that when the statistical model includes variables to account for the four theories of interest, the estimated relationships between support for privatization and various respondent demographics and beliefs are substantively small and imprecisely estimated. For instance, gender shows no relationship with support for privatizing prisons or detention centers. This result is contrary to the findings from existing research on public support for punitive institutions (see Ramirez, 2013: 352). Public-sector employment and immigrant status also fail to show a relationship with support for privatization, suggesting self-interest is not motivating these respondents to oppose institutions that can either take away their employment or put them behind bars. We do find that Whites appear less supportive of privatizing prison than do other racial minorities. This holds for when all other minorities are the baseline category as well as for when specific minorities (e.g., Blacks or Asians) are coded as the baseline category. The coefficient for Whites, however, fails to reach statistical significance when racial resentment is removed from the model suggesting that Whites' support for private prisons is primarily a result of racial resentment. Once racial resentment is controlled for among Whites, they become less supportive of privatizing prisons relative to other racial groups.

National economic perceptions have a negative and statistically significant relationship with support for privatizing prisons and immigration detention centers. Thus, we would expect respondents to become less willing to support privatization in positive economic periods and more willing to support privatization when they perceive bleak economic times.

Partisanship does not show a consistent relationship with opinions toward prison and detention privatization. The Republican variable is positive and statistically significant in the private prisons model. This means Republicans are more likely than Independents, third-party supporters, and nonpartisans to support privatizing prisons. Republican party affiliation, however, does not correspond with support for private immigration detention centers. An affiliation with the Democrat Party shows no relationship with support for either type of carceral institution. Ideological self-identification fails to show a relationship with support for the privatization of prisons and support for the privatization of immigration detention centers. We also estimated the models looking for interactions between partisanship and ideology with the racial resentment, corporate efficiency, and corporate motivation variables. An interaction between these variables failed to uncover any statistically significant differences between Republicans and Democrats or liberals and conservatives. This offers further support for the conclusion that these identities did not structure support for private prisons or immigration centers.

The lack of a consistent relationship between these core political identities and support for privatization is somewhat surprising given the prominence of partisanship and ideology in structuring policy preferences. It may be the case that the lack of attention to privatization among most party elite means that citizens are failing to find a clear signal on party or ideological positions regarding this issue. This might lead citizens to look beyond these cues when forming their beliefs on this issue turning toward other considerations, as outlined earlier. Whereas in previous research, public opinion toward the privatization of government services in other domains has been discussed in terms of partisanship and ideology (Battaglio, 2009; Battaglio and Legge, 2009; Thompson and Elling, 2000), we fail to find consistent divisions in support between Democrats and Republicans and liberals and conservatives.

DISCUSSION AND CONCLUSION

In his first 100 days in office, President Donald Trump's Department of Justice reopened the door to companies that profit on the incarceration of people. The Department of Justice rescinded a policy drafted by the Obama administration calling for the end of private incarceration facilities for federal inmates. The Trump policy team also informed the Department of Homeland Security that it would need to increase substantially its capacity to hold immigrant detainees (Bennett, 2017). And even though states like Minnesota have rejected lobbying efforts to reopen their private prison facilities, in some states that have large private prisons populations, local governments (such as in Mesa, Arizona) are also beginning to consider the use of private prisons.

Through this research, we offer several advancements to the scholarly literature by examining public opinion on this evolving issue. Our first contribution is to show where the public stands on the privatization of punishment. We find that the public is divided on this issue, although the modal category of opinion toward the privatization of carceral institutions is that these institutions should "never" be privatized. Thus, the current rise in privatized carceral institutions (including the decision by the Trump administration to increase their use) is out of step with the opinion of the modal American. Representation, however, does not necessarily mean government responds to the modal opinion. At the national level, politicians may see a divided opinion among supporters, opponents, and those that feel neutral toward the issue, allowing them leeway to cater to the wishes of

interest groups and their core constituencies. Or it may be that opinion *change*, not the *level*, of opinion matters (Baumgartner, De Boef, and Boydston, 2008; Enns, 2014, 2016; Nicholson-Crotty, Peterson, and Ramirez, 2009). Furthermore, the commodification of incarceration may be a less salient issue for the public, which would allow politicians to continue increasing the privatization of these institutions without fearing major electoral consequences. If so, this would suggest that the influence of public opinion may vary *across* criminal justice issues, with less (or no) responsiveness on issues like privatization and more responsiveness to more salient issues like the death penalty (e.g., Baumgartner, De Boef, and Boydston, 2008). It may also be that the Trump administration is simply out of step with the public's preferences.

Yet, there is evidence at the state level that when state populations oppose the privatization of carceral institutions, policy makers listen (Burkhardt, 2016; Jing, 2005; Kim and Price, 2012; Nicholson-Crotty, 2004; Price, 2002). This seems to be the case in states such as Minnesota where despite heavy interest group pressure, the state has failed to recontract with private prison companies ever since voters there have been vocal in opposition and have elected public officials that share their views (Cohen, 2016). In areas where the public elects politicians favorable to privatization (e.g., Arizona), those politicians have the leeway to work with interest groups supportive of privatization without fear of electoral retribution. States such as Arizona and Minnesota both have budget concerns, high prison costs, interest group pressure from private prison companies, and some politicians favorable to privatization. A key difference in these states is the liberal nature of Minnesota voters and the conservative inclinations of voters in Arizona (Kim and Price, 2012; Nicholson-Crotty, 2004). This does not mean that policy makers look at public opinion polls when formulating policy. The lack of such polls on this issue is one reason this study is important. Instead, policy makers should have a general sense of their constituent preferences (e.g., do voters tend to support limited government and punitive policies), allowing them to anticipate public support, public acquiescence, or public blowback (Stimson, 1991; Tonry, 1995: 34–5). Further research of comparative state systems is one way future scholars can uncover the extent that privatization policies reflect state public opinion using more direct measures of public support for privatized carceral institutions. Although we would expect such research to find that factors such as budgeting and organized interest influence matter for privatization decisions, it may be that public attitudes also matter, just as they do for death penalty sentences, state corrections expenditures, and incarceration rates (e.g., Baumgartner, De Boef, and Boydston, 2008; Enns, 2016).

Even if readers are skeptical that public opinion constrains policy, examining the distribution and etiology of support is important because it sheds light on the ability to alter mass opinions on this issue (which could shift the policy dynamics on this issue away from interest group dominance). Approximately 21 percent of respondents felt privatizing prisons and immigration detention centers was neither appropriate nor inappropriate. This means some segments of the public could be potentially swayed to either support or oppose privatizing these institutions, thereby creating a sizable social movement that could lead to either more private carceral facilities or reform. Moving Americans from a middling position should be aided by understanding why people oppose or support privatizing prisons and detention centers, which is the second major contribution of this study.

Who favors private prison and immigration detention centers? Our findings point to a theme common in the study of punitive politics. People that harbor greater resentment

toward racial minorities are more likely to support private carceral institutions. Although there are many reasons that racial animus and punitive policy preferences are connected in the United States (e.g., social dominance and group conflict), the findings are consistent with arguments suggesting those who hold animosity toward minorities are usually supportive of new and alternative forms of social control (Alexander, 2012; Tonry, 1995). We do not believe those high in racial animus are necessarily more supportive of private institutions relative to public ones. Instead, people who resent minorities are likely to view private carceral institutions as another form of punishment; that is, public and private prisons are near-perfect substitutes for those that hold racial animosity toward minorities. Support for alternative forms of social control does not necessarily imply that people are willing to give up old forms as well.

Also important is the finding that, for the general public, opinion toward the privatization of carceral institutions is not simply a mirror image of opinion toward other criminal justice institutions. Our findings diverge from the literature on criminal justice attitudes in several important ways, suggesting opinions toward privatizing carceral institutions are somewhat distinct from punitive attitudes. The results show beliefs about the motivation of private companies are a relevant consideration in making judgments about private firms operating prisons and detention centers. Private carceral institutions have been criticized because some people find profiting on the misfortunes of other people unethical. In a recent article, the Editorial Board of the *New York Times* (2017: para. 6) expressed this view, stating “the whole idea of privatized incarceration is morally repugnant. Imprisoning people should never be entrusted to those whose primary concern is profit and shareholder return.” We show that citizens are hesitant to transfer authority over carceral institutions to private companies if they feel those organizations are simply in business to profit. Such concerns may be less salient when thinking about public institutions.

Our findings also diverge from the existing literature on public support for punishment by showing a relationship between beliefs about private firms being able to operate more efficiently than the government. The financial costs of prisons have traditionally not been an important predictor of public support for prisons and other forms of punishment (e.g., Beckett, 1997). People are generally willing to pay the high costs of mass incarceration, and other forms of punishment, to feel more secure in their daily life even if such calculations are less than rational. The findings here suggest financial costs can play a role. We think this is partly because people view private and public facilities as equally effective. Proponents of privatization have long held that private companies can save the government money by operating at a lower operating cost with the same quality of services as a result of free-market competition. We find evidence that those who share the belief that private firms can operate at a lower cost than the government are more likely to support both private carceral institutions.

The descriptive findings noted earlier showed a somewhat divided public on this issue. Surprisingly, this division is not along the typical partisan or ideological cleavages found on other criminal justice issues. We did not find a strong and consistent relationship between partisan identification and political ideology and support for private carceral institutions. Although citizen ideology at the state level correlates with state adoption of private prisons (e.g., Burkhardt, 2016; Nicholson-Crotty, 2004), this does not necessarily mean citizens structure their opinions toward privatization in their ideology. Instead, it is possible that legislators anticipate public opinion on the issue from broad estimates of citizen ideology (which is related to some variables in this study such as corporate

efficiency) or that legislators use citizen ideology in the aggregate to make inferences about the public's demand for privatization of carceral institutions. The results of this research would suggest that assuming ideology reflects privatization preferences could result in a disconnect between public opinion and policy since we find little evidence that ideology reflects privatization preferences in this domain.

The lack of a consistent relationship between partisanship, ideology, and support for privatization is not surprising given that study findings suggest that partisan and ideological cleavages at the elite level (among elected officials) are necessary to observe similar differences among the mass public (Brewer, 2005). Although there seems to be a left-right partisan split among *some* elected officials on this issue, the low visibility of the issue, and the lack of a true partisan cleavage among elites (see Dagan and Teles, 2015), might be responsible for the minimal partisan effect in structuring opinion regarding the privatization of prisons and immigration detention centers. Thus, we suggest that the visibility of an issue along with the parties taking distinct positions on the issue is an important condition for the top-down partisan cue taking. It is possible that the new signaling by the Trump administration, which directly contrasts with the Obama White House and both Democratic candidates for president (Hillary R. Clinton and Bernie Sanders both opposed private prisons), might lead to greater polarized attitudes than found here. By contrast, if Republican activists and elites start signaling greater opposition to such facilities in line with opposition among some Democrats (Dagan and Teles, 2015), the position of the Trump administration may have limited sway on the mass public. Our research findings suggest that whichever outcome happens could have major implications for the structure of public support for the privatization of prisons.

Although we offer critical insights on public support for privatizing punishment, because this is the first study of its kind, our results also raise numerous questions and avenues for future research to explore. First, scholars can test our assertions regarding the salience of criminal justice issues and the degree that policy makers (directly or indirectly) respond to public opinion. Comparative state studies seem to be the ideal design for this type of research because they allow for variation on the variables such as criminal justice policy subsystems and voter preferences. Second, future research could be aimed at further exploring the extent people view privatization as a policy substitute for state and federal prisons. Although we show there are factors that uniquely predict support for private carceral institutions that have been shown not to matter in opinions toward other forms of punishment (i.e., beliefs about corporations), we also find factors that relate to support for private carceral institutions that predict support for other forms of punishment. Understanding how much of the support for private prisons derives from general attitudes toward punishment versus these beliefs about business is a fruitful opportunity for future research. Examining how general punitiveness influences support for privatization can also help illuminate how privatization relates to both broader reform movements and specific forms of sentencing alternatives. Related, it is unclear how much the commodification of carceral institutions has shaped how citizens think about other criminal justice policies (e.g., justice reinvestment). The private prison debate has potentially interjected concerns about costs and who should administer justice in public discussions of other criminal justice policies. For instance, do debates over who should administer justice also apply to the administration of treatment and rehabilitative programs? How much has the debate over private carceral institutions spilled into other avenues of criminal justice policy that could further illustrate the interconnectedness

of these policy systems? Thus, we view this study as an important first step toward understanding public attitudes—and their potential influence—on the evolving nature of U.S. criminal justice policy.

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SUPPORTING INFORMATION

Additional Supporting Information may be found in the online version of this article at the publisher's web site:

Table A1. Comparison of 2014 Cooperative Congressional Election Study (CCES) to the U.S. Census Population and the General Social Survey

Table A2. Bivariate Correlations of Key Predictors of Support for Private Carceral Institutions

Table A3. Stepwise Estimation of Public Support for Private Prisons

Table A4. Stepwise Estimation of Public Support for Private Immigration Detention Centers

Table A5. Estimating Decision to Choose Middle Response Option

Table A6. Estimation of Public Support for Privatizing Carceral Institutions (Middle-Responses Removed)

Table A7. Testing for Systematic Sources of Post-Election Response Drop-off

Table A8. Estimates of Public Support for Privatizing Carceral Institutions Including Post-election Missing Cases (i.e., Removing the Racial Resentment Variable)

Table A9. Estimation of Public Support for Punishment (General Social Survey)